

121-65

8-25-2009

1/5



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Vee Lee
Product Registration
Spectrum Division of United Industries Corp.
P.O. Box 142642
St. Louis, MO 63114-0642

AUG 25 2009

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request General Label Change (Marketing Statements/Directions for Use)
EPA Reg. No. 121-65
Application Dated July 10, 2009

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 07/10/09 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

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

 EPA United States Environmental Protection Agency Office of Pesticide Programs (H7505C) Washington, DC 20460	Application for Pesticide:	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Section I		
1. Company/Product Number 121-65	2. Product Manager R. Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Cutter Insect Repellent #CS314	PM# 10	
5. Name and Address of Applicant (include ZIP Code) Spectrum, Div. Of United Industries P.O. Box 142642 St. Louis, MO 63114 <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 labelling to: <p style="text-align: center; font-weight: bold; font-size: 1.2em;">NOTIFICATION</p> <p style="text-align: center; font-weight: bold; font-size: 1.2em;">AUG 25, 2009</p> EPA Reg. No. _____ Product Name _____	

Section II	
<input type="checkbox"/> Amendment - Explain below <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed label in response to Agency letter date: _____ <input type="checkbox"/> "ME TOO" Application. <input type="checkbox"/> Other - explain below

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
Notification per PR Notice 98-10 to add the following optional marketing claim(s): "Shake Well Before Using"

Section III			
1. Material in Which This Product Will Be Packaged:			
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 type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted		If "YES," Unit package wgt: _____ No. per container: _____	If "YES," Package wgt: _____ No. per container: _____
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) of Retail Container 6 oz.	
5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product		6. Manner in Which Label Is Affixed To Product <input type="checkbox"/> Lithographed <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other _____	

Section IV		
1. Contact Point (Complete items directly below for identification of the individual to be contacted, if necessary, to process this application)		
Name Vee Lee	Title Regulatory Affairs Specialist	Telephone No. (include Area Code) 314-683-2438
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 Regulatory Affairs Specialist
4. Typed Name Vee Lee		5. Date July 10, 2009

Spectrum

Division of United Industries
P.O. Box 142642
St. Louis, MO 63114-0642

July 10, 2009

Document Processing Desk (NOTIF)
Office of Pesticide Programs
United States Environmental Protection Agency
Room 266A Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202

Attention: Mr. Richard Gebken
Product Manager 10

Subject: Notification per PR Notice 98-10
Cutter Insect Repellent #CS314
EPA Reg. No. 121-65

Dear Mr. Gebken:

Please find enclosed notification per PR Notice 98-10 to add the following optional marketing claim(s),
"Shake Well Before Using".

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.

The following documents are enclosed in support of this submission:

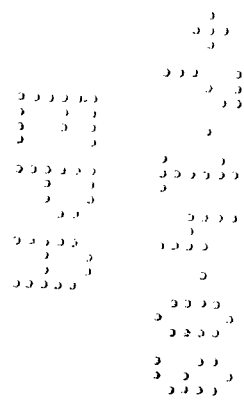
- 1. Application for Pesticide (EPA Form 8570-1)
- 2. One copy of the proposed label *with changes highlighted*
- 3. Five copies of the proposed label
- 4. One copy of the EPA stamped approved label

Please call me at 1-800-242-1166, Ext. 2438 you have questions or need further information. Thank you very much for your attention to our application.

Sincerely,



Vee Lee
Regulatory Specialist



FRONT PANEL

Unscented

CUTTER

Insect Repellent #CS314

[Unscented • pleasant, effective protection • Makes you invisible to bugs • Repels mosquitoes, chiggers, ticks, biting flies, no-see-ums, gnats and fleas • It won't stain • Not greasy or oily • Makes You Invisible to Bugs • Tough on bugs • Effective, dependable protection • Pleasant, effective protection • Repels mosquitoes, chiggers, ticks, biting flies, no-see-ums, gnats and fleas • Repels biting insects for hours • Pleasant, effective protection from mosquitoes, chiggers, ticks, biting flies, no-see-ums, gnats and fleas • Long-lasting protection from mosquitoes, ticks, chiggers, no-see-ums, biting flies, gnats and fleas • Repels Mosquitoes That May Carry West Nile Virus • Mosquito Repellent • CONTAINS DEET [n, n-Diethyl-m-toluamide]]

Active Ingredient:	
DEET	10.0%
Other ingredients	90.0%

KEEP OUT OF REACH OF CHILDREN

CAUTION Read precautions on back

Net Wt 6 oz (170g)

OPTIONAL MARKETING CLAIMS

[NOW . . . PLEASANT PROTECTION THAT'S EFFECTIVE FOR HOURS!]

