

499-550

3/30/2012

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

MAR 30 2012

OFFICE OF  
CHEMICAL SAFETY AND  
POLLUTION PREVENTION

Ms. Dana Thomas  
Whitmire Micro-Gen Research Laboratories Inc.  
3568 Tree Court Industrial Blvd.  
St. Louis, MO 63122-6682

Subject: Notification of alternate brand name  
EPA Registration Number: 499-550  
Decision: 450735

Dear Ms. Thomas:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated June 15, 2011 for the product 499-550. 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 703-305-6701 or Samantha Hulkower of my staff at 703-603-0683.

Sincerely,

A handwritten signature in cursive script that reads "Richard Gebken".

Richard Gebken  
Product Manager 10  
Registration Division (7505P)  
Office of Pesticide Programs



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

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	United States <b>Environmental Protection Agency</b> Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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### Application for Pesticide - Section I

<b>1. Company/Product Number</b> 499-550	<b>2. EPA Product Manager</b> Richard Gebken	<b>3. Proposed Classification</b> <input type="checkbox"/> None <input type="checkbox"/> Restricted
<b>4. Company/Product (Name)</b> TC-323	<b>PM#</b> 13	
<b>5. Name and Address of Applicant (Include ZIP Code)</b> 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		<b>6. Expedited Review.</b> In accordance with FIFRA Section 3(c)(3)(b)(ii), my product is similar or identical in composition and labeling to: <div style="text-align: right; font-size: 1.2em; font-weight: bold;">NOTIFICATION</div> EPA Reg. No. _____  Product Name _____

### Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels 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 checked="" type="checkbox"/> Other - Explain below.

**Explanation:** Use additional page(s) if necessary. (For section I and Section II.)

Notification of addition of alternate brand name (Prescription Treatment® brand Wasp-Freeze® Wasp & Hornet Killer Formula 2) and revisions required by EPA with the Notice of Pesticide Registration dated 5/31/11.

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 CSF 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.

### Section - III

<b>1. Material This Product Will Be Packaged In:</b>				<b>2. Type of Container</b>	
<b>Child-Resistant Packaging</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Unit Packaging</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Water Soluble Packaging</b> <input type="checkbox"/> Yes <input type="checkbox"/> No			
* Certification must be submitted		If "Yes" Unit Packaging wgt.    No. per container	If "Yes" Package wgt    No. per container	<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____	
<b>3. Location of Net Contents Information</b> <input type="checkbox"/> Label <input type="checkbox"/> Container		<b>4. Size(s) Retail Container</b>		<b>5. Location of Label Directions</b> <input type="checkbox"/> _____	
<b>6. Manner in Which Label is Affixed to Product</b> <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled				<input type="checkbox"/> Other _____	

### Section - IV

<b>1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)</b>		
<b>Name</b> Dana Thomas	<b>Title</b> Product Regulatory Mgr	<b>Telephone No. (include Area Code)</b> 636-861-4223
<b>Certification</b> 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.		<b>6. Date Application Received</b> <div style="text-align: center; font-weight: bold;">(Stamped)</div>
<b>2. Signature</b> 	<b>3. Title</b> Product Regulatory Mgr	
<b>4. Typed Name</b> Dana M. Thomas	<b>5. Date</b> 6/15/11	



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Master Label

v1.1 (6/6/11; dmt)

[Text in this color may be print-restricted from the marketplace label.]

# TC-323

Alternate Brand Name: Prescription Treatment® brand Wasp-Freeze® Wasp & Hornet Killer Formula 2

## NOTIFICATION

**KILLS ON CONTACT**

MAR 3 0 2012

**USE OUTDOORS AND IN ATTICS & CRAWL SPACES ONLY**

**KILLS:** Bees, Hornets, Yellowjackets and Wasps

**ACTIVE INGREDIENT:**

Prallethrin [(RS)-2-Methyl-4-oxo-3-(2-propynyl) cyclopent-2-enyl-(1RS)-cis, trans-chrysanthemate]..... 0.1%

**OTHER INGREDIENTS\*:** ..... 99.9%

\*Contains Petroleum Distillate

TOTAL: 100.0%

## KEEP OUT OF REACH OF CHILDREN

### CAUTION

[Alternate text – all or in part: See side panel(s) for First Aid, Precautionary Statements, Directions for Use and Storage and Disposal.]

