

56-67

2/17/2009

lofb



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

FEB 17 2009

Dr. H.R. McLane, Agent for
J.T. Eaton & Co., Inc.
7210 Red Road, Suite 206A
Miami, FL 33143

Subject: Label Notification for Pesticide Registration Notice 2007-4

Dear Dr. McLane,

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated August 19, 2008 for the product Eaton's® K.I.O. (Kills Insects Only) System (EPA Registration Number 56-67). The Registration Division (RD) has conducted its review of this request for its applicability under PRN 2007-4 and finds that the label changes requested fall within the scope of PRN 2007-4. The label submitted with the application has been 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 call me directly at 703-305-6249 or Steve Schaible of my staff at 703-308-9362.

Sincerely,

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



United States
Environmental Protection Agency
Washington, DC 20460

Registration
Amendment
 NOTIFICATION

EPA
Registration No:
56-67

Page 3 of 5

Application for Pesticide Section I Comply w/PRN 2007-4 Date: Aug. 19, 2008

1. Company / Product Number: 56-67	2. EPA Product Manager Mr. George T. LaRocca	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company Product Name: EATON's K.I.O. KILLS INSECT ONLY SYSTEM	PM Number - 13	<input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
5. Name and address of Applicant: (Include Zip Code) J. T. EATON & CO., INC. 1393 East Highland Road Twinsburg, OH, 44087	6. Expedite Review. In accordance with 40 CFR 152.23(c)(3)(b)(i), My product is similar or identical in composition and labeling to: EPA Reg. No. <u>N/A 59910-1</u> Product Name: <u>N/A</u>	

Section II

<input type="checkbox"/> Amendment- Explain below (Add insect Bed Bug control)	Final Printed Labels in response to _____
<input type="checkbox"/> Resubmission in response to Agency Letter Dated: _____	Me Too Applications, _____
<input checked="" type="checkbox"/> Notification - Explain Below Compliance w/PR NOTICE 2007-4	-- Other Explain below _____

Explanation: Use additional pages if necessary (For Section I and Section II) This is a NOTIFICATION that conforms to PR NOTICE 2007-4 concerning the STORAGE AND DISPOSAL requirements as found in that Section at the bottom of the right column of the label unit 2 of 2 and paginated as 5 of 5 in this dossier. The last EPA stamped ACCEPTED label version dated Aug. 30, 2007 is used as the base for this NOTIFICATION. The Certification for this NOTIFICATION is found in our cover letter page 2 of 5 in this submission.

Section III

1. Material This Product will be packed 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	If "Yes" Unit Packaging Wgt. _____ No. Per Container _____	If "Yes" Package Wgt. _____ No. Per Container _____	<input type="checkbox"/> Metal (Poly Lined) <input checked="" type="checkbox"/> Plastic HDPE <input type="checkbox"/> Glass <input type="checkbox"/> Paper cardboard <input type="checkbox"/> Other
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container 6 Oz.; 8 oz. 12 oz.; 1 lb.		5. Location of label directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> Label accompanying product	
6. Manner in which label is Affixed to Product SILK SCREENED			<input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper Glued <input type="checkbox"/> Stenciled	Other _____	

Section IV

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

Name: H. R. McLane, Inc. 7210 Red Rd. suite 206A miami, FL 33143	Title: Agent phone 305-661-1706 J. T. EATON & CO., INC.	Telephone No. (Include Area code) 1-800-321-3421
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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 false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application received (Stamped)
2. Signature: By H. R. McLane 	3. Title Agent	
4. Typed Name of registrant Mr. Bart Baker; Vice President J. T. EATON & CO., INC.	5. Date 08-19-08	

EPA

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NOTIFICATION TO COMPLY WITH PR NOTICE 2007-4 CONCERNING THE STORAGE AND DISPOSAL SECTION REVISED CONTAINER DISPOSAL COPY.

NOTIFICATION

FEB 17 2009

REGISTRANT
J. T. EATON & CO., INC.
1393 EAST HIGHLAND ROAD
TWINSBURG, OH 44087

PRODUCT NAME OF RECORD

J.T.EATON K.I.O. (KILLS INSECTS ONLY) SYSTEM

EPA REG. NO: 56-67

SUBJECT OF NOTIFICATION: PR NOTICE 2007-4

	PAGE
INDEX	1
COVER LETTER to: MR. GEORGE T. LARocca PM-13.....	2
1 COPY OF EPA FORM 8570-1 EPA REG. NO. 56-67	3
1 COPY, AS REQUIRED, OF THE 2 PAGE DRAFT LABEL ...	4

PR NOTICE 2007-4 COPY FOUND AT THE BOTTOM OF LABEL'S UNIT 2 OF 2; RIGHT COLUMN.

