

4-376

08/13/2009

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

AUG 13 2009

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Nicole Russell
Bonide Products, Inc.
6301 Sutliff Road
Oriskany, NY 13424

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4, 2008-1, and 98-10
(Updated warranty statement)

Dear Ms. Russell:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4, 2008-1, and 98-10 dated June 17, 2009 for:

EPA Registration 4-376

Bonide Pyrenone Mosquito Fogging Spray

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4, 2008-1, and 98-10 and finds that the label change(s) requested falls within the scope of PRN-2007-4, 2008-1, and 98-10. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Nicole Williams of my staff at 703-308-5551.

Sincerely,

A handwritten signature in cursive script that reads "Rachel C. Holloman".

Linda Arrington *for*
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

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Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 4-376	2. EPA Product Manager Richard Gebken (acting)	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Bonide Pyrenone Mosquito Fogging Spray	PM# 10	
5. Name and Address of Applicant (Include ZIP Code) Bonide Products, Inc. 6301 Sutliff Road Oriskany, NY 13424 Attn: Nicole Russell <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ NOTIFICATION Product Name _____ AUG 13 2009	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input checked="" type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

NOTIFICATION: Addition of optional marketing statements.

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the CSF of this product. Bonide Products, Inc. understands that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA and further understands that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and Bonide Products, Inc. may be subject to enforcement action and penalties under section 12 and 14 of FIFRA.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 qt., 1/2 gal., 1 gal.		5. Location of Label Directions <input checked="" type="checkbox"/> on label	
6. Manner in Which Label is Affixed to Product		<input checked="" type="checkbox"/> Lithograph Paper glued Stenciled		<input type="checkbox"/> Other _____	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Nicole Russell	Title Pesticide Compliance Specialist	Telephone No. (Include Area Code) 315-736-8231 ext. 230
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Pesticide Compliance Specialist	
4. Typed Name Nicole Russell	5. Date 7/22/09	

Bonide Products, Inc.

6301 Sutliff Rd.
Oriskany, NY 13424

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Phone (315) 736-8231
Fax (315) 736-7582

June 17, 2009

FedEx: 8685 1623 2296

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
US Environmental Protection Agency
Room S4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

RE: Bonide Pyrenone Mosquito Fogging Spray
EPA Reg. No. 4-376
Notification – Updated the Storage and Disposal section per PR Notice 2007-4, updated the Environmental Hazards section per PR Notice 2008-1 and updated the warranty statement.

To Whom It May Concern:

Enclosed, please find a completed form 8570-1, Notification and labeling for the above mentioned registration. Changes are in red text and highlighted in yellow. I trust you will find everything in order for approval.

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. Bonide Products, Inc. understands that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. Bonide Products, Inc. Further understands that if the amended label is not consistent with the requirements of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and Bonide Products, Inc. May be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

This notification is consistent with the guidance in PR Notice 2008-1 and the requirements of EPA's regulations at 40 CFR 156.10, 40 CFR 156.80 and 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. Bonide Products, Inc. understands that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. Bonide Products, Inc. further understands that if this notification is not consistent with the guidance of PR Notice 2008-1 and the requirements of 40 CFR 156.10, 40 CFR 156.80 and 40 CFR 152.46, this product may be in violation of FIFRA and Bonide Products, Inc. may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,


Nicole Russell
Pesticide Compliance Specialist

Enclosure



AUG 13 2009

Pyrenone Mosquito Fogging Spray

[Additional Brand Names: BONIDE® Vegetable/Ornamental Fogging Spray, BONIDE® Bug Beater Yard & Garden Insect Fog, **BONIDE® FLY BEATER BARN & STABLE INSECT FOG**]

Optional Marketing Statements:

- **Ready-to-Use Oil Base Pyrethrins Insecticide [Designed for Outdoor Fogging Acceptable for Indoor Use]**
- **Kills Biting Flies, Chiggers, Ticks, Fleas, Mosquitoes and Gnats**
- **Fogging Insecticide with Pyrethrins**
- **For Outdoor and Indoor Use**
- **For control of annoying pests including; Mosquitoes, Flies, Gnats, Chiggers, Ticks and Fleas**
- **Insect Control for Vegetable & Ornamental Gardens**
- **Controls Insects on Vegetable and Flower Gardens**
- **Home & Garden Insecticide**
- **Flying & Crawling Insecticide**
- **Use with FOG Rx electric fogger**
- **Acceptable for indoor use**



ACTIVE INGREDIENTS

Pyrethrins	0.25%
Piperonyl Butoxide, Technical	2.00%
OTHER INGREDIENTS**	97.75%
TOTAL	100.00%

*Equivalent to 1.6% (butylcurbitly)(6-propylpiperonly) ether and 0.4% related compounds.

**Contains Petroleum Distilate.

Keep Out Of Reach Of Children

CAUTION

See Back/Side/Other Panel(s) for Additional Precautionary Statements and First Aid

NET CONTENTS:

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FIRST AID

Call a poison control center or doctor immediately for treatment advice.

If swallowed:	Immediately call a poison control center or doctor. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give any liquid to the person. Do not give anything by mouth to an unconscious person.
If inhaled:	Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.
If in eyes:	Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.
If on skin or clothing:	Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For information on pesticide products (including health concerns, medical emergencies or pesticide incidents), call the National Pesticide Information Center at 1-800-858-7378.

Note to Physician: Contains petroleum distillate – vomiting may cause aspiration pneumonia.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed or absorbed through skin. Avoid breathing vapors or spray mist. Avoid contact with skin and eyes.

