

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

JUN 24 2010

Kelly K. Naujock S.C. Johnson & Son, Inc. 1525 Howe Street Racine, WI 53403-2236

Subject:

Label Amendment

EPA Reg. No. 4822-565 Gumby Insecticide FSIK

Your submission dated February 5, 2010

Dear Ms. Naujock:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable subject to the comments listed below. Two (2) copies of the revised labeling must be submitted prior to releasing the product for shipment. A stamped copy of the label is enclosed for your records.

- 1. The data supporting this product supports residual action for mosquito control on foliage for up to 30 days. Residual control is also supported for cockroaches, house and stable flies, carpenter ants, fire ants, mosquitoes, deer ticks, and cat fleas, but only for indoor treatments. Refer to the enclosed Efficacy Review Memo (Myers, 04/21/10) for details.
- 2. Delete residual control claims for perimeter treatments (see p.7) of cockroaches, flies, mosquitoes, carpenter ants, fire ants, scorpions, and spiders. The submitted data do not support these residual claims for outdoor uses. You may retain kill claims for these pests.
- 3. Since this product is for use outdoors, revise the general claims: "(Kills) (controls) through contact"; "(Kills) (controls) listed pest...for up to 4 weeks"; "Keeps on (killing) (controlling) listed pests..." and residual claims for carpenter ants, cockroaches, and flies to "kills" only claims.
- 4. Revise the general claim for "flies" to read "house flies and stable flies" throughout the label. Claims are only supported for house flies and stable flies.
- 5. Revise the general claim for "bugs" to read "listed bugs" throughout the label.
- 6. Delete: "Repeat treatment as necessary" (see p.5) throughout the label or identify a specific repeat interval based upon efficacy data of the product.
- 7. Revise the term "barrier" (see p. 10) to read "perimeter", since the term barrier is an implied claim for residual control.
- 8. The alternate confidential statement of formula (CSF) dated 02-04-2010 is acceptable.

- 9. The product chemistry data requirements for guidelines 830 Series Subgroup A and B are satisfied with the exception of the one year storage stability (830.6317) and corrosion characteristics data (830.6320). You have indicated that the studies for these data are already in progress and will be submitted to the Agency this year.
- 10. You indicated that a starter kit and refill bottles will be sold with this product and that both the outer packaging of the starter kit and bottles will contain all required labeling elements, as indicated in our Notice of Registration. You are reminded that if the outer packaging label deviates from the specified requirements, you must submit the kit labeling for review and approval.

If you have questions regarding this action, please contact Olga Odiott at (703) 308-9369.

Manz

Product Manager 13 Insecticide Branch

Registration Division (7505P)

Enclosure

LABEL A - SPRAYER DEVICE

[Note to reviewer: Label Version A: This product is in a 16 oz. bottle with a unique closure for use specifically with a custom tank sprayer device OR a custom hose-end sprayer device. A starter kit will be sold which incorporates one sprayer and one or several bottles. Bottles will also be sold as refills without the sprayer. Both the outer packaging of the starter kit and the bottles will contain all required labeling elements, but the optional marketing claims on each may vary]

Gumby Insecticide FSIK

ACCEPTED
with COMMENTS
in EPA Letter Dated

ACTIVE INGREDIENT:

Deltamethrin 0.19%

OTHER INGREDIENTS 99.81%

Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No.

KEEP OUT OF REACH OF CHILDREN

CAUTION

See additional Precautionary Statements on (back)(side)(bottom)(label)

NET CONTENTS: 16 oz. (32oz.)

(Kills)(controls) mosquitoes for up to 4 weeks

Keeps on (killing)(controlling) mosquitoes for up to 4 weeks

Residual control of mosquitoes for up to 4 weeks

(Kills)(Controls)(Protects against) mosquitoes that may carry West Nile Virus (Kills)(controls) (annoying) mosquitoes

Protect your family from mosquitoes that may carry West Nile Virus

(Kills)(controls)(protects against) mosquitoes (that may cause West Nile Virus)

Mosquito (killer)(controller)

(Kills)(controls) through contact

Kills ticks

Kills spiders except brown recluse and black widows

No (greasy)(sticky)(oily) residue

For outdoor use only

Ready-to-use

Ready to spray

Easy to use!

