

4-475

02/16/2010

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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Ms. Sarah H. Kuetemeier
Bonide Products, Inc.
6301 Sutliff Road
Oriskany, NY 13424

FEB 16 2010

Subject: Label Notification(s) for Pesticide Registration 2007-4

Dear: Ms. Kuetemeier:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated for January 14, 2010

EPA Registration Number: 4-475 Bonide® Wasp, Hornet & Yellow Jack Killer

The Registration Division (RD) has conducted a review of this request for applicability Under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. 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 non-refillable 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 Melody Banks on 703 305-5413.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Gebken".

Richard Gebken
Insecticide Branch
Product Manager
Registration Division (7505P)



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 4-475	2. EPA Product Manager Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Bonide® Wasp, Hornet & Yellow Jacket Killer	PM# 13	
5. Name and Address of Applicant (Include ZIP Code) Bonide Products, Inc. 6301 Sutliff Road Oriskany, NY 13424 <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 _____	

Section - II

Amendment - Explain below. Final printed labels in response to Agency letter dated _____

Resubmission in response to Agency letter dated _____ "Me Too" Application.

Notification - Explain below. Other - Explain below.

NOTIFICATION
FEB 16 2010

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

NOTIFICATION: of additional brand name, Orchard™ Est. 1931 Wasp, Hornet & Yellow Jacket Killer

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. 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 sections 12 and 14 of FIFRA.

Section - III

1. Material This Product Will Be Packaged In:

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	2. Type of Container <input checked="" type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt No. per container

3. Location of Net Contents Information
 Label Container

4. Size(s) Retail Container
10 - 32 oz.

5. Location of Label Directions
 on label

6. Manner in Which Label is Affixed to Product
 Lithograph Paper glued
 Stenciled Other _____

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name Sarah H. Kuetemeier	Title Consultant/Agent for Bonide Products, Inc.	Telephone No. (Include Area Code) (540) 375-8826
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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.

2. Signature <i>Sarah H. Kuetemeier</i>	3. Title Consultant/Agent for Bonide Products, Inc.	6. Date Application Received (Stamped)
4. Typed Name Sarah H. Kuetemeier	5. Date Jan. 14, 2010	

Registrations
by Design, Inc.™

Jan. 14, 2010

phone 540.375.8826
fax 540.375.8827

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Ariel Rios Bldg.
1200 Pennsylvania Ave., NW
Washington, DC 20460

Re: Notification of Additional Brand Name
EPA Reg. No. 4-475, Bonide® Wasp, Hornet & Yellow Jacket Killer

Attn: Linda Arrington, Team Leader
Notifications & Minor Formulations

On behalf of Bonide Products, Inc. of Oriskany, New York, enclosed is notification of additional brand name for the above-referenced product. No changes have been made to the CSF.

The following documents are enclosed:

- 1) EPA Form #8570-1, Application for Pesticide – Notification (2 copies)
- 2) Copy of the proposed revised label with revisions highlighted in blue.

If further action or information is required on behalf of Bonide Products, Inc., please advise.

Best regards,

Sarah H. Kuetemeier

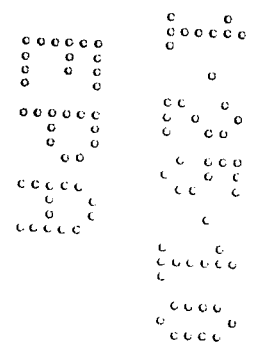
Sarah H. Kuetemeier
Consultant/Agent for
BONIDE PRODUCTS, INC.
e-mail: sarahk@ntelos.net

/shk

Enclosures

cc: NRussell/BPI

MAILING ADDRESS:
P.O. Box 1019, Salem, VA 24153



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WASP, HORNET & YELLOW JACKET KILLER

[Additional Brand Name: Orchard™ Est. 1931 Wasp, Hornet & Yellow Jacket Killer]

Optional Marketing Statements

- Strong Jet Spray Formula
- Water Based
- Fast Knockdown
- Watch Them Drop
- [Quick] Knockdown And Killing Power
- Kills [Wasps] Fast
- Kills [Wasps], [Hornets], [And] [Yellow Jackets] On Contact
- Up To 20 Ft. [Jet] Spray
- Powerful Jet Spray [Blast] – Up To 20 Feet [Above Ground]
- Sprays Up To 20 Feet
- Kills Wasps, Hornets, Yellow Jackets & Bees
- Indoor/Outdoor Use
- Contains No CFC's Or Other Ozone Depleting Substances. Federal Regulations Prohibit CFC Propellant In Aerosols
- Non-Staining
- No Oily Residue
- Also Kills Mud Daubers, Gypsy Moth Caterpillars & Tent Caterpillars

NOTIFICATION

FEB 16 2010

ACTIVE INGREDIENTS:

Tetramethrin0.2%
 Permethrin*0.2%

OTHER INGREDIENTS:**99.6%

TOTAL:.....100.0%

*Cis/trans ratio: max. 55% (+/-) cis and min. 45% (+/-) trans.