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Use only as directed and do not contaminate lakes, streams, or ponds by cleaning of equipment or disposal of wastes. Do not apply when conditions favor drift from intended area of treatment. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area.

PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame.

DIRECTIONS FOR USE

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

Not for use on plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes.

[Required for INDOOR USE directions only]

Remove pests and cover aquaria before home use. This product should only be used in food processing plants when the plant is not in operation. Food should be removed or covered during treatment. All food processing surfaces should be covered during treatment and washed with an effective cleaning compound followed by a potable water rinse before using.

OUTDOOR MOSQUITO CONTROL: To control adult mosquitoes apply as a fog of fine mist using good mechanical, thermal or compressed air equipment. For best results, treat when wind velocity does not exceed 5 miles per hour. Application in the evening or early morning is recommended.

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Treat area thoroughly with particular attention around low and marshy places, shorelines, stagnant pools or ponds and shrubbery or vegetation where mosquitoes may rest. Apply at a rate of 0.5 fluid ounces per 100 square feet.

INDOOR USE: To control **MOSQUITOES, HOUSEFLIES, GNATS, and SMALL FLYING MOTHS.** Fill the room with mist, using one ounce per 1000 cubic feet of space. Keep room closed for 10 minutes. Vacate during treatment and ventilate before reoccupying.

[Optional language] [When using inside Barns & Stables for reduction in annoyance of flies, remove livestock from area to be treated. Do not contaminate food, feedstuffs or water. Apply fog, using one ounce per 1000 cubic feet of space, where insects are active. Keep livestock out of treated area for at least 30 minutes.]

USE ON GARDENS & ORNAMENTALS:

This insecticide may be used outdoors in gardens or in greenhouses throughout the growing season or as a pre-harvest treatment when other insecticides are prohibited due to residue restrictions and use limitations.

For best results, use throughout the growing season to prevent buildups of insect infestation. Using good mechanical, thermal or compressed air equipment, spray plants from a distance of 1 ½ to 2 feet using 7 ½ - 8 fl. oz. to cover 1000 sq. ft. To prevent injury to plants, avoid visibly wetting the foliage.

Apply in the early morning or late evening when air is still, treating all foliage with particular attention to the underside of leaves. Contact insects directly whenever possible. Repeat treatment every 7 – 10 days or as re-infestation occurs.

Controls (Kills) most harmful garden insects, including: **Ants, Aphids, Armyworms, Asparagus Beetles, Bagworms, Beetles, Biting Flies, Blister Beetles, Cabbage Loopers, Cankerworms, Centipedes, Chiggers, Chinch Bugs, Cicadas, Clover Mites, Colorado Potato Beetles, Corn Borers, Corn Earworms, Crane Flies, Crickets, Cross-stripped Cabbage Worms, Cutworms, Diamondback Moth Caterpillars, Digger Wasps, Earwigs, Fire Ants, Firebrats, Fireworms, Flea Beetles, Fleas, Fruit Flies, Gnats, Grasshoppers, Green Bugs, Green Fruitworms, Harlequin Bugs, Hornets, Horse Flies, House Flies, Imported Cabbage Worms, Japanese Beetles, Katydid, Lace Bugs, Leafhoppers, Leafminers, Leafrollers, Leaf tiers, Lice, Maggots, Mealybugs, Mexican Bean Beetles, Millipedes, Mites, Moths, Pillbugs, Rootworms, Silverfish, Sowbugs, Spittlebugs, Stink Bugs, Tent Caterpillars, Thrips, Ticks, Tomato Hornworms, 12-spotted Cucumber Beetles, Webworms, Weevils, Whiteflies.**

USE ON ORNAMENTALS, ROSES & FLOWERS including: African violets, asters, azaleas, begonias, camellias, carnations, chrysanthemums, dahlias, dogwood, geraniums, gladioli, marigolds, roses, rubber plants, and wandering jew.

USE ON MOST GARDEN VEGETABLES, HERBS, FRUITS & NUTS including: almond, apple, apricot, arugula, asparagus, basil, beans, beet, blackberry, blackeyed peas, blueberry,

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broccoli, Brussels sprouts, cabbage, chamomile, cantaloupe, carrot, casaba, cashew, cauliflower, celery, cherry, chicory, chives, collards, corn, cranberries, cucumbers, currant, curry leaf, eggplants, elderberry, endive, garden peas, garlic, grape, grapefruit, honeydew, horseradish, kale, kumquat, lemon, lentils, lime, lettuce, loganberry, loquat, macadamia nut, mango melon, melons, mint, mustard greens, nectarine, onion, orange, paprika, parsley, peach, pear (bitter melon), peppers (including bell, chili), pimento, plum, potatoes, pumpkin, radishes, raspberry, sage, snap bean, soybean, spinach, strawberry, squash, sweet bay (bayleaf), sweet corn, sweet potato, swiss chard, tangelo, tangerine, tomatoes, turnips, walnut, watermelon, and yam.

STORAGE AND DISPOSAL

Storage: Store and transport in an upright position. Store in a cool, dry area away from children and pets.

Disposal: *If empty* – Nonrefillable container. 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 for disposal instructions. Never place unused product down any indoor or outdoor drain.

To the extent consistent with applicable law, buyer assumes all risks of use, storage and handling of this material not in strict accordance with directions given herewith.

Bonide Products, Inc.
6301 Sutliff Road
Oriskany, NY 13424

[Batch Code to be inserted at production]

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