Water-based (formula)(concentrate)

Water-dilutable (formula)(concentrate)

Do-it-yourself home pest control

Ornamental and hedge treatment

(Kills)(controls) listed pests on ornamental plants

Outdoor use around the home

Contains deltamethrin

For control of ants on plants, except Pharaoh, Fire, Carpenter, and Harvester ants For control of gypsy moths

(Kills) over 40 listed insect pests

(Kills) more than 40 listed insect pests

(Kills) listed crawling and flying insects

(Kills) mosquitoes and other listed outdoor insects

Its formula is specially designed to kill listed crawling, flying and garden insects

An outdoor product for use in outdoor areas

Non-staining (where water alone does not stain)

(Kills)(controls) listed bugs outdoors

Use with confidence

Keeps (killing)(controlling) insects (armyworms, elm leaf beetle, budworms, aphids, spider mites, Japanese beetles) for up to 2 weeks

No lingering chemical odor

No lingering chemical smell

Apply to flowers, ornamental plants, shrubs, potted plants and other landscape plants

Hose end convenience

Easy to use hose end sprayer

Plant pests: Ants (except Pharaoh, Fire, Carpenter and Harvester ants), aphids, armyworms, bagworms, box elder bugs, budworms, cankerworms, cutworms, earwigs, elm leaf beetles, euonymus scale (crawlers), flea beetles, gnats, grasshoppers, gypsy moth larvae, inch worms, ivy scale (crawlers), adult Japanese and June beetles, lace bugs, leafhoppers, leaf rollers, leaf feeding caterpillars, leaf skeletonizers, loopers, lygus bugs, mealy bugs, mimosa webworms, mites, oakworms, plant bugs, pine moths, red humped caterpillars, sawfly larvae, spanworms, stinkbugs, tent caterpillars, thrips (exposed), treehoppers, webworms, whiteflies, yellownecked caterpillars

[Note to reviewer: This section is for a Custom Tank Sprayer device. Assembly Instructions:

- 1. Before each use check to make sure you are using the correct Gumby product for your problem.
- 2. Shake the refill well before each use. For (lengthy) spraying jobs, shake the refill every 2 hours.
- 3. Remove the cap.
- 4. (Insert) (snap) refill (bottle) (in place) into sprayer (device).
- 5. To change refill (bottle) or when refill (bottle) is empty, hold (sprayer) (device) with one hand and (push button) to release (refill)(bottle) from

(sprayer)(device).

[Note to reviewer: The following alternate assembly instructions may be added to or could replace portions of the basic assembly instruction above to accommodate potential configurations of the device.]

Align (arrows) (marks) (neck) on (refill) (bottle) with (arrows) (marks) (opening) on (sprayer)(device) and ensure (refill) (bottle) is properly inserted.

Replace (refill) (bottle) if empty

Slide (refill) (bottle) into (sprayer) (slot). Click in place.

Use only Gumby product (refill) (bottle) with this (sprayer) (device).

Before inserting new (refill) (bottle), wipe seals clean from dirt and debris. After insertion, spray for XXX (minutes)(seconds) to start the flow of product. Seal between sprayer and refill created automatically.

The refill valve insert on the (refill) (bottle) is not removable. Do not remove attached valve insert from (refill) (bottle). Do not remove (black) (red) (other specified color) insert (cap).

Insert refill until you hear it click (or button pops out).

Place hand under the refill and press the release button on the (front)(side). The (refill) (bottle) will drop from the (sprayer) (device).