THE LAST EPA STAMPED ACCEPTED LABEL VERSION, DATED AUG 30, 2007 IS USED AS THE BASE LABEL FOR THIS PR NOTICE 2007-4 NOTIFICATION.

RETURN POSTCARD FOR EPA SIGNATURE OF NOTIFICATION RECEIPT

MAILING STICKERS FOR RETURN TO H. R. MCLANE, INC.

AUG 19 2008



H. R. McLANE, INC.

7210 Red Road, Suite 206A - Miami, Florida 33143-5321 U.S.A.
Phone 305 661 1706 - Fax 305 661 3036 - E-Mail hrmlaneinc@bellsouth.net
Consulting in EPA Regulatory Affairs
FIFRA Licensing & Registrations - Since 1948

AUG. 19, 2008

MR. GEORGE T. LARocca PM-13
DOCUMENT PROCESSING DESK (PR NOTICE 2007-4; NOTIFICATION)
OFFICE OF PESTICIDE PROGRAMS (7504 - P)
ENVIRONMENTAL PROTECTION AGENCY
1200 PENNSYLVANIA, AVE. N.W.
WASHINGTON, D. C. 20460-0001

PHONE 703-308-6100
FAX 703-305-6596

Subject: NOTIFICATION TO COMPLY WITH REQUIREMENTS OF PR NOTICE 2007-4
Registrant: J.T. EATON & CO., INC. EPA EST. NO. 56-OH-1
1393 E HIGHLAND RD TWINSBURG, OH 44087, MR. BART BAKER; VP.

Product: EATONS' K.I.O (KILLS INSECTS ONLY) SYSTEM
EPA REG.NO.56-67

DEAR MR. LARocca:

THIS NOTIFICATION DEALS WITH THE STORAGE AND DISPOSAL COPY REQUIRED BY PR NOTICE 2007-4 AS FOUND AT THE BOTTOM OF THE RIGHT COLUMN OF THE ENCLOSED DRAFT LABEL UNIT 2 OF 2.

THE LAST EPA STAMPED "ACCEPTED VERSION, DATED AUG 30, 2007, IS USED AS THE BASE LABEL FOR THIS NOTIFICATION.

NOTIFICATION
FEB 17 2009

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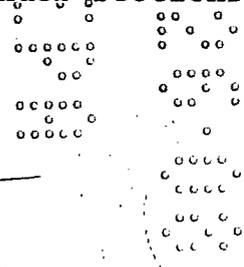
-----> CERTIFICATION FOR THIS NOTIFICATION

"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, 156.156. No other changes have been made to the labeling or the confidential statement of formula for 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 the amended label is not consistent with the terms of 40 CFR 156-10, 156.140, 156.144M 156.146M 156. 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."

Sincerely
H. R. McLane, INC.

H. R. McLane
H. R. McLane..... Agent for
MR. BART BAKER - VICE PRESIDENT.

HRM/nb/ encl: as above. cc/BB/CTX CENOL



EATON'S® K.I.O.™

(Kills Insects Only) SYSTEM

**For Control of Crawling Insects in Homes,
Residential, Business, and Commercial.**

FOR CONTROL OF FOOD INFESTING and NUISANCE INSECT PESTS
*Ants, Bed Bugs, Boxelder bugs, Cockroaches,
Crickets, Fleas, Silverfish, Ticks, Sowbugs,
Millipedes and Houseflies resting on treated
surfaces,*

FOR CONTROL OF STORED GRAIN INSECT PESTS
*Rice Weevils, Lesser Grain Borers, Flat Grain
Beetles, Saw Toothed Grain Beetles, Granary
Weevils, Angoumois Grain Moths, Mediterra-
nean Flour Moths, Indian Meal Moth (larvae),
Red Flour Beetles, and Confused Flour Beetle.*

ACTIVE INGREDIENTS: 100%

Silicon Dioxide, from diatomaceous earth	85 %
Other Elemental Oxides - - - - -	10 %
Moisture - - - - -	5 %
Total - - - - -	100 %

KEEP OUT OF REACH OF CHILDREN CAUTION

"PRECAUCIONAL USUARIO: Si usted no es un niño, no use este producto hasta que la etiqueta haya sido explicada completamente"

FIRST AID

IF IN EYES - Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. Remove contact lenses, if present, after 5 minutes, then continue rinsing. Call a poison control center or doctor for treatment advice.

IF INHALED: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth to mouth if possible. Call a poison control center or doctor for further treatment advice. Have this product container or label with you when calling a poison control center, or doctor, or when going for treatment.

You may also call 1-800-858-7378 for emergency medical treatment advise. See side panel for additional Precautionary Statements.

