

478-101

9/14/2010

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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

SEP 14 2010

Mr. Eric D. Smith
Chemsico
Division of united Industries
P.O. Box 142642
St. Louis, MO 63114


Dear: Mr. Smith:

The Agency is in receipt of your application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated May 21, 2010 for the product **Real-Kill Outdoor Fogger**. The Registration Division (RD) has conducted a review of the request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The Confidential Statement of Formulas (CSF) and/or label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please contact Melody Banks on 703 305-5413.

Sincerely,

Richard Gebken
Product Manager
Insecticide Branch
Registration Division (7504P)

	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 478-101	2. Product Manager R. Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Real-Kill Outdoor Fogger	PM# 10	
5. Name and Address of Applicant (include ZIP Code) Realex, 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"/> 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 dated _____ <input type="checkbox"/> "ME TOO" Application. <input type="checkbox"/> Other - explain below

NOTIFICATION
SEP 14 2010

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
Label Notification per PRN 98-10 & EPA's June 4, 2009 General Labeling for Pyrethroid Notification letter.

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 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 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 13 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 checked="" type="checkbox"/> Lithographed <input type="checkbox"/> Other _____ <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled				

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
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) RECEIVED ON JUN 16 2010
2. Signature 		
3. Title Regulatory Affairs Manager		
4. Typed Name Eric D. Smith		5. Date May 21, 2010

United Industries Corp.

May 21, 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: Mr. Richard Gebken
Product Manager Team 10

Subject: **NOTIFICATION: Label Notification per PRN 98-10 &
EPA's June 4, 2009 General Labeling for Pyrethroid Notification letter
Real-Kill Outdoor Fogger
EPA Reg. No. 478-101**

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

A. Environmental Hazard and General Labeling for Pyrethroid Non-Agricultural Outdoor Products per the June 4, 2009 Letter from EPA:

We have adopted the appropriate label statements to be included in the "Directions for Use" section of the label.

This notification is consistent with the guidance in the June 4, 2009 letter and the requirements of EPA's regulations at 40 CFR part 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 requirements of 40 CFR part 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:

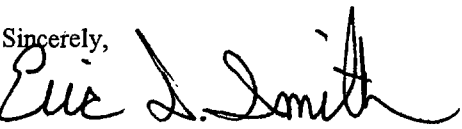
We have updated the label warranty statement in accordance to the EPA's October 17, 2006 Guidance on Warranty Statements.

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.

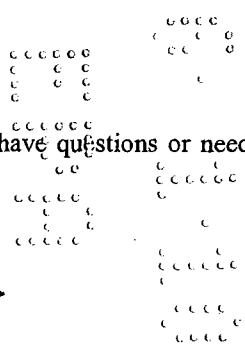
The following documents are enclosed in support of this submission:

- 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



Real-Kill

Outdoor Fogger

NOTIFICATION
SEP 14 2010

OPTIONAL MARKETING LANGUAGE

[Outdoor Fogger • [An Outdoor Product] for use in [Backyards], [Patios], [Campsites], [Decks] [and Picnic Areas] • Use in [For Use in] Backyards, Patios and Picnic Areas • Kills Flies, Mosquitoes, Gnats, Ants(except carpenter, fire, pharaoh and harvester ants) • Kills listed Outdoor Insects • [Also] Kills Small Flying Moths, and Wasps • Kills annoying insects flies, mosquitoes, gnats, ants(except carpenter, fire, pharaoh and harvester ants) • Unscented • Water-based • Treats up to 1200 cu ft (an area 8 ft x 10 ft x 15 ft) • Effective against listed [annoying] flying and crawling insects • Quick [fast] knockdown [of listed annoying flying insects] • Kills on contact • One can treats an area up to 10 x 15 ft [area][campsite] • [Outdoor fogger] for use in Backyards, Campsites, Patios, Deck and picnic areas • Kills Wasps • Treat [your] camp area before you set up your tent • Treat [your] picnic area before you set up • Kills fast • Kills listed flying and crawling insects

Active Ingredients:

Tetramethrin.....	0.20%
Phenothrin.....	0.20%
Other Ingredients:	99.60%
TOTAL	100.00%

Keep Out of Reach of Children

CAUTION See back panel for additional precautionary statements

NET WEIGHT: 13 oz

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. *For outdoor use only.*

- Do not water the treated area to the point of run-off.
- Do not make applications during rain.
- All outdoor applications must be limited to spot or crack-and-crevice treatments only, except for the following permitted uses:
 1. Treatment to soil or vegetation around structures
 2. Applications to lawns, turf, and other vegetation
 All outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches and structural surfaces (such as windows, doors, and eaves) are limited to spot and crack-and-crevice applications, only.
- Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during or after application.

Use Restrictions

Remove or cover exposed food and drinking water before application. Do not allow adults, children or pets to enter the treated area until sprays have dried. Do not use in enclosed porches.

SHAKE WELL BEFORE USING. Point spray nozzle away from face. Hold can at a slight downward angle. For best results, spray when air is calm. Allow a few minutes for product to take effect. Spray with wind if slight breeze is blowing (i.e. under 5 mph).

FLYING INSECTS

Flies, Mosquitoes, Flying Moths, Gnats and Wasps: Spray area infested with these flying insects. Hold container 5-10 ft away from shrubs, bushes and grassy areas. Spray these areas with a slow sweeping motion at the rate of 1 to 3 seconds per cubic yard of space while moving away from the treated area. [To reduce annoyance from these pests treat open porches and patios in a similar manner.] Allow fog to drift over area. Give special attention to breeding areas such as garbage cans and compost piles.

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Spray only when the air is still. Allow spray to dissipate before occupying the treated area. Repeat as necessary, but no more than once per day.

CRAWLING INSECTS

Ants (except carpenter, fire, pharaoh and harvester ants), Crickets, Sowbugs, and Firebrats. Spray infested surface of patio, campsite, deck or picnic area hitting as many insects as possible. Also spray legs of tables and chairs to repel ants. Spray ant hills for best control. Keep 5 to 10 feet away from ornamental plants while spraying.

STORAGE AND DISPOSAL

Pesticide Storage: Store in a cool place away from heat, direct sunlight, or open flame. **Pesticide 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 for disposal instructions.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Harmful if inhaled or absorbed through skin. Do not breathe vapor and spray mist. Do not get on skin or in eyes. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

First Aid

If Swallowed: Immediately call Poison Control Center or doctor. Do not induce vomiting unless told to do so by Poison Control Center or doctor. Do not give any liquid to the person. Do not give anything by mouth to an unconscious person. **If on Skin or Clothing:** 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. **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.

Environmental Hazards

This pesticide is highly toxic to fish, birds and other wildlife. Do not apply directly to water. Drift and runoff from treated sites may be hazardous to fish and aquatic organisms in adjacent waters.

Physical or Chemical Hazards

Contents under pressure. Do not use near heat or open flame. Do not puncture or incinerate. Do not apply this product around electrical equipment due to the possibility of shock hazard. 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.

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

(Optional: Contains no CFC's or other ozone depleting substances. Federal regulations prohibit CFC propellant in aerosols.)

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

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EPA Est. No. 9688-MO-1
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