

499-465

9/24/2010

1085



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

		United States Environmental Protection Agency Washington, DC 20460		<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
Application for Pesticide - Section I					
1. Company/Product Number 499-465		2. EPA Product Manager Richard Gebken		3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted	
4. Company/Product (Name) Pro-Control Fogger II		PM# 10			
5. Name and Address of Applicant (Include ZIP Code) Whitmire Micro-Gen Research Laboratories Inc. 3568 Tree Court Industrial Blvd. St. Louis, MO 63122-6682 <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 labeling 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 type="checkbox"/> Final printed labels 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.		NOTIFICATION SEP 24 2010	
Explanation: Use additional page(s) if necessary. (For section I and Section II.) <small>Label Notification to remove 1-800-CLEANUP number, update Storage and Disposal according to 2007-4 and to update minor label verbiage with no change to directions for use. This notification is consistent with the guidance in PR Notices 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 requirements 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. 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.</small>					
Section - III					
1. Material This Product Will Be Packaged In:					
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	
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container		If "Yes" Package wgt. No. per container	
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) _____		3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 6.25 oz	
5. Location of Label Directions <input type="checkbox"/> on label		6. Manner in Which Label is Affixed to Product Paper glued <input checked="" type="checkbox"/> Lithograph Paper glued Stenciled <input type="checkbox"/> Other _____			
Section - IV					
1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)					
Name Patricia A Hodge		Title Product Regulations Specialist		Telephone No. (Include Area Code) 636-861-4272	
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 Product Regulations Specialist			
4. Typed Name Patricia A Hodge		5. Date 8/6/2010			

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The Chemical Company

August 6, 2010

Document Processing Desk 7504P (e-sub)
US EPA Office of Pesticide Programs
2777 S Crystal Drive
Arlington, VA 22202-4501

**RE: Notification to remove 1-800-CLEANUP, revise Storage & Disposal statement & update other minor label items
Pro-Control Fogger II
EPA Reg. No: 499-465**

Dear Mr. Gebken:

Enclosed in support of this action are a completed application and one (1) copy of the revised label and one (1) copy submitted as an e-submission on disk.

- Remove the 1-800-CLEANUP number from the Storage and Disposal section
- Revise the verbiage in the Storage and Disposal section per 2007-4
- Updated to the correct EPA Est. Number of 7969-MO-1
- Revised Emergency Contact telephone number in First Aid to 1-800-832-HELP
- Replaced web address with "Questions? Call 1-800-777-8570"
- Adding BASF company "standard" warranty statement

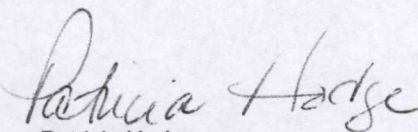
There is no change in label rates, and we did not make any revisions to the Directions for Use that would change the content in any way.

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.

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 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 requirements 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.

Thank you for your assistance in this matter. Please don't hesitate to contact me at 636-861-4272 or, via electronic mail at patricia.hodge@basf.com, should you have any questions or require additional information regarding this action.

Sincerely,
BASF – Pest Control Solutions


Patricia Hodge
Product Regulations Specialist

For Dana M. Thomas
Product Regulatory Manager
Authorized Agent for: Whitmire
Micro-Gen
Research Laboratories, Inc

BASF Corporation
Pest Control Solutions
3568 Tree Court Industrial Blvd.
St. Louis, MO 63122
Tel: (800) 777-8570
www.PestControl.basf.us

[Master Label]

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**PRO-CONTROL
FOGGER II**

NOTIFICATION

SEP 24 2010

**One 6 oz. can treats up to 5000 ft³ of
unobstructed space (25' x 25' x 8').**

KILLS: Ants, Crickets, Earwigs, Fleas, Flies, Gnats, Hornets, Mosquitoes, Roaches, Silverfish, Small Flying Moths, Spiders, Ticks, Wasps and Yellow Jackets.

ACTIVE INGREDIENTS:

Pyrethrins	0.535%
Piperonyl butoxide technical*	1.050%
n-Octyl bicycloheptene dicarboximide	1.710%

OTHER INGREDIENTS:.....96.705%

*equivalent to 0.84% (butylcarbityl)..... **TOTAL: 100.000%**
(6-propylpiperonyl) ether and 0.21%
of related compounds.

KEEP OUT OF REACH OF CHILDREN

CAUTION

See side panel for First Aid and Precautionary Statements.
EPA Reg. No. 499-465 • EPA Est. No. 7969-MO-1

NET WEIGHT: 6 oz.

FIRST AID

IF INHALED: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.

