

1015-67

10-13-2009

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

OCT 13 2009

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. Michael Kellogg
Pyxis Regulatory Consulting, Inc.
Agent for Douglas Products and Packaging Company
4110 13th. St. NW
Gig Harbor, WA 98332

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request Primary Brand Name "Douglas Pyrethrin 5"
EPA Reg. No. 1015-67
Application Dated September 21, 2009

Dear Mr. Kellogg:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 09/21/09 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 cursive script that reads "Rachel C. Harrington".

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



United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 1015-67	2. EPA Product Manager R. Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Douglas Products and Packaging Company / Max Kill Contacta-Cide 5	PM# 13	
5. Name and Address of Applicant (Include ZIP Code) Douglas Products and Packaging Company c/o Pyxis Regulatory Consulting, Inc. 4110 136th St. NW Gig Harbor, WA 98332 <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

Amendment - Explain below. Final printed labels in response to Agency letter dated _____

Resubmission in response to Agency letter dated _____ "Me Too" Application. **NOTIFICATION**

Notification - Explain below. Other - Explain below. **OCT 13 2009**

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

Notification of a change in Primary Brand Name per PR Notice 98-10. The new primary brand name is "Douglas Pyrethrin 5". This notification is consistent with the provisions of PR 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 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

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	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 Packaging wgt. No. per container	If "Yes" Package wgt. No. per container

3. Location of Net Contents Information
 Label Container

4. Size(s) Retail Container
5 gallon, 55 gallon

5. Location of Label Directions
 On Label On Labeling accompanying product

6. Manner in Which Label is Affixed to Product
 Lithograph Paper glued Stenciled Other _____

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name Michael Kellogg	Title Agent	Telephone No. (Include Area Code) (253) 353-7369
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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 Agent
4. Typed Name Michael Kellogg	5. Date 9/21/09

PYXIS REGULATORY CONSULTING, INC.

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4110 136th St. NW
Gig Harbor, WA 98332

Phone: 253-853-7369
Fax: 253-853-5516
www.PyxisRC.com

September 21, 2009

COURIER DELIVERY

Richard Gebken (PM 13)
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

RE: Douglas Products and Packaging Company – Max Kill Contacta-Cide 5 (EPA Reg. No. 1015-67)
Notification of a Change in Primary Brand Name per PRN 98-10

Dear Mr. Gebken,

On behalf of Douglas Products and Packaging Company, please find the enclosed notification of a change in primary brand name per PRN 98-10 for Max Kill Contacta-Cide 5. The new primary brand name is **“Douglas Pyrethrin 5”**.

In support of this notification submission, we submit the following documents:

1. Completed Application for Registration (EPA Form 8570-1)
2. One (1) copy of the Douglas Pyrethrin 5 label with changes tracked
3. One (1) copy of the Douglas Pyrethrin 5 label with changes incorporated
4. Certification with Respect to Label Integrity
5. Electronic copy of the proposed label on CD
6. Letter of Authorization

Please feel free to contact me by phone (253) 853-7369 or by email at Mike@PyxisRC.com if you have any questions or need any additional information.

Sincerely,



Michael Kellogg

Enclosures

cc: Wes Long; Douglas Products and Packaging Company

~~MAX KILL CONTACTA-CIDE 5 DOUGLAS~~

PYRETHRIN 5

Contact Space Spray

NOTIFICATION

- Quick Knockdown
- Odorless
- Stainless
- Ready to Use

OCT 13 2009

KILLS THE ACCESSIBLE STAGES ON CONTACT:

Granary Weevil, Rice Weevil, Cadelle, Confused Flour Beetle, Saw-Toothed Grain Beetle, Angoumois Grain Moth, Indian Meal Moth, Cigarette Beetle, Drug Store Beetle, Lesser Grain Borer, Flies, Cockroaches, Silverfish, Spiders, Ants, Crickets, Gnats, Mosquitoes, *Hornets, *Wasps, *Mites.

*Use not registered in California

ACTIVE INGREDIENTS:

Pyrethrins:.....	0.50%
Piperonyl Butoxide, Technical*.....	1.00%
N-Octyl Bicycloheptene Dicarboximide	1.67%
OTHER INGREDIENTS:	96.83%
TOTAL:	100.00%

*Equivalent to 0.80% of (Butylcarbityl) (6-Propylpiperonyl) Ether and 0.20% of related compounds.

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
If swallowed:	<ul style="list-style-type: none"> • 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.
If inhaled:	<ul style="list-style-type: none"> • 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 treatment advice.
If on skin or clothing:	<ul style="list-style-type: none"> • 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:	<ul style="list-style-type: none"> • 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.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For additional information on this product (including health concerns, medical emergencies or pesticide incidents), you may call 1-800-858-7378.	
NOTE TO PHYSICIAN	
Contains petroleum distillate. Vomiting may cause aspiration pneumonia.	

SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONS

ERA Reg. No. 1015-67

EPA Est. No. 1015-MO-001

Manufactured By:

Douglas Products & Packaging

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Liberty, Missouri 64068

Net Contents:

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

CAUTION

Harmful if swallowed or inhaled. Causes moderate eye irritation. Avoid breathing vapor. Avoid contact with skin, eyes or clothing. Remove and wash contaminated clothing before reuse. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.

ENVIRONMENTAL HAZARDS

This product is toxic to aquatic organisms, including fish and invertebrates. Do not contaminate water when disposing of equipment, washwater, or rinsate. See Directions for Use for additional precautions and requirements.

