

1021-1562

09/09/2013

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

SEP - 9 2013

Steven K. Ditto
McLaughlin Gormley King Company
8810 Tenth Avenue
Minneapolis, MN 55427

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Mr. Ditto:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated July 10, 2013 for:

EPA Registration 1021-1562 Evercide Esfenvalerate 50% Concentrate

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.


If you have any questions, please contact me directly at 703-305-6701.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Gebken".

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

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	United States Environmental Protection Agency Washington, DC 20460	Registrati... Amendment Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 1021-1562	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) EVERCIDE® Esfenvalerate 50% Concentrate	PM# 10	
5. Name and Address of Applicant (Include Zip Code) McLAUGHLIN GORMLEY KING COMPANY 8810 TENTH AVENUE NORTH MINNEAPOLIS, MN 55427 <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 NOTIFICATION EPA Reg. No. <u>SEP - 9 2013</u> 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 labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application <input type="checkbox"/> Other - Explain below.
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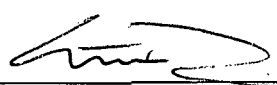
Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification pursuant to PR-Notice 2007-4.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
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			<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 Packaging 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) Retail Container 5 & 55 Gallons		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 type="checkbox"/> Lithograph <input type="checkbox"/> Other <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled					

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Steven K. Ditto	Title Regulatory Affairs Specialist	Telephone No. (Include Area Code) (763) 544-0341
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 Steven K. Ditto	5. Date 7/10/2013	



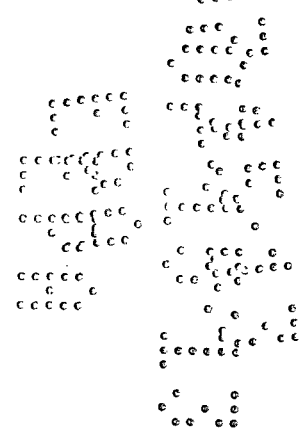
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July 10, 2013

Document Processing Desk (NOTIF)
Mr. Richard Gebken, PM 10
U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs (H7504P)
Room S-4900, One Potomac Yard
2777 South Crystal Dr.
Arlington, VA 22202-4501

Via Courier

Subject: EVERCIDE® Esfenvalerate 50% Concentrate
EPA Reg. No. 1021-1562
Notification Per PR-Notice 2007-4



Dear Mr. Gebken:

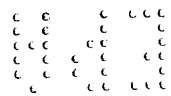
By Notification, we are updating the storage and disposal statement per PR-Notice 2007-4. This product is a manufacturing use product that is not diluted prior to use, therefore we have not added detailed rinsing instructions per §156.146. We have however, per Nancy Fitz' recommendation maintained our current instructions to triple rinse the container before disposing or offering for reconditioning or recycling. A copy of Nancy's recommendation is enclosed for your convenience.

Enclosed are 2 copies of the label. One copy has changes highlighted.

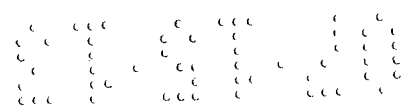
This amendment is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is 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." If there are any questions or you need anything further, please contact this office.

Sincerely,

Steven K. Ditto
Regulatory Affairs Specialist



Enclosure



8810 Tenth Avenue North
Minneapolis, MN 55427
TOLL FREE 800.645.6466
TEL 763.544.0341
FAX 763.544.6437
WWW.MGK.COM

EVERCIDE® Esfenvalerate 50% Concentrate

An Insecticide for Manufacturing Use Only

SEP - 9 2013

ACTIVE INGREDIENT:	
(S)-cyano(3-phenoxyphenyl)methyl-(S)-4-chloro-alpha-(1-methylethyl)benzeneacetate	50.00%
OTHER INGREDIENTS	50.00%
	100.00%

EVERCIDE®, MGK® - Registered trademarks of McLaughlin Gormley King Company

KEEP OUT OF REACH OF CHILDREN

WARNING

FIRST AID	
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 eyes. Call a poison control center or doctor for treatment advice. 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 a doctor. Do not give anything by mouth to an unconscious person.
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 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 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. For information regarding medical emergencies or pesticide incidents, call 1-888-740-8712.

Net Contents _____
Manufactured by:



8810 Tenth Avenue North
Minneapolis, MN 55427

EPA Reg. No. 1021-1562

EPA Est. No. 1021-MN-2

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING

Causes substantial but temporary eye injury. Do not get in eyes or on skin or clothing. Wear goggles or face shield when handling this material. Harmful if swallowed, inhaled or absorbed through skin. Avoid breathing vapor. Wash thoroughly with soap and warm water after handling. Remove contaminated clothing and wash before reuse. Avoid contamination of food and feedstuffs.

ENVIRONMENTAL HAZARDS

This pesticide is extremely toxic to fish and other aquatic organisms. 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 Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product into 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

Do not use or store near heat or open flame.

DIRECTIONS FOR USE

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

This product is to be used with appropriate solvents, carriers, and for pressurized products, propellants in the manufacture of insecticide sprays.

Formulators who use this product may be responsible for providing data to support their own registrations with the appropriate regulatory agencies.

Warm gently to liquefy and mix well in drum before sampling and each use.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store tightly closed container in a dry place. Always store pesticides in the original container.

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

CONTAINER HANDLING: Nonrefillable Container. Do not reuse or refill this container. Triple rinse (or equivalent) promptly after emptying and offer for recycling or reconditioning, or dispose of in a sanitary landfill or by other procedures approved by State and Local authorities.

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