IF ON SKIN OR CLOTHING: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15 - 20 min. Call a poison control center or doctor for treatment advice.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-832-HELP for emergency medical treatment information.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if inhaled or absorbed through the skin. Avoid breathing vapors. Avoid contact with skin or clothing. Wash thoroughly after handling. Do not remain in enclosed areas after use. Stay out of rooms being treated for at least two hours. Ventilate enclosed areas before returning. Avoid contamination of food and foodstuffs. All food preparation surfaces should be covered during application and thoroughly cleaned with an effective cleaning compound followed by a potable water rinse before use. Apply only when no food is being prepared. Remove pets and birds, cover and turn off fish aquariums before spraying.

PHYSICAL OR CHEMICAL HAZARDS

Extremely Flammable. Keep away from fire, sparks and heated surfaces. 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. This product contains a highly flammable ingredient. It may cause a fire or explosion if not used properly. Follow the "Directions for Use" on this label very carefully.

4045

[Master Label]

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Highly Flammable Ingredient
[Ingrediente Altamente Inflamable]

DIRECTIONS FOR USE

IT IS A VIOLATION OF FEDERAL LAW TO USE THIS
PRODUCT IN A MANNER INCONSISTENT WITH ITS LABELING.

USE FOR INSECT INFESTATIONS IN: Apartments, Attics, Buses, Food Processing Plants, Garages, Homes, Hospitals*, Nursing Homes, Office Buildings, Railroad Cars, Restaurants, Schools, Ships, Supermarkets, Truck Trailers, Warehouses, and Zoos.

* Remove patients before using. After treatment ventilate rooms for two hours before returning patients to rooms.

** Do not apply to classrooms when in use.

SHAKE WELL BEFORE USING

- 1 OPEN cabinets, cupboards, drawers, closets and doors in areas to be treated. REMOVE or cover exposed foods, dishes, utensils, food processing equipment and surfaces. REMOVE pets and birds, cover and turn off fish aquariums before spraying. Turn off air flow systems in aquariums. COVER waxed wood floors, waxed furniture and stereo or other plastic dust covers in the immediate area surrounding the fogger (newspaper may be used).
- 2 CLOSE outside doors and windows. DO NOT use more than one fogger per room. DO NOT use in small, enclosed spaces such as closets, cabinets or under counters or tables. Do not use in a room 5 ft. x 5 ft. or smaller; instead, allow fog to enter from other rooms. Turn off ALL ignition sources such as pilot lights (shut off gas valves), other open flames or running electrical appliances that cycle off and on (i.e., refrigerator, thermostats, etc.). Call your gas utility or management company if you need assistance with your pilot lights.
- 3 Place a chair, table or stand in the center of the room to be fogged. Cover with several layers of newspaper, paper towels or plastic tarp.
- 4 SHAKE CAN WELL. Tilt sprayer AWAY from face (container sprays straight up). Press tab down in locked position.
- 5 Set fogger on covered stand. Immediately leave treated area.
- 6 Keep treated area closed for at least two hours. Before re-occupying area, open all doors and windows and allow treated area to air for 30 min.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

PESTICIDE STORAGE: Store in a cool, dry area away from heat or open flame and inaccessible to children.

PESTICIDE DISPOSAL: Wastes resulting from use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER 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.



Contains no CFCs or other ozone depleting substances. Federal regulations prohibit CFC propellants in aerosols.

[Master Label]

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CONDITIONS OF SALE AND WARRANTY

Follow the **Directions for Use**. It is impossible to eliminate all risks inherently associated with use of this product, and therefore all such risk shall be assumed by the Buyer. Whitmire warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the **Directions for Use**, subject to the inherent risks, referred to above. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW: (A) WHITMIRE MAKES NO OTHER WARRANTIES EXPRESS OR IMPLIED, INCLUDING WARRANTIES OF FITNESS FOR PARTICULAR PURPOSE OR MERCHANTABILITY, (B) BUYER'S EXCLUSIVE REMEDY AND WHITMIRE'S AND SELLER'S EXCLUSIVE LIABILITY, WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE, SHALL BE LIMITED TO REPAYMENT OF THE PURCHASE PRICE OF THE PRODUCT, AND (C) WHITMIRE AND THE SELLER DISCLAIM ANY LIABILITY FOR CONSEQUENTIAL, INCIDENTAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. Whitmire and the Seller offer this product, and the Buyer accepts it, subject to these **Conditions of Sale and Warranty** which may be varied only by agreement in writing signed by a duly authorized representative of Whitmire.

Manufactured for:

Whitmire Micro-Gen Research Laboratories, Inc.

By BASF Corporation

3568 Tree Court Industrial Blvd.

St. Louis MO 63122-6682

Questions? Call 1-800-777-8570

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