OPTION 1

Unscented Cutter Insect Repellent #CS314 is specially formulated to repel mosquitoes, ticks, biting flies, gnats, chiggers, fleas and no-see-ums. Unscented Cutter Insect Repellent #CS314 offers long-lasting protection that's never greasy or oily, and has no unpleasant odor.

OPTION 2

Unscented Cutter Insect Repellent #CS314 provides hours of protection from mosquitoes and biting flies. Also repels ticks, chiggers, no-see-ums, gnats, and fleas. Unscented Cutter Insect Repellent #CS314 offers long-lasting protection: it's not greasy and has no unpleasant odor.

OPTION 3

Unscented Cutter Insect Repellent #CS314 repels biting insects for hours. It's specially formulated to repel mosquitoes, ticks, biting flies, gnats, chiggers, fleas and no-see-ums. Unscented Cutter Insect Repellent #CS314 is never greasy or oily and has no unpleasant odor. Cutter Insect Repellent is also available in pump, soothing clear gel, and insect repellent with sunscreen too.

OPTION 4

LONG LASTING PROTECTION. Convenient, effective Unscented Cutter Insect Repellent #CS314 is now in a convenient aerosol spray for quick coverage. You can spray from any angle, even upside down . . . to cover your arms, legs and back. It keeps you free from mosquitoes and other biting bugs for hours. Cutter Insect Repellent is also available in pump, soothing clear gel, and insect repellent with sunscreen.]

BACK PANEL

SHAKE WELL BEFORE USING

STOP. Read and follow all directions and precautions on this product label.

5/4

DIRECTIONS FOR USE

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

Do not spray in enclosed areas. Hold can 6 - 8 inches from skin and clothing while spraying, keeping sprayer pointed away from face. Slightly moisten skin. Use just enough repellent to cover exposed skin and/or clothing. Do not use under clothing. [For maximum protection on skin, spread with hand after application.] Do not spray directly onto face. Spray on hands first, and then apply sparingly to face, avoiding eyes. Do not apply near eyes and mouth. Apply sparingly around ears. Do not apply over cuts, wounds or irritated skin. Do not apply to sunburned skin. Do not apply to children's hands. Do not allow children to handle this product. When using on children, apply to your own hands and then put it on the child. [For extra protection from [crawling] ticks, chiggers and fleas, spray along all openings of clothing, such as neckband, waistband, pant and sleeve cuffs, sock tops and other areas where insects may crawl under clothing.] [Frequent reapplication or saturation is unnecessary.] Avoid over-application of this product. After returning indoors, wash treated skin with soap and water [and double-check yourself, other family members and pets for ticks.] Wash treated clothing before wearing it again. Will not damage nylon, cotton, or wool. May damage some synthetic fabrics, plastics, watch crystals, leather, painted or varnished surfaces. Use of this product may cause skin reactions in rare cases. If you suspect reaction to this product, discontinue use, wash treated skin and call your local Poison Control Center. If you go to a doctor, take this product with you.

STORAGE AND DISPOSAL

Pesticide Storage: Store the product in a cool, dry place, out of reach of children.
Container Disposal: If empty: Do Not Puncture or Incinerate! Nonrefillable container. Do not reuse or refill this container. 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.

PRECAUTIONARY STATEMENTS**Hazards to Humans and Domestic Animals**

CAUTION - Causes substantial but temporary eye injury. Harmful if swallowed. Do not get in eyes. Use of this product may cause skin reactions in rare cases. Wash treated clothing before wearing it again. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

First Aid

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. Call a Poison Control Center or doctor for treatment advice. **IF SWALLOWED:** Call a Poison Control Center or doctor immediately for treatment advice. Have person sip a glass of

water if able to swallow. Do not induce vomiting unless told to do so by a Poison Control Center or doctor. Do not give anything by mouth to an unconscious person. **IF YOU SUSPECT A REACTION TO THIS PRODUCT:** Discontinue use. 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: In case of an emergency call toll free [1-800-767-9927].

Have the product container or label with you when calling a Poison Control Center or doctor, or going for treatment.

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage

Physical/Chemical Hazards

FLAMMABLE. Contents under pressure. Do not use or store near heat, sparks or open flame. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting.

NOTICE: To the extent consistent with applicable law buyer assumes all responsibility for safety and use not in accordance with directions.

[Questions or Comments? Call 1-800-332-5553]

[Visit our web site at www.skeeterbites.com]

Made in the USA for Spectrum,
 Division of United Industries Corporation
 P. O. Box 142642
 St. Louis, MO 63114-0642

EPA Reg. No. 121-65

EPA Est. No. 9688-MO-1

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NOTIFICATION**AUG 25 2009**