[Note to reviewer: In addition to all of the instructions above, below are additional instructions for a Custom Hose-End Sprayer

- 1. Shake container well before use. Make sure the water supply from the garden hose is off and the knob control lever (button) on the sprayer is in "OFF" position, then connect the sprayer to the garden hose.
- 2. Turn water on at faucet. To begin spraying, turn (rotate) knob control lever (depress button) to the ON position. The product mixes automatically with the water as you spray. Begin treatment of the furthest area and work back (toward the faucet) so you do not come into contact with the treated areas
- 3. When spraying low growing ground covers and small shrubs, twist the sprayer nozzle to the "FAN" position. When spraying taller trees, shrubs and ornamentals, twist the nozzle to the "STREAM", position for extended reach and uniform coverage.
- 4. To stop spraying, turn (rotate) the knob control lever to "OFF", position (release button). Turn off water at the faucet. To release pressure before disconnecting the sprayer from the garden hose, turn knob control lever to the "ON" position (depress button) and point the sprayer away from any desirable plants.

[Note to reviewer: For both devices the concentration of the Active Ingredient at

the time of application, which is after dilution with water, is 0.0119%.]

[Note to reviewer: On the outer packaging of the starter kit a referral statement will be used for the Directions for Use in lieu of the full text. It will read "Directions for Use. It is a violation of federal law to use this product in a manner inconsistent with its labeling. Refer to product bottle for complete use directions." The storage and disposal section will remain as full text on this outer packaging.]

Directions for Use:

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Shake the (refill)(cartridge)(bottle) vigorously before each use. For lengthy spraying jobs, re-agitate the (refill)(cartridge)(bottle) every (1/2 hour)(1 hour)(2 hours). *Not for use around electrical equipment.*

Wear long-sleeved shirt and long pants while applying this product. Do not apply this product in a way that will contact people either directly or through drift. Do not allow people or pets on treated areas until spray has dried. For outdoor use only. To avoid drift, spray on calm days. DO NOT spray near streams or rivers as this product is toxic to aquatic life. When spraying plants, do not operate sprayer closer than (18)(12)(6) inches (whenever possible). Use sweeping motion to cover all plant surfaces. Be cautious about wetting tender foliage, young plants and new growth. Do not spray plants when temperature exceeds 85F (30C). Avoid wetting blossoms. Over-application may cause damage. DO NOT spray vegetable plants or other plants used for food. For best results, spray when the insects or damage are first observed.

Plant Pests: Use Gumby Insecticide FSIK to treat flowers, shrubs, vines, shade, flowering and non-flowering trees, evergreens, and other ornamental plants. Apply spray thoroughly to all parts of plants including upper and lower leaf surfaces. Apply until thoroughly wet but do not allow run-off or excessive dripping to occur. Be sure to penetrate dense foliage to wet leaves, trunk and branches. To prevent being hit by spray, do not apply to overhead areas. Treat when plant pests appear and repeat at 7 to 10 day intervals, if needed. One 16 oz. refill treats 2000 ft² of grass, small shrubs, ground covers or bedding plants.

Mosquitoes On-plant: Use Gumby Insecticide FSIK to treat grass, flowers, shrubs, vines, shade trees, flowering and non-flowering trees, evergreens, and other ornamental plants. Apply spray thoroughly to all parts of plants including upper and lower leaf surfaces. Apply until thoroughly wet but do not

allow run-off or excessive dripping to occur. Be sure to penetrate dense foliage to wet leaves, trunks and branches. To prevent being hit by spray, do not apply to overhead areas. Treat when mosquitoes appear and repeat treatment as necessary. One 16 oz. refill treats 2000 ft². of grass, small shrubs, ground covers or bedding plants.

