

4-429

08/17/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

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

AUG 17 2009

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4 and 98-10
(Minor label changes)

Dear Ms. Russell:

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

EPA Registration 4-429

Bonide Yard & Patio Fogger

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and 98-10 and finds that the label change(s) requested falls within the scope of PRN-2007-4 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 black ink, appearing to be "Linda Arrington".

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

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0080. Approval expires 2-28-95



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 4-429	2. EPA Product Manager LaRocca	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Bonide Yard & Patio Fogger	PM# 13	
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. <u>NOTIFICATION</u> Product Name <u>AUG 17 2009</u>	

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: Made revisions per EPA comments letter dated 11-18-03, changed "NPIC" and made revisions per PR Notice 2007-4. 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 type="checkbox"/> Yes <input checked="" 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 checked="" type="checkbox"/> Metal	
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
				<input type="checkbox"/> Plastic	
				<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 15 oz.		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

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

June 10, 2009

FedEx: 8685 1623 2150

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 Yard & Patio Fogger
EPA Reg. No. 4-429
Notification – Made revisions per EPA comments letter 11/18/03, changed "NPIC" and made revisions per PR Notice 2007-4.

To Whom It May Concern:

Enclosed, please find a completed form 8570-1, Notification and labeling for the above mentioned registration. Optional language is 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.

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

Sincerely,

Nicole Russell
Pesticide Compliance Specialist

Continuation of Section II

Notification of label change per PR Notice 2007-4. 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.

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AUG 17 2009

YARD & PATIO FOGGER

[Additional Brand Names: Bonide Mosquito Beater Yard Fog, Flying & Crawling Insect Killer]

OPTIONAL MARKETING STATEMENTS:

Triple Action Formula Highly Effective Against Flying & Crawling Insects
Use Outdoors & In
Controls Residential and Ornamental Garden Insects
For Household Use

A Broad Spectrum Insecticide Highly Effective Against: Ants, Carpenter Ants, Bees, Carpet Beetles, Centipedes, Clover Mites, Cockroaches, Crickets, Earwigs, Firebrats, Fleas, Grain Beetles, Millipedes, Mole Crickets, Moths, Pillbugs, Scorpions, Silverfish, Sowbugs, Spiders, Ticks, Wasps, and Many Other Pests
Kills Flies, mosquitoes, gnats, and other listed insects outdoors and in.

ACTIVE INGREDIENTS:

- Tetramethrin (CAS # 7696-12-0) 0.15%
- Permethrin (CAS # 52645-53-1) 0.15%
- Piperonyl Butoxide, Technical (CAS # 51-03-6) 0.75%

OTHER INGREDIENTS: 98.95%
TOTAL 100.00%

KEEP OUT OF REACH OF CHILDREN

CAUTION

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

NET CONTENTS: _____

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 on Skin or Clothing:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
If Inhaled:	<ul style="list-style-type: none"> • 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. • Call a poison control center or doctor for further treatment advice.
If in Eyes:	<ul style="list-style-type: none"> • 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: Harmful if absorbed through skin or inhaled. Causes moderate eye irritation. Avoid contact with skin, eyes and clothing. Avoid breathing vapor or spray mist. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not apply directly to any body of water. Do not contaminate water when disposing of equipment washwaters.

PHYSICAL OR CHEMICAL 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. Do not apply this product in conduits, motor housings, junction and switch boxes or other electrical equipment because of possible shock hazard. Do not use on surfaces that can be harmed or stained by water.

DIRECTIONS FOR USE

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

Avoid contamination of feed and foodstuffs. Remove pets and birds and cover fish aquaria before spraying or surface applications. Vacate room after treatment and ventilate before reoccupying. Do not allow children or pets to contact treated areas until surfaces are dry.

Do not use in commercial food/feed handling establishments, restaurants or other areas where food is commercially prepared, processed, served or stored.

STORAGE AND DISPOSAL
<p>Storage: Store and transport in an upright position. Store in a cool dry area inaccessible to children or pets. Do not puncture or incinerate!</p> <p>Disposal: <i>If empty</i> – Nonrefillable container. Do not reuse or refill this container. Place in trash or offer for recycling if available. <i>If partly filled</i> – Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.</p>

In the home, all food processing surfaces and utensils should be covered during treatment or thoroughly washed before use. Exposed food should be covered or removed.

SHAKE WELL BEFORE USING

Remove protective cap, hold container upright and spray from a distance of 12 to 15 inches. Remove birds and cover fish aquariums before spraying.