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollution Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

PHYSICAL OR CHEMICAL HAZARDS

Combustible. Do not use or store near heat or open flame.

USE PRECAUTIONS

- When used as a fog, do not remain in treated areas. Do not enter or allow others to enter until vapors, mists, and aerosols have dispersed, and the treated area has been thoroughly ventilated.
- When used as a spray, do not enter or allow others to enter until sprays have dried.
- Avoid contamination of cooking utensils, food, ingredients, feed and water supplies.
- Remove fish and birds and other domestic pets from room during spraying and keep out of room until spray is dry.
- Do not spray directly on pets, domestic livestock, especially dairy animals.
- Do not give as internal treatment to animals
- Do not use in milk houses or dairy barns.
- Do not apply directly to food.
- Do not apply as a space spray while food processing is underway. Foods should be removed or covered before treatment. After spraying, wash all surfaces which will contact food with a suitable detergent and rinse with potable water.
- Destroy any contaminated food, feed or raw ingredients.
- Keep containers closed when not in use.

DIRECTIONS FOR USE

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

~~Max-Kill Contact-Cide 5~~ **Douglas Pyrethrin 5** is a surface and contact Ready-to-Use insecticide designed for use in flour mills, feed mills, rice mills, feed and food processing plants, cereal grain processing plants, grain elevators, granaries, ship holds, barges, empty boxcars, grain trucks, warehouses, feed and seed stores, grocery stores, restaurants and hotels.

When used as a spray in mills, cereal grain processing plants, grain handling facilities (elevators, granaries) for the control of accessible stages of the granary weevil, rice weevil, cadelle, confused flour beetle, saw-toothed grain beetle, lesser grain borer, and other listed crawling insects, spray floors, walls and other surfaces of bins, storage and handling areas thoroughly, with particular attention to cracks, crevices and similar protected locations. Waste grain, dust, dirt and debris should be removed and

destroyed, and storage areas thoroughly cleaned before spraying. Treat unloading, handling and processing areas, as well as EMPTY conveying, processing and handling equipment, for example the inside of reel sifters, purifier conveyors, sifters, roll housings and hoppers, pick-up conveyors, etc. Spray thoroughly around the base of heavy machinery and equipment. Let sprayed surface thoroughly dry before using. One gallon will cover 750 square feet of non-absorbent surface.

As a protectant in empty boxcars, grain trucks, barges and ship holds for the control of accessible stages of the granary weevil, rice weevil, cadelle, confused flour beetle, saw-toothed grain beetle, lesser grain borer and other listed crawling insects, spray the floors, walls, beams, cracks, crevices and other protected harborage points until surfaces are wet. A tank type sprayer may be used utilizing low pressures. Allow for complete drying before loading. One gallon will cover 750 square feet of non-absorbent surface.

When used as a spray in food plants, grocery stores, hotels, feed and seed stores and restaurants, for the control of accessible stages of cockroaches, silverfish, spiders, ants, crickets and listed cereal grain insects, use a spray which can operate at a low pressure and which will produce a coarse non-misting spray pattern. Avoid contamination of feed or foodstuffs as well as utensils or other food containers. Spray the floors, mold boards, cracks, crevices and other areas where insects are known to hide. (See other precautions on side panel.) Apply sprays until areas are wet but not to point of run-off. One gallon will cover 750 square feet of non-absorbent surface. Do not apply more than 1 time per day.

When used as a fog for Indian meal moth, angoumois grain moth, hornets, wasps, gnats, mosquitoes, flies and accessible stages of listed insects in mills, food processing plants, elevators and empty granaries or grain bins, use a mechanical or air operated fogging apparatus and Douglas Pyrethrin 5 Max Kill Contacta-Cide-5 at the rate of one quart per 5,000 cubic feet. Close all doors and windows before application and leave closed for 30 minutes after total dosage has been applied to allow for settling.

When used as a fog in empty boxcars, van type grain trucks, barges and ship holds for the control of listed flying insects and accessible stages of listed cereal grain insects, use a mechanical or air-operated fogging apparatus and Douglas Pyrethrin 5 Max Kill Contacta-Cide-5 at the rate of one quart per 5,000 cubic feet. Close all doors and hatches before applying and leave closed for 30 minutes after total dosage has been applied to allow for settling.

When used as a fog in boxcars or van type trucks containing bagged flour or feed for the control of listed flying insects and accessible stages of listed cereal grain insects, cover the bags with either paper or plastic tarps and apply at the rate of 8 ounces (1/2 pint) per 1,000 cubic feet of unoccupied space. Close all doors before applying and leave closed for 30 minutes after total dosage has been applied.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: If exposed to prolonged cold, place in warm storage (50 to 80 degrees F) for several hours and agitate before using. Store in a safe manner. Store in original container only. Store in cool, dry place. Keep container tightly closed when not in use. Reduce stacking height where local conditions can affect package strength.

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

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying.

(Nonrefillable container ≤ 5 gallons): Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip.

Repeat this procedure two more times. Offer for recycling if available or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

(Nonrefillable > 5 gallons): Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Offer for recycling if available or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

WARRANTY STATEMENT

Neither Manufacturer nor Seller makes any representation or warranty, expressed or implied, concerning this product, except as stated on the label. Neither shall be held responsible in any manner for any personal injury or property damage, resulting from failure to follow directions for use and necessary warnings or cautions for the protection of the user, as provided on this label.

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