LABEL B - HOSE END SPRAYER

[Note to reviewer: Label Version B: This product is a bottle for use with a typical ready-to-spray product, also commonly referred to as a hose-end device]

Gumby Insecticide FSIK

ACTIVE INGREDIENT:

Deltamethrin 0.19%

OTHER INGREDIENTS 99.81%

KEEP OUT OF REACH OF CHILDREN

CAUTION

See additional Precautionary Statements on (back)(side)(bottom)(label)

NET CONTENTS: 16 oz. (32oz.)

(Kills)(controls) mosquitoes for up to 4 weeks

Keeps on (killing)(controlling) mosquitoes for up to 4 weeks

Residual control of mosquitoes for up to 4 weeks

(Kills)(Controls)(Protects against) mosquitoes that may carry West Nile Virus (Kills)(controls) (annoying) mosquitoes

Protect your family from mosquitoes that may carry West Nile Virus

(Kills)(controls)(protects against) mosquitoes (that may cause West Nile Virus)

Mosquito (killer)(controller)

(Kills)(controls) through contact

Kills ticks

Kills spiders except brown recluse and black widows

No (greasy)(sticky)(oily) residue

For outdoor use only

Ready-to-use

Ready to spray

Easy to use!

Water-based (formula)(concentrate)

Water-dilutable (formula)(concentrate)

Do-it-yourself home pest control

Ornamental and hedge treatment

(Kills)(controls) listed pests on ornamental plants

Outdoor use around the home

Contains deltamethrin

For control of ants on plants, except Pharaoh, Fire, Carpenter, and Harvester ants For control of gypsy moths

(Kills) over 40 listed insect pests

(Kills) more than 40 listed insect pests

(Kills) listed crawling and flying insects

(Kills) mosquitoes and other listed outdoor insects

Its formula is specially designed to kill listed crawling, flying and garden insects An outdoor product for use in outdoor areas

Non-staining (where water alone does not stain)

(Kills)(controls) listed bugs outdoors

Use with confidence

Keeps (killing)(controlling) insects (armyworms, elm leaf beetle, budworms, aphids, spider mites, Japanese beetles) for up to 2 weeks

No lingering chemical odor

No lingering chemical smell

Apply to flowers, ornamental plants, shrubs, potted plants and other landscape plants

Hose end convenience

Easy to use hose end sprayer

Plant pests: Ants (except Pharaoh, Fire, Carpenter and Harvester ants), aphids, armyworms, bagworms, box elder bugs, budworms, cankerworms, cutworms, earwigs, elm leaf beetles, euonymus scale (crawlers), flea beetles, gnats, grasshoppers, gypsy moth larvae, inch worms, ivy scale (crawlers), adult Japanese and June beetles, lace bugs, leafhoppers, leaf rollers, leaf feeding caterpillars, leaf skeletonizers, loopers, lygus bugs, mealy bugs, mimosa webworms, mites, oakworms, plant bugs, pine moths, red humped caterpillars; sawfly larvae, spanworms, stinkbugs, tent caterpillars, thrips (exposed), treehoppers, webworms, whiteflies, yellownecked caterpillars

(Note to Reviewer: The following additional claims are for Label Version B only. They are supported by a final use dilution rate of 0.03% deltamethrin. The coverage rate will be adjusted downward in Label Version B "Use Directions - Perimeter Pests" to assure that the proper deltamethrin deposit rate is achieved using the 0.0119% dilution rate)

(Kills)(controls) listed (insects)(pests) for up to 4 weeks

Keeps on (killing)(controlling) listed (insects)(pests) for up to 4 weeks

(Kills)(controls) through contact

Keeps (killing)(controlling)(residual control of) (cockroaches)(roaches) for up to (2 months)(8 weeks)

Dual (kill)(control) – through contact and residual action for up to 4 weeks (Kills)(controls) (cockroaches)(roaches)(fleas)(flies)(mosquitoes)(insects)(bugs) in two ways: (1) it(kills)(controls)(cockroaches)(roaches)(fleas)

(flies)(mosquitoes) (insects)(bugs) through contact and (2) it keeps on (killing)(controlling) with residual action even after you spray for up to 4 weeks

