

ENFORCEMENT CASE REVIEW

TO: Director, Pesticides Enforcement Division Office of Enforcement and General Counsel		I.D. NO. 86/14 EPA REGISTRATION NO. 901-79
PRODUCT NAME (On sample label) Airosol Brand Aircraft Insecticide		
COMPANY NAME AND ADDRESS (On sample label) (Include ZIP code) Airosol Company, Incorporated 525 North Eleventh Street Neodesha, Kansas 66757		REGISTRATION STATUS AT TIME OF SHIPMENT INQUIRY <input checked="" type="checkbox"/> REGISTERED <input type="checkbox"/> NOT REGISTERED
DISTRIBUTOR STATUS AT TIME OF SHIPMENT (If applicable)		
BASIC PRODUCT NAME		PRODUCT SUPPLEMENTALLY REGISTERED <input type="checkbox"/> YES <input type="checkbox"/> NO
REGISTRANT NAME AND ADDRESS (Include ZIP code)		DATE OF SUPPLEMENTAL REGISTRATION
OTHER PERTINENT REGISTRATION DATA		
IS THIS A PESTICIDE? <input checked="" type="checkbox"/> YES (If yes, list claims below) <input type="checkbox"/> NO		
PESTICIDE CLAIMS "For Public Health, Plant Protection and Quarantine Pests. For use by or under the direction of Federal and State Personnel in accordance with manuals issued by governmental agencies." "Directions for Use on Aircraft - To Kill Mosquitoes, Gnats, Houseflies and Caribbean Fruit Flies:...." "Directions for Use in Buildings, Vans, Ships and in Tentage; For Indoor Use Only - To Kill Flying Insects (Mosquitoes, Houseflies and Gnats):.... To Kill Cockroaches:...."		
SIGNATURE OF BRANCH CHIEF (Registration Div., Office of Pesticides Programs) Vern L. McFarland		DATE March 3, 1987

ENFORCEMENT CASE REVIEW <i>(Test and Label)</i>				ID NUMBER <div style="font-size: 1.2em; font-weight: bold;">86/14</div>	
				EPA REGISTRATION NUMBER <div style="font-size: 1.2em; font-weight: bold;">901-79</div>	
TYPE OF REVIEW					
CHEMISTRY	EFFICACY	SAFETY	OTHER (Specify)		
			X response to specific questions from Reg. III		
TEST RESULTS AND SIGNIFICANCE					
<p>The enclosed label is the latest acceptable label for the subject product as marketed under the additional brand name "Airosol [Brand] Aircraft Insecticide".</p> <p>Originally registered as "Insecticide Aerosol, d-phenothrin, 2%" on May 31, 1979, the additional brand name was requested by application of August 29, 1979 and accepted by our reply of October 10, 1979.</p> <p>There is nothing in the product file which would justify the claims made in the literature attached to the sample label. Clearly, use in the manner and locations specified on the flyer is a violation of Section 12(a)(2)(G) of FIFRA as stated on the label according to 40 CFR 162.10(i)(2)(ii). In recent telephone conversation with the registrant it was learned that the formulation sold and shipped to a 'large distributor' in Lorton, VA does not contain Freons 11 and 12 but consists of the alternate formulation requested August 15, 1983 and approved by letter dated September 6 of the same year. A sample should be obtained from Huntington Trading, Inc. of Lorton, VA and analyzed to determine whether this is true. If it is not, any contemplated action of stop sale or seizure by State or Federal authorities against the Lorton, VA firm should be supplemented by action in Region VII intended to prevent further sale and shipment of product with Freons 11 and 12 to anyone other than personnel authorized by the label to use it. This action would be in keeping with current concerns as to the effects of saturated chlorofluorocarbons on the ozone layer of the atmosphere.</p>					
LABELING REVIEW					
ARE THERE ANY SIGNIFICANT LABELING DEFECTS? <input type="checkbox"/> YES (If yes, list substantial discrepancies and significances below)					DATE OF ACCEPTANCE OF APPLICABLE LABELING <div style="font-weight: bold;">May 31, 1979 (but not stamped until July 11, 1979)</div>
conditional <input checked="" type="checkbox"/> NO					
SUBSTANTIAL DISCREPANCIES AND SIGNIFICANCES					
<p>Sample label differs from accepted label only in the following:</p> <ul style="list-style-type: none"> — the product name is the additional brand name as explained in paragraphs 1 and 2 above — the absence of the statement "THIS PRODUCT CONTAINS CHLOROFLUOROCARBONS 11 & 12" immediately above the declaration of weight on the front panel, which statement is required by PR Notice 76-3 dated October 18, 1976; justification of such absence should be determined from analysis of a sample as explained in paragraph 3 above so that appropriate remedial action can be taken, if necessary — the absence of the statement "For Use By Department of Defense Personnel Only" immediately below the statement "For Indoor Use Only" on the rear panel; this is in keeping with the additional brand name since this statement is connected with the original product name, suggesting a product designed and labeled in accordance with a military specification. <p>As requested, a copy of the only stamped accepted label is attached.</p> <p style="text-align: right;">Vern L. McFarland 3/3/87</p>					