EPA Reg. No. 499-540 • EPA Est. No. 7969-MO-1

**NET WEIGHT: 1 lb, 1.5 oz (17.5 oz)**

#### FIRST AID

**IF IN EYES:** Hold eyes open and rinse slowly and gently with water for 15 – 20 min. Remove contact lenses, if present, after the first 5 min, then continue rinsing eyes. Call a poison control center or doctor for 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.

**IF SWALLOWED:** Immediately call a poison control center or doctor. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give any liquid to the person. Do not give anything by mouth to an unconscious person.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also call 1-800-832-HELP (4357) for emergency medical treatment information.

**NOTE TO PHYSICIAN:** Contains petroleum distillate - vomiting may cause aspiration pneumonia.

#### PRECAUTIONARY STATEMENTS

##### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

**CAUTION:** Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove contaminated clothing and launder before reuse.

##### ENVIRONMENTAL HAZARDS

This pesticide is toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds while bees are actively visiting the treatment area.

Do not apply directly to water or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water by cleaning of equipment or disposal of equipment washwaters.

##### PHYSICAL HAZARDS

**Flammable.** Contents under pressure. Keep away from heat, sparks and open flame. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting.

#### DIRECTIONS FOR USE

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

**READ ALL DIRECTIONS COMPLETELY BEFORE USE.**

##### USE RESTRICTIONS

- Use outdoors and in attics and crawl spaces only.
- When using in an attic, do not contaminate stored items, HVAC systems, water heaters or other non-structural items.

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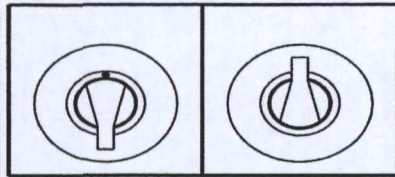
Master Label

v1.1 (6/6/11; dmt)

[Text in this color may be print-restricted from the marketplace label.]

APPLICATION INSTRUCTIONS

[Alternate Text & Pictogram: For optimum performance in overhead treatments, align the actuator opening with the mark on valve cup. When treating in a downward direction, align the actuator opening directly opposite the mark on valve cup.]



**WASPS AND HORNETS:** Hold container in upright position. Stand a safe distance, 6 – 10 ft from the nest, and not directly underneath. Align actuator opening with the mark on the valve cup. Aim the actuator opening toward the nest with the wind at your back. Treat the nest until thoroughly wet. Contact wasps and hornets on the nest with spray when possible. The best time of day to treat is in evening or early morning, since wasps and hornets congregate on or in the nest at night.

**YELLOWJACKETS AND BEES:** Locate nest. Align actuator opening directly opposite the mark on the valve cup. Press down on the actuator and apply, using a sweeping motion, contacting any stimulated or stirred-up yellowjackets and bees around the nest opening. Then move forward to the nest opening and apply for 6 – 8 sec directly into the nest hole.

INDUSTRIAL SPECIFICATIONS

**Flame Projection:** >18"; no flashback

**Dielectric Breakdown:** 47,400 volts

**Arcing:** TBD

Tested on Polyethylene, Polycarbonate, Noryl®, ABS-T and ABS-SB4500 plastics with no damage. May cause staining (darkening) of asphalt surfaces and shingles.

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.

**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! Empty container by using the product in accordance with the label directions. **If empty:** Offer empty container for recycling, if available, or place in trash if allowed by state and local regulations. **If partly full:** Contact your local solid waste agency for disposal instructions.

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



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.  
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Questions? Call 1-800-777-8570

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