

121-96

06-02-2010

1/6



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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

June 2, 2010

Mr. Eric D. Smith
Spectrum, Div. of United Industries Corp.
P.O. Box 142642
St. Louis, MO 63114

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

Dear Mr. Smith:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice PRN 2007-4 dated April 28, 2010 for the following product(s):

Cutter Insect Repellent 40L

EPA Reg. No. 121-96

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 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 Regina Foushee'-Smith at 703-605-0780.

Sincerely,

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

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



United States Environmental Protection Agency
Office of Pesticide Programs (H7505C)
Washington, DC 20460

Application for Pesticide:

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

OPP Identifier Number

Section I

| | | |
|--|--|--|
| 1. Company/Product Number 121-96 | 2. Product Manager L. Hollis | 3. Proposed Classification |
| 4. Company/Product (Name) Cutter Insect Repellent 40L | PM# 10 Biochemical Pesticides | <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted |
| 5. Name and Address of Applicant (include ZIP Code) Spectrum, Div. Of United Industries Corp. 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: EPA Reg. No. _____ Product Name _____ | |

Section II

| | |
|--|--|
| <input type="checkbox"/> Amendment - Explain below | <input type="checkbox"/> Final printed label in response to Agency letter date |
| <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.)
Label Notification per PR Notice 2007-4 & 98-10 (Please see cover letter for details.)

NOTIFICATION

JUN - 2 2010

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 4 oz | |
| 6. Manner in Which Label Is Affixed To Product <input checked="" type="checkbox"/> Lithographed <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled | | 5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product | |

Section IV

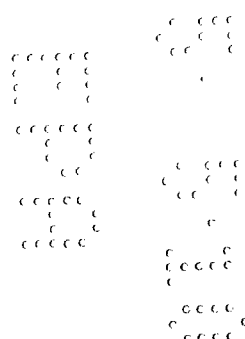
| | | |
|--|--|--|
| 1. Contact Point (Complete items directly below for identification of the individual to be contacted, if necessary, to process this application) | | |
| Name Eric D. Smith | Title Regulatory Affairs Manager | Telephone No. (include Area Code) 314-683-2455 |
| 2. Signature | | 3. Title Regulatory Affairs Manager |
| 4. Typed Name Eric D. Smith | | |
| 5. Date April 28, 2010 | | 6. Date Application Received (Stamped) |

Spectrum

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

April 28, 2010

Document Processing Desk (NOTIF)
Office of Pesticide Programs
United States Environmental Protection Agency
Room S4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501



Attention: ~~Ms. Linda Hollis~~ *PM10*
~~Biochemical Pesticides Branch~~ *Insecticide Branch*

**Subject: NOTIFICATION: Label Notification per PRN 2007-4 & PRN 98-10
Cutter Insect Repellent 40L
EPA Reg. No. 121-96**

Please find the enclosed application for notification of the following registration amendments:

A. Pesticide Registration Notice (PR) 2007-4, Final Rule "Pesticide Management and Disposal; Standards for Pesticide Containers and Containment:

We have adopted the exact language set forth in PRN 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 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 the amended label is not consistent with the requirement of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, 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.

B. Pesticide Registration (PR) Notice 98-10:

We have updated the label warranty statement in accordance to the EPA's October 17, 2006 Guidance on Warranty Statements.

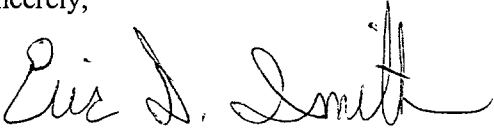
This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false 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:

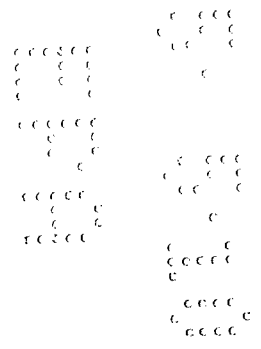
1. Application for Pesticide (EPA Form 8570-1)
2. One copy of the proposed label *with changes highlighted*
3. One clean copy of the proposed label

Please call me at 1-800-242-1166, Ext. 2455 or via email: eric.smith@spectrumbrands.com, if you have questions or need further information. Thank you very much for your attention to our application.