INDOORS: CLUSTER FLIES, HOUSEFLIES, FRUIT FLIES, MOSQUITOES, GNATS, WASPS, HORNETS, BEES, BLACK FLIES, SKIPPER FLIES, BLOW FLIES AND SMALL FLYING MOTHS: Close all doors and windows and direct spray upward into center of room with a slow sweeping motion. Spray 5 – 10 seconds for average room. Direct spray to all parts of the room, especially windows and other light sources, which attract these insects. Keep nozzle in constant motion. Leave room and keep door closed for 15 minutes after spraying. Ventilate room thoroughly before re-entry. Sweep up and discard fallen insects.

COCKROACHS, WATERBUGS, PALMETTO BUGS, SILVERFISH, FIREBRATS, CRICKETS, SCORPIONS, SPIDERS, MILLIPEDES, CENTIPEDES, SOWBUGS AND PILLBUGS: Spray into hiding places such as cracks and crevices, behind sinks, cabinets, along baseboards and floors, around drains and plumbing, hitting insects with spray whenever possible.

ANTS: Spray trails, nests and points of entry. Spray on ants where possible.

CARPET BEETLES: Spray directly on beetles, floors, baseboards, shelves and carpets.

BEDBUGS: Spray mattresses, particularly around tufts and seams. Take beds apart and spray into all joints. Treat baseboards, moldings and floors. Allow all sprayed articles to dry thoroughly before use.

To control **Clothes Moths** and **Carpet Beetles** on wool and other proteinaceous fibers: Remove infested articles from storage, brush thoroughly, and air for several hours in sunlight, if possible. Apply spray liberally to empty chests, closets, bureaus and other storages directing the spray into cracks, joints and crevices. After airing, infested articles may be treated by spraying lightly, keeping nozzle at least three feet from fabric to avoid staining. Allow all sprayed articles to dry thoroughly before use.

OUTDOORS:

Point spray nozzle away from face. Hold can on slight downward angle. For best results, spray when air is calm. Allow a few minutes for product to take effect. Spray with wind if breeze is blowing.

Remove all exposed food and cooking utensils. Cover all food handling surface or wash thoroughly after treatment and before use. Do not use on edible crops.

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

Pests on Outside Surfaces of Buildings: For control of building infestation due to **Ants, Clover Mites, Crickets, Earwigs, Millipedes, and Sowbugs (Pillbugs)**. Spray foundation of building where insects are active and may find entrance, up to a height of 2 to 3 feet. Apply as a residual spray to outside surface of buildings where insects tend to congregate. Spray areas include (but are not limited to) screens, window frames, eaves, porches, patios, garages and refuse dumps.

FLYING INSECTS: Flies, Mosquitoes, Gnats, Small Flying Moths, Hornets and Yellow Jackets. Allow fog to drift over area. Direct spray toward bushes or grass from at least 4 to 6 feet away. Give special attention to breeding areas such as garbage cans and compost piles.

CRAWLING INSECTS: Ants, Cockroaches, including Asian Cockroaches, Crickets, Mole Crickets, Centipedes, and Silverfish. Hold can two (2) to three (3) feet from surface to be treated and spray in infested surface of patio or picnic area, hitting as many insects as possible. Spray to slightly moisten the surface. Also spray legs of tables and chairs to repel ants. Spray ant trails and hills.

ANTS, LONE STAR TICKS, CRICKETS, FLEAS AND EARWIGS: Apply thoroughly to infestations in bushes, grass or weeds. For Ants, spray freely around ant trails and hills.

FOR CONTROL OF ORNAMENTAL GARDEN INSECTS: For use on roses, dahlias, asters and other ornamentals to kill **Japanese Beetles** hit by spray, as well as **Whiteflies, Aphids, Exposed Thrips, Spiders, Red Mites and Leafminers.**

May be used on plants, as well as a multi-purpose spray in small gardens and for spot treatments of incipient insect infestations to prevent spreading in large garden areas. May also be used on other plants such as African Violets, asters, azaleas, begonias, camellias, carnations, chrysanthemums, dahlias, geraniums, crassula, grape vine, Kentia palm, laurel, marigolds, rhododendrons, roses, rubber plants, snapdragons, stocks, wandering Jew and zinnias.

Effective when used as directed against **Whiteflies, Aphids, Spider and Red Mites, Exposed Thrips, Lace Bugs, Japanese Beetles, Pavement Ants, Clover Mites and Armyworms.** When spraying plants, do not operate closer than 18 inches. Use sweeping motion. Spray in one second bursts. Be cautious about wetting tender foliage, young plants and new growth. Do not spray plants when temperatures exceed 90°F. Contact insects directly whenever possible. Repeat treatment as infestations occur.

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

NOTICE: Buyer assumes all responsibility for safety and use not in accordance with directions.

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

[Batch Code to be inserted at production]

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