EPA Reg. No. 56-67 EPA Est. No. 56-OH-1

Net Weight 6 ounces (8 oz.; 1 lb.; 10 lbs.)

J. T. Eaton & Co., Inc.

1393 East Highland Rd. - Twinsburg, OH 44087

Mined and Manufactured in the U. S. A.

PR NOTICE 2007-4 NOTIFICATION VERSION

DIRECTIONS FOR USE.

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Apply only to dry surfaces. May be used by Pest Control Operators. Excess product may be removed by vacuum, mop, sponge or dampened cloth. EATON'S K.I.O. (Kills Insects Only) SYSTEM kills insects by absorbing the fluids right out of their body! Insects dry-up ... and die!

GENERAL DIRECTIONS

"EATON'S K.I.O. (Kills Insects Only) SYSTEM" contains Silicon Dioxide material composed of millions of minute, fossilized single-celled aquatic plants known as diatoms which were deposited in the earth's crust millions of years ago.

"EATON'S K.I.O. (Kills Insects Only) SYSTEM" kills insects by abrasively removing and breaking down the oily protective membrane which covers the insect's body, legs, and other moving parts. Death results from dehydration (drying out), because it absorbs up to 50% of the insects fluids! An insect's body is approximately 65% water and when as little as 30% dehydration occurs the insect will die. Without water to replace such losses, domestic species of cockroaches and ants die within 1 to 2 days.

With "EATON'S K.I.O. (Kills Insects Only) SYSTEM" there is an initial kill followed by the gradual, steady kill of the remaining insects. It remains effective until depleted and will continue to kill insects as long as the product stays dry!



HOME and RESIDENTIAL PEST CONTROL

Shake this container/applicator vigorously to fluff the product. To apply, open cap and squeeze/puff the product through the applicator tip. **INSECTS KILLED** by "EATON'S K.I.O. (Kills Insects Only) SYSTEM", when used as directed, includes the **following insects:** Ants, Bed Bugs, Boxelder bugs, Cockroaches (German, American and Brown Banded), Crickets, Garden Slugs entering dry indoor porch or patio areas, Houseflies coming to rest on treated surfaces, Fleas, Millipedes, Silverfish, Sowbugs, Ticks. Make sure to apply only to dry surfaces,

SPECIFIC AREAS TO APPLY

Apply behind stoves, refrigerators, under sinks, along baseboards, under the edges of rugs, in cracks and crevices, in window/storm window sills and frame openings, on mattresses for Bed Bugs, on and beneath dry porches and indoor patios where insects are seen. Product is not effective in damp areas. For good house keeping practices treat those areas with an approved liquid household insecticide. For control of crawling insects (including cockroaches) indoors apply lightly to any dry area where crawling insects are seen, breed, or have become a nuisance. For control, insects must crawl into and come in contact with the dry powder.

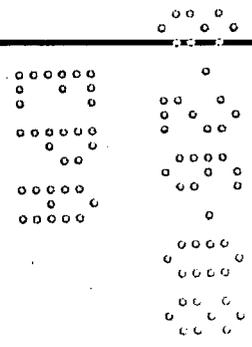
FOR ANTS: Apply along baseboards, entry crack and crevices and to areas of intensive ant activity such as doors, windows, screens, porches, basements, attics, ant nests (mounds), and ant trails.

FOR FLEAS: For control treat pet quarters, bedding, and indoor kennel areas, and pet resting areas under porches. Sleeping mattresses in the home may also be treated. Replace any product that becomes wet. Apply monthly or as needed. Do not introduce, or puff, the product into the air.

FOR BED BUGS: Squeeze container to apply light puffs of the dust to mattress surfaces, tufts and seams. Dismantle and treat bed parts, joints and interior areas. All cracks and crevices in the bedroom should be treated. 08-19-08

NOTIFICATION

FEB 17 2009



PR NOTICE 2007-4 NOTIFICATION VFERSSION

2

BUSINESS & COMMERCIAL PEST CONTROL

**Commercial Transportation Facilities;
Food Processing Plant Premise/Equipment;
Eating Establishments Food Handling Areas (food contact); Eating Establishment Food Serving Areas (food Contact); Food/Grocery Marketing/Storage/
Distribution Facility Premise.**

Apply to control the insect pests as listed below as a "Crack and Crevice" or a "Spot" treatment in areas where food or feed is - Received, Processed (including enclosed processing systems), Packaged (Bottled, Boxed, Canned, Wrapped), Transported, Stored (including waste), Prepared, or Served.

