

478-93

01-15-2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

JAN 15 2009

Ms. Vee Lee
Realex, Div. of United Industries
P.O. Box 142642
St. Louis, MO 63114

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request General Label Change (Marketing Claims)
EPA Reg. No. 478-93
Application Dated December 17, 2008

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 12/17/08 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 be "Linda Arrington".

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



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

Application for Pesticide:

**Registration
Amendment
Other**

OPP Identifier Number

Section I

1. Company/Product Number 478-93	2. Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Real-Kill Household Flying Insect Killer	PM# 10	
5. Name and Address of Applicant (include ZIP Code) Realex, 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: NOTIFICATION EPA Reg. No. _____ Product Name JAN 15 2009	

Section II

<input type="checkbox"/> Amendment - Explain below	<input type="checkbox"/> Final printed label 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 per PR Notice 98-10 to add the following optional marketing claim(s): "Kills Flies", "Also Kills Mosquitoes, Small Flying Moths, Gnats, & Other Flying Insects As Listed", "Unscented".

Section III

1. Material in Which This Product Will Be Packaged:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes * <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water-Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	If "YES," Unit package wgt		No. per container
* Certification must be submitted			If "YES," Package wgt		No. per container
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) of Retail Container		5. Location of Label Directions <input 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 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 December 17, 2008	

REALEX

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

December 17, 2008

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

Attention: Mr. Richard Gebken
Product Manager 10

Subject: Notification per PR Notice 98-10
Real-Kill Household Flying Insect Killer
EPA Reg. No. 478-93

Dear Mr. Gebken:

Please find enclosed notification per PR Notice 98-10 to add the following optional marketing claim(s), **“Kills Flies”, “Also Kills Mosquitoes, Small Flying Moths, Gnats, & Other Flying Insects As Listed”, “Unscented”**. These claims are variation of the already-approved optional marketing claims and language appearing on the label.

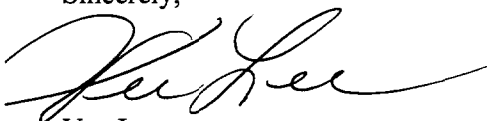
This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false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

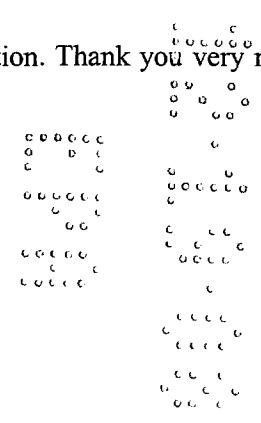
1. Application for Pesticide (EPA Form 8570-1)
2. One copy of the proposed label *with changes highlighted*
3. Five copies of the proposed label

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



REAL KILL HOUSEHOLD FLYING INSECT KILLER

**KILLS FLIES, MOSQUITOES, OTHER
FLYING INSECTS**

[Controls mosquitoes which transmit dengue • Controls Aedes aegypti mosquitoes • Controls mosquitoes which transmit Dengue Hemorrhagic Fever (DHF) • Ace Promise Satisfaction Guaranteed • Water-Based] • Kills Flies • Also Kills Mosquitoes, Small Flying Moths, Gnats, & Other Flying Insects As Listed

Fresh Pleasant Scent • Floral Fragrance • Fresh Floral Scent • Outdoor Fresh Scent • Floral Scent • Garden Fresh Scent • Fresh Garden Scent] • Unscented

Active Ingredients:

Tetramethrin..... 0.25%
Phenothrin 0.15%
Other Ingredients:.....99.60%

Keep Out of Reach of Children

CAUTION See Back for Additional Precautionary Statements

Net Weight 11 oz. (311 g)

**STOP. READ ENTIRE LABEL
BEFORE USE.**

DIRECTIONS FOR USE

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

SHAKE WELL BEFORE EACH USE. Hold can upright. Remove protective cap. Aim spray opening away from people. Push button to spray. Apply in short bursts.

**KILLS THESE COMMON
HOUSEHOLD PESTS**

HOUSEFLIES, MOSQUITOES (Optional: including Aedes aegypti mosquitoes which transmit dengue), SMALL FLYING MOTHS, GNATS: 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. Keep room closed for 15 minutes after spraying. Ventilate room thoroughly before re-entry. Sweep up and destroy fallen insects.

COCKROACHES, ANTS, CRICKETS, SOWBUGS, CENTIPEDES, FIREBRATS, SPIDERS: Contact as many insects as possible with the spray in addition to thorough spraying of all parts of the room suspected of harboring these pests. Special attention should be paid to cracks, hidden surfaces under sinks, behind stoves and refrigerators, food storage areas and wherever these pests are suspected of hiding. **To kill ants,** treat doors, around window frames, ant trails and other areas of entry. Repeat as necessary.

CARPET BEETLES: Directly spray as many insects as possible. Spray both interior and exterior of upholstered furniture. Both top and bottom of rugs and carpets should be sprayed thoroughly. Also treat shelves, closets, areas under furniture and wherever these insects are seen or suspected. Repeat as necessary. *Note: Check carpet manufacturer's warranty and care and maintenance information before using product on your specific brand of carpeting.*

CONFUSED FLOUR BEETLES, SAW-TOOTHED

GRAIN BEETLES, RICE WEEVILS: Exposed Forms: Find and destroy infested packaged goods. Remove all other items from pantry. Spray the shelves to kill any of the named insects present. Place clean paper on shelves and return packages after shelves have dried. Repeat as necessary.

FLEAS, BROWN DOG TICKS: Remove and destroy old pet bedding. Spray sleeping quarters of pets around baseboards, window and door frames, wall cracks and local areas of floors. Repeat as necessary. Do not spray animals. Put fresh bedding in pets' quarters after spray has dried. Also treat dogs and cats with a registered flea and tick control product before allowing them to enter treated area.

STORAGE AND DISPOSAL

Storage: Store in a cool place away from heat, direct sunlight, or open flame. Keep in original container and preferably in a locked storage area. **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 1-800-CLEANUP for disposal instructions.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Harmful if swallowed, inhaled or absorbed through skin. Wash thoroughly with soap and water after handling. Avoid breathing vapor and spray mist. Avoid contact with skin, eyes or clothing. Remove contaminated clothing and wash before re-use. **FOR HOUSEHOLD USE ONLY.** In the home, all food processing surfaces, exposed food and utensils should be covered during treatment or thoroughly washed before use. Remove pets, birds, and cover fish aquariums before spraying.

First Aid

Swallowed: Call a Poison Control Center or doctor immediately for treatment advice. Have a 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 on Skin or Clothing:** Take off contaminated clothing. Rinse skin immediately with

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plenty of water for 15-20 minutes. Call a Poison Control Center or doctor for treatment advice. **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 eye. 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 ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. Call a Poison Control Center or doctor for further treatment advice.

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

Physical and Chemical Hazards

Contents under pressure. Do not puncture or incinerate. Do not use near heat or open flame. Exposure to temperatures above 130 F may cause bursting. Do not apply this product in or on electrical equipment due to the possibility of a shock hazard.

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

[The ACE Promise: If this Ace product when used for its intended purpose, fails to give you complete satisfaction, return the item to the Ace Hardware store where purchased for the replacement of the same or similar item.]

Questions or comments? Call 1-800-332-5553

[Contains NO CFC's or other ozone depleting substances. Federal regulations prohibit CFC propellants in aerosols.]

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

EPA Reg. No. 478-93

EPA Est. No. 9683-MO-1

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