(Kills)(controls) the insects you see, (kills)(controls) the ones you don't see for up to 4 weeks

Killing power for up to 4 weeks

Control of ticks around the home

Outdoor use around the home

(32 fl oz)(1 quart) (1 bottle) treats up to 4,000 square feet

For control of ants

(Kills)(controls) fleas & ticks

(Kills)(controls) listed crawling & flying insects

(Kills)(controls)(fall)(fall appearing) insects outside before they move inside your home (for the winter)

(Kills)(controls) ticks that may carry Lyme Disease

Also (kills)(controls): carpenter ants, centipedes, scorpions, spiders & many more listed on back

(Kills)(controls) the following insects: ants, carpenter ants, centipedes, crickets, grasshoppers, pill bugs, scorpions, sowbugs, spiders, ticks

Its formula is specifically designed to kill listed crawling and flying insects

Effective against flies, mosquitoes and ants

An outdoor product for use in outdoor areas including backyards, patios & decks Ideal for (backyards)(decks)(patios)!

Non-staining (where water alone does not stain)

(Kills)(controls) listed bugs outdoors

Mosquito (killer)(controller)

(Kills)(controls) listed flying insects

(Kills)(controls)(mosquitoes)(and)(fleas)

Control of (carpenter ants)(cockroaches)(roaches)

(waterbugs) (palmetto bugs)(crickets)

Keeps (killing)(controlling)(residual control of) crickets up to (5 months)(20 weeks)

Keeps (killing)(controlling)(residual control of) carpenter ants for up to (1 month)(4 weeks)

Keeps (killing)(controlling) ants (crazy ants, false honey ants, little black ants, pharaoh ants, pavement ants, fire ants) for up to 1 week

(Kills)(controls) bugs before they enter your (home)(house)(garage)

Apply to foundations and other areas (such as decks, driveways, fences, garbage cans, patios, sidewalks, walkways, walls) where insects may congregate or gain entrance into your (home)(house)(garage)

For up to 4 weeks of control of (carpenter ants)(cockroaches) (roaches)(crickets)(fleas)(mosquitoes)

(Treats)(for use in) areas where insects may congregate or gain entrance to your (home)(house)(garage)

(Note to Reviewer: This product is a bottle for use with a typical **ready-to-spray or hose-end device**)

Assembly Instructions

- 1. Shake container well before use. Make sure the water supply from the garden hose is off and the knob control lever (button) on the sprayer is in "OFF" position, then connect the sprayer to the garden hose.
- 2. Turn water on at faucet. To begin spraying, turn (rotate) knob control lever (depress button) to the ON position. The product mixes automatically with the water as you spray. Begin treatment of the furthest area and work back (toward the faucet) so you do not come into contact with the treated areas
- 3. When spraying low growing ground covers and small shrubs, twist the sprayer nozzle to the "FAN" position. When spraying taller trees, shrubs and ornamentals, twist the nozzle to the "STREAM" position for extended reach and uniform coverage.
- 4. To stop spraying, turn (rotate) the knob control lever to "OFF" position (release button). Turn off water at the faucet. To release pressure before disconnecting the sprayer from the garden hose, turn knob control lever to the "ON" position (depress button) and point the sprayer away from any desirable plants.

[Note to reviewer: The concentration of the Active Ingredient at the time of application, which is after dilution with water from the device, is 0.0119%.]

Directions for Use:

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Shake the (refill)(cartridge)(bottle) vigorously before each use. For lengthy

spraying jobs, re-agitate the (refill)(cartridge)(bottle) every (1/2 hour)(1 hour)(2 hours). *Not for use around electrical equipment.*

Wear long-sleeved shirt and long pants while applying this product. Do not apply this product in a way that will contact people either directly or through drift. Do not allow people or pets on treated areas until spray has dried. For outdoor use only. To avoid drift, spray on calm days. DO NOT spray near streams or rivers as this product is toxic to aquatic life. When spraying plants, do not operate sprayer closer than (18)(12)(6) inches (whenever possible). Use sweeping motion to cover all plant surfaces. Be cautious about wetting tender foliage, young plants and new growth. Do not spray plants when temperature exceeds 85F (30C). Avoid wetting blossoms. Over-application may cause damage. DO NOT spray vegetable plants or other plants used for food. For best results, spray when the insects or damage are first observed.