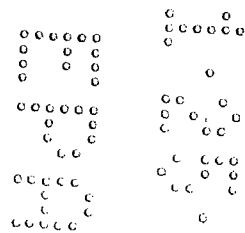
**Contains petroleum distillates.

Keep Out of Reach of Children

CAUTION

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

Net Contents: _____



FIRST AID	
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.
If Swallowed:	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give any liquid to person. • Do not give anything by mouth to an unconscious person.
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.
HOT LINE NUMBER	
<p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment. In case of medical emergencies or health and safety inquiries or in case of fire, leaking or damaged containers, information may be obtained by calling the National Pesticide Information Center at 1-800-858-7378.</p>	
NOTE TO PHYSICIAN	
<p>May pose an aspiration hazard. Contains petroleum distillate.</p>	

PRECAUTIONARY STATEMENTS

Hazards to Humans & Domestic Animals

CAUTION: Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Wear long-sleeved shirt and long pants, socks, shoes and gloves.

Environmental Hazards

This product is toxic to fish and aquatic invertebrates. Do not apply directly to water.

Physical and Chemical Hazards

Contents under pressure. Keep away from heat, sparks and open flame. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting. Do not spray in or around electrical equipment to safeguard against possible shock hazard.

DIRECTIONS FOR USE

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

SHAKE WELL BEFORE USING

Read Entire Label.

HELPFUL TIPS:

For best results, use this product early in the morning or at dusk when insects are less active.
 Spray at a safe distance from the nest and do not stand directly underneath it.
 Aim the can away from you while spraying.
 If it is breezy, spray with the wind at your back to avoid the spray drifting in your direction.
 To kill the entire nest, spray until it is soaked. Wait at least 24 hours before removing the nest.

TO KILL Wasps, Hornets, Mud Daubers, Yellow Jackets and Bees [including Carpenter Bees] under eaves, screens, window frames, doors, patios, cracks, holes or crevices wherever insects are noticed, directly spray insects for about 1-2 seconds.

This product may also be used indoors, in areas such as attics or crawl spaces where insects build nests. Whenever used indoors, follow directions for use carefully. Once nest is treated, leave the area quickly and close door behind you. Do not re-enter area for at least 24 hours to ensure all insects are killed.

Specific Instructions

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TO KILL Wasps: Treatments should be made at dusk or early morning when insects are least active. Shake can and hold upright, pointing valve toward nest with wind at back.

TO KILL Hornets: Hornets make their nests in trees and shrubs and under eaves. Do not treat hornet's nests unless you can clearly see the entrance hole at the base. Wait until dusk or early morning when wasps are at rest. Direct spray into entrance hole and continue to spray into nest as wasps fall out until can is empty or no more wasps are seen. Leave area quickly.

TO KILL Yellow Jackets: Yellow jackets make their nests in tree stumps, walls, railroad ties or similar structures. Watch for wasp activity during the day to locate nest location. Treat at dusk or early morning when insects are at rest. Empty entire contents of can into nest hole from close range to ensure product enters entrance hole and leave area immediately.

TO KILL Bees (including Carpenter Bees): Spray around points where insects enter such as outside plumbing, faucets, cracks or crevices in foundation, under eaves, and along sills and ledges.

TO KILL Mud Daubers: Treatments should be made at dusk or early morning when insects are least active. Shake can and hold upright, pointing valve toward nest with wind at back. Spray directly on insects and their nests.

To Tent Caterpillars: Make applications when caterpillars are young and tents are first noticed (usually late spring). For best results, apply in the late afternoon or evening when caterpillars have returned to their tents. Aim spray directly at tents, and totally saturate on all sides.

TO KILL Gypsy Moth Caterpillars: Make applications when caterpillars are young and first noticed (usually late spring). Spray plants evenly to the point of run-off, applying to both sides of leaves and other areas of plants where insects are suspected. For dense evergreens and shrubs, be sure spray reaches interior leaves and branches.

Do not apply to pets or contaminate feed, foodstuffs, dishes or utensils. Avoid spraying vegetation directly.

NOTE: This product is non-staining to most building siding depending on age and condition. Before using in areas where this product may contact siding, test in an inconspicuous area, then check back in a few hours.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage and disposal.

Storage: Do not store near heat or open flame. Store in a cool dry area away from children.

Disposal: Do Not Puncture or Incinerate! *If empty:* Place in trash or offer for recycling if available. *If partly filled:* Call your local solid waste agency [or 1-877-315-9819] for disposal instructions.

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

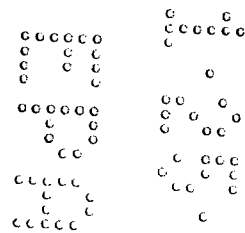
For information on pesticide products (including health concerns, medical emergencies, or pesticide incidents), call the National Pesticide Information Center at 1-800-858-7378.

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

[batch code inserted at production]

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EPA Reg. No. 4-475
Jan. 14, 2010 - Notification



EPA Est. 4-NY-1
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