Sincerely,



Eric D. Smith
Regulatory Affairs Manager



Front Panel

NOTIFICATION

JUN - 2 2010

CUTTER INSECT REPELLENT 40L

[INSECT REPELLENT • New • Long lasting protection from mosquitoes, ticks, biting flies, gnats, chiggers, no-see-ums and fleas • Lasts up to 10 hours against mosquitoes • Provides up to 10 hours of protection against mosquitoes • Protection that lasts up to 10 hours against mosquitoes • Provides protection for up to 10 hours against mosquitoes • Effective, dependable protection • Effective, long-lasting protection • Developed to protect in the worst conditions • Extreme[ly] long lasting protection • [For] extreme insect protection • 10 hour protection formula • Concentrated insect protection • Effective protection from mosquitoes, chiggers, ticks, biting flies, no-see-ums, gnats and fleas • Makes you invisible to bugs • Tough on bugs • Repels mosquitoes, chiggers, ticks, biting flies, no-see-ums, gnats and fleas • Repels biting insects for hours • Repels Mosquitoes That May Carry West Nile Virus • Mosquito Repellent • CONTAINS DEET [n, n-Diethyl-m-toluamide] • 40% DEET • Hours of effective protection from mosquitoes, and other biting insects • The long-lasting, non-greasy formula provides exceptional effective protection • Non-greasy • Not greasy or oily • Apply on skin or clothing • It won't stain • Won't stain • Non-staining • Starts to work immediately • Unscented formula[tion] for effective protection while hunting • Unscented • Unscented protection • Convenient lotion • [New] lotion formula]

Active Ingredient:
DEET 40.0%
Other Ingredients 60.0%

KEEP OUT OF REACH OF CHILDREN

WARNING Read cautions on back

Net [contents] 4 fl oz (118 mL)

OPTIONAL MARKETING LANGUAGE

[Now...]Strong DEET protection that lasts up to 10 hours, even in the worst conditions.
[Now...]Concentrated insect protection for extreme conditions.

[OPTION 1

Developed especially for campers, backpackers, fishermen, hunters and other active outdoor enthusiasts. Cutter Insect Repellent 40L repels mosquitoes for up to 10 hours. The long-lasting, non-greasy formula provides exceptionally effective protection from ticks, biting flies, gnats, chiggers, fleas and no-see-ums.]

[OPTION 2

Cutter Insect Repellent 40L provides up to 10 hours of continuous protection from mosquitoes and biting flies. Developed especially for hunters and fishermen, Cutter Insect Repellent 40L has no added [scent][fragrance]. This formulation also offers long lasting protection from ticks, chiggers, no-see-ums, gnats, and fleas. Strong DEET protection for extreme environments.]

[OPTION 3

Cutter Insect Repellent 40L is specially formulated to provide up to 10 hours of protection from mosquitoes. It also repels biting flies, ticks, chiggers, fleas and no-see-ums. Cutter's unique formula is not greasy, won't stain, and has no unpleasant odor.]

Back Panel

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

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.*

Apply over all exposed skin to repel biting insects. Use just enough repellent to cover exposed skin. Do not use under clothing. If used on the face, spread on hands first and then apply sparingly and avoid eyes. Do not apply directly onto face. 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, apply 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.]. Will not damage nylon, cotton, or wool. May damage some

2/3

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

Storage: Store the product in a cool, dry place. Keep out of reach of children.

Container Disposal: If empty: 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

WARNING Causes substantial but temporary eye injury. Do not get into eyes or on clothing. Harmful if swallowed. Use of this product may cause skin reactions in rare cases. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

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.

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 1-800-767-9927

[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- 96

EPA Est. No. 9688-MO-1

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Additional Optional Marketing Claims

- 10 Hour Formula
- Lasts all day
- Convenient flip top [lid] design
- [Lid] Attaches to your gear
- Carry along design
- Heavy duty [package][design][container]
- Designed for rugged use
- New low odor formula
- Our most effective lotion [ever]
- Designed [created] for the toughest sportsmen
- Hours of extreme protection for the extreme outdoorsman
- Insect repellent as tough as you are
- Formulated to repel ticks and biting flies
- Long lasting protection from mosquitoes, ticks and biting flies