Plant Pests: Use Gumby Insecticide FSIK to treat flowers, shrubs, vines, shade, flowering and non-flowering trees, evergreens, and other ornamental plants. Apply spray thoroughly to all parts of plants including upper and lower leaf surfaces. Apply until thoroughly wet but do not allow run-off or excessive dripping to occur. Be sure to penetrate dense foliage to wet leaves, trunk and branches. To prevent being hit by spray, do not apply to overhead areas. Treat when plant pests appear and repeat at 7 to 10 day intervals, if needed. **One 32 oz. bottle treats 4000 ft². of grass, small shrubs, ground covers or bedding plants.**

Mosquitoes On-plant: Use Gumby Insecticide FSIK to treat grass, flowers, shrubs, vines, shade trees, flowering and non-flowering trees, evergreens, and other ornamental plants. Apply spray thoroughly to all parts of plants including upper and lower leaf surfaces. Apply until thoroughly wet but do not allow runoff or excessive dripping to occur. Be sure to penetrate dense foliage to wet leaves, trunks and branches. To prevent being hit by spray, do not apply to overhead areas. Treat when mosquitoes appear and repeat treatment as necessary. One 32 oz. bottle treats 4000 ft². of grass, small shrubs, graving covers or bedding plants.

Perimeter Pests: Ants, carpenter ants, brown dog ticks, centipedes, cockroaches, crazy ants, crickets, deer ticks, earwigs, false honey ants, field crickets, fire ants, fleas, grasshoppers, ground beetles, little black ants, lone star ticks, mosquitoes, palmetto bugs, pavement ants, pharaoh ants, pill bugs, scorpions, sowbugs, spiders, ticks, waterbugs – To help prevent infestations of buildings apply where pests are active and may find entrance. For example, treat a band of soil or lawn up to 6-10 feet wide around and next to buildings and treat the foundation up to

a height of 2 to 3 feet. **One 32 oz. bottle treats 1500 sq. ft. of surface area.** Thoroughly and uniformly wet the barrier area, but do not allow runoff to occur.

LABEL A & B - STORAGE & DISPOSAL AND PRECAUTIONARY LANGUAGE

STORAGE AND DISPOSAL

STORAGE: Store in a cool, dry place away from children. Do not allow to freeze. Nonrefillable container.

DISPOSAL: If empty: Do not reuse or refill this container. Place in trash or offer for recycling if available. If partly filled: Call your local solid waste agency or 1-800-529-3394 for disposal instructions. Never place unused product down any indoor or outdoor drain.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if inhaled. Avoid breathing vapor or spray mist. Avoid contact with skin or clothing. Contact with product may result in transient tingling and reddening of the skin which may persist for 24 hours. Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Remove contaminated clothing and wash clothing before reuse.

	First Aid
If inhaled	 Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. Call a poison control center or doctor for treatment advice
	Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

ENVIRONMENTAL HAZARDS

This product is extremely toxic to fresh water and estuarine fish and invertebrates. Do not apply directly to water. This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area.

PHYSICAL HAZARDS

Do not spray conduits, motor housings, junction boxes, switch boxes, or other electrical equipment because of possible shock hazard.

Questions? Comments? Call 800-558-5252 or write Helen Johnson. Sold by: ©2008 S.C. Johnson & Son, Inc. Racine, WI 53403-2236 U.S.A. All Rights Reserved

EPA Reg. No. 4822-565

EPA Est. No.