As a crack and crevice treatment apply sparingly into cracks and crevices using equipment designed to place powder into specific locations. Limit spot treatments to wall or floor surfaces where pests have been seen or where pests are suspected of hiding. No individual spot treatment should exceed 2 sq.ft. All food or feed must be removed or covered before treatment. Treat open spaces below floors, above ceilings, within walls, under stairs, underneath and behind equipment or appliances, around pipes, under sinks, in utility closets and around garbage and waste cans.

For Non-Food Areas

Apply (as directed above) as a "Crack and Crevice" or a "Spot" treatment for control of Ants, Boxelder Bugs, Crickets, Roaches and Silverfish to areas where pests hide, run or land, such as attics and spaces above suspended rooms, basements, and crawl spaces, cracks in baseboards, mouldings, and door frames, corners, in closets, cabinets, and shelves, window sills and frames, under and behind furniture and appliances, etc. Work into and apply under rugs, door mats, couches, etc

3

STORED GRAIN and SEED PEST CONTROL

"EATON'S K.I.O. (Kills Insects Only) SYSTEM" will aid in protecting Feed Grains, Seeds, Stored Grains; Barley, Beans, Buckwheat, Corn, Flax, Oats, Pea, Rice, Rye, Soybean and Sorghum (Milo) and Wheat against stored grain insect attack.

"EATON'S K.I.O. (Kills Insects Only) SYSTEM" is an effective insecticide for killing exposed grain infesting insects such as Rice Weevils, Lesser Grain Borers, Flat Grain Beetles, Saw Toothed Grain Beetles, Granary Weevils, Angoumois Grain Moths, Mediterranean Flour Moths, Indian Meal Moth (larvae), Red Flour Beetles, and Confused Flour Beetle in Empty Grain Bins, Boxcars, Ships, and Silos. 08-19-08w/c.



J. T. Eaton & Co., Inc.

1393 East Highland Rd. - Twinsburg, OH 44087.

NOTIFICATION

FEB 17 2009

HOW TO TREAT EMPTY GRAIN, CEREAL OR FLOUR BINS

Apply lightly approximately one 1 pound per 1,000 sq.ft. on all interior wall surfaces of empty storage areas. Where possible, special attention should be given to applying to cracks, crevices, and other areas where insects hide or crawl. After application there is no need to remove the product or aerate the areas. It is recommended that the area be left undisturbed for two to three days to eliminate existing infestations before filling. It is desirable to reapply the product each time the storage area is emptied.

HOW TO APPLY TO GRAIN OR SEED

Treat grain and seed as soon after harvest as possible. "EATON'S K.I.O. (Kills Insects Only) SYSTEM" may be applied to the grain at the time of storage to protect it from further damage. Adjust the moisture content of grain to not over 12% by weight. Using standard milling equipment apply at the rate of 2 to 7 pounds directly onto each ton of clean, dry grain or seed to be treated. Thoroughly mix with grain. Product may be dispensed into the grain either at the bottom of an elevator leg or as it is being moved into storage by auger or conveyor belt. Seal bin for storage. It is wise to check the status of stored grains regularly.

IMPORTANT: Treated grain will have a dry appearance, its movement speed will be reduced, and the grade and test weight may be lowered. Milling, baking, nutritive and germination qualities of grain or seed however are not affected by this treatment.

HOW TO PROTECT SMALL AMOUNTS OF GRAIN

Thoroughly mix 1 cupful (2 1/2 oz.) of "EATON'S K.I.O. (Kills Insects Only) SYSTEM" into each 25 lbs. of grain so that substantially all kernels are lightly coated with the product. Place treated grain into an "openhead" 5 or 6 gallon plastic pail for storage. Tightly replace lid for seal.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Causes moderate eye irritation. Avoid contact with eyes. Use adequate ventilation and avoid breathing dust. For commercial / and prolonged application wear a suitable dust mask approved by NIOSH/ OSHA; (example; such as #TC-21c-132).

PHYSICAL AND CHEMICAL HAZARDS

Keep container tightly closed. Product must remain completely dry to retain insecticidal values.

STORAGE AND DISPOSAL

STORAGE: Store this product in its original container in a dry, cool, secured area. Do not contaminate water, foodstuffs, feed, or seed by storage or disposal.

PRODUCT DISPOSAL: As a responsible environmental practice, where possible, it is recommended that all of the contents of the container be used, carefully following label directions and precautions.

CONTAINER 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 waste agency or 1-800 CLEANUP for disposal instructions. Never place unused product down any indoor or outdoor drain.

SPILL: In case of spill, if product is dry sweep up and use as directed, or dispose of material according to IF PARTLY FILLED directions above.

NOTICE: Buyer and user assume all risk and liability of use, storage and/or handling of this product not in accordance with the terms of this label. 08-19-08.

PRODUCT BATCH CODE NO.

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