INSECTICIDE, AEROSOL d-PHENOTHRIN, 2%

ACTIVE INGREDIENTS:

3-phenoxybenzyl d-cis and trans* 2,2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate	1.92%
Other isomers	0.08%

INERT INGREDIENTS:	98.00%
	100.00%

*cis/trans isomer ratio: max. 25% (+ or -) cis
min. 75% (+ or -) trans

KEEP OUT OF REACH OF CHILDREN

CAUTION

See Back Panel for Additional Precautionary Statements

For Public Health, Plant Protection and Quarantine Pests. For use by or under the direction of Federal and State personnel in accordance with manuals issued by governmental agencies.

THIS PRODUCT CONTAINS CHLOROFUOROCARBONS 11 & 12

Net Weight 12 Ounces

AIROSOL COMPANY, INC.

525 N. 11th St.
Neodesha, Kansas 66257
Phone: 316-325-2667

EPA EST NO. 901 KS-1

EPA REG. NO. 901-79

Precautionary Statements
Hazardous to Humans

CAUTION

Harmful if swallowed. Do not use in commercial food serving areas while food is exposed. Do not contaminate feed or foodstuffs.

PHYSICAL HAZARDS

Contents under pressure. Do not use or store near heat or open flame. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting.

DIRECTIONS FOR USE

GENERAL CLASSIFICATION

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

STORAGE AND DISPOSAL

Storage: Store in a cool area away from heat or open flame

Disposal: Do not re-use empty container. Wrap container and put in trash collection.

DIRECTIONS FOR USE ON AIRCRAFT

To Kill Mosquitoes, Gnats, Houseflies and Caribbean Fruit Flies: Use while aircraft is in flight or on ground prior to takeoff. Use at least 30 minutes prior to landing. Stop ventilation system for a period of not less than 3 minutes after spraying. Spray 10 grams (10 seconds) per 1,000 cubic feet. Push button to spray. Move arm from side to side in a sweeping motion. Spray all spaces.

DIRECTIONS FOR USE IN BUILDINGS, VANS, SHIPS AND IN TENTAGE

FOR INDOOR USE ONLY

For Use By Department of Defense Personnel Only

To Kill Flying Insects (Mosquitoes, Houseflies and Gnats): Close space to be treated. Release 3 feet from any surface, holding dispenser above the head. Moving the dispenser about while spraying aids in dispense only for time indicated. Ten seconds of spraying is ample for each 1,000 cubic feet (10 feet x 10 feet x 10 feet). Keep treated area closed at least 30 minutes. Ventilate area before re-entry. Repeat as necessary.

To Kill Cockroaches: Contact as many insects as possible with the spray in addition to thoroughly spraying all parts of the room suspected of harboring cockroaches. Special attention should be paid to cracks, hidden surfaces and where these pests are suspected of hiding.