

4-396

10/14/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

NOTIFICATION

OCT 14 2009

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

Subject: **Notification:** Updated Storage and Disposal Statement, Environmental Hazards Statement and other minor revisions
Bonide Shot-Gun Hot Pepper Wax Animal Repellent Concentrate
EPA Reg. No. 4-396

Dear Ms. Russell:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notices (PRNs) 2007-04, 2008-01 and 1998-10 dated 9-30-09 for the product EPA Reg. No. 4-396. The Registration Division (RD) has conducted a review of this request for its applicability under PRNs 2007-04, 2008-01 and 1998-10 and finds that the action(s) requested fall within the scope of the PRNs. The Confidential Statement of Formula (CSF) and/or label submitted with the application has (have) been stamped "Notification" and will be placed in our records.

If you have any questions, please call me @ 703-305-5314 or metzger.autumn@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "AM", written over a horizontal line.

Autumn Metzger
Biologist
Insecticide-Rodenticide Branch
Office of Pesticide Programs



United States
Environmental Protection Agency
 Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 4-396	2. EPA Product Manager Bill Jacobs	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Bonide Shot-Gun Hot Pepper Wax Animal Repellent Conc.	PM# 14	
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. _____ Product Name _____	

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Section - II

<input type="checkbox"/> Amendment - Explain below.	<input 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: Made revisions per PR Notice 2007-4 and PR Notice 2008-1, removed 1-800-CLEANUP and added an optional marketing statement. 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 pint		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 <i>Nicole Russell</i>	3. Title Pesticide Compliance Specialist	
4. Typed Name Nicole Russell	5. Date 9-30-09	



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NOTIFICATION
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SHOT GUN HOT PEPPER WAX ANIMAL REPELLENT CONCENTRATE

[Additional Brand Name: Shot-Gun Hot Pepper Wax Animal Repellent Ready-to-Spray]

Optional Marketing Statements

Animal Repellent for Fruits, Vegetables, and Outdoor Ornamentals
Repels Rabbits and Tree Squirrels From the Yard and Garden
Animal repellent for fruits, vegetables, ornamentals and grasses

ACTIVE INGREDIENT:

*Capsaicin ... (CAS # 404-86-4) 0.00018%

OTHER INGREDIENTS:..... 99.99982%

TOTAL:100.00000%

*Includes 0.00012% capsaicin and 0.00006% other capsaicinoids

MADE FROM HOT CAYENNE PEPPERS

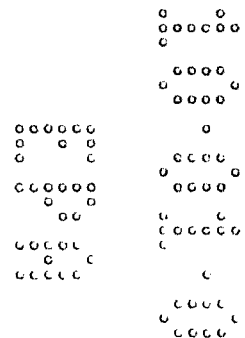
This product contains 0.0000144 lbs. of Active Ingredient per Gallon

Keep Out of Reach of Children

CAUTION

See back/side/other panel(s) for additional Precautionary Statements and First Aid

NET CONTENTS: 1 PINT (473 ml)



FIRST AID

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact the National Pesticide Information Center at 1-800-858-7378 for emergency medical treatment information.

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

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Causes eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling.

ENVIRONMENTAL HAZARDS

This product may be toxic to aquatic organisms. 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. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.

DIRECTIONS FOR USE

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

USE RESTRICTIONS: For residential use only on home lawns, flower and vegetables gardens, fruit, nut and ornamental trees, and wooden structures and fences around the home.

Deer, Rabbit and Tree Squirrels: Shot-Gun Hot Pepper Wax Animal Repellent Concentrate repels deer, rabbits and tree squirrels from the following fruits and vegetables: citrus fruits, root and tuber vegetables, bulb vegetables, leafy vegetables, brassica (cole) leafy vegetables, legume vegetables, fruiting vegetables and cucurbit vegetables. It also can be used on all indoor and outdoor ornamental plants and wooden structures and fences.

ALL USES: Apply Shot-Gun Hot Pepper Wax Animal Repellent Concentrate using spray equipment. Do not apply this product through any type of irrigation system.

Mixing, Application and Retreatment Directions for Plants: Apply Shot-Gun Hot Pepper Wax Animal Repellent Concentrate as diluted below, as a foliar spray to the leaves, stems, fruits, and flowers of the plant until wet. Do not drench roots in soil or media. Do not apply when rain is expected within 24 hours.

Initial rate is 1 part Shot-Gun Hot Pepper Wax Animal Repellent Concentrate to 16 parts WATER (8 fl. oz. or 16 Tbs. per gallon of water). Apply until foliage is wet or a maximum of 3 gallons prepared solution per 1000 square feet. Repeat application in 3-7 days, for 2-3 weeks, until control is established. ONCE CONTROL IS ESTABLISHED use MAINTENANCE rate of 1 part Shot-Gun Hot Pepper Wax Animal Repellent Concentrate to 32 parts WATER (4 fl. oz. or 8 Tbs. per gallon of water) every 2-4 weeks, as necessary to maintain control.

Mixing, Application, and Retreatment Directions for Wooden Structures and Fences: Mix 8 fluid ounces (16 Tbs.) per gallon of water. Apply until surface is wet. Repeat application if necessary in 1 to 2 weeks, until control is established. Once control is established, apply every 6 to 8 weeks to previously sprayed surfaces.

HOW TO USE

Make sure water control knob on hose sprayer is in the "OFF" position. Hold by handle and shake vigorously, turning bottle as you shake. Attach hose to spray nozzle. Bend safety tab back and break off. Turn control to "WATER" position. Slowly turn on water supply to moderate rate of flow. Point nozzle toward spray area, turn control knob to "ON". Product will automatically mix with the water. Slowly sweep the area to be treated. To stop spraying, turn control valve to "OFF" position. Turn off water at faucet. To relieve pressure, turn control valve to the "WATER" position pointing sprayer away from self. Remove from hose.

STORAGE AND DISPOSAL

Storage: Store and transport in an upright position. Store in a cool dry area inaccessible to children or 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.

For information on pesticide products (including health concerns, medical emergencies, or pesticide incidents), call the National Pesticide Information Center at 1-800-858-7378.

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

[batch code inserted at production]

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