

1021-1582

5/14/2009

1 of 14



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

MAY 14 2009

Mr. Steven K. Ditto
Registration Specialist
McLaughlin Gormley King Company
8810 Tenth Avenue North
Minneapolis, MN 55427-4319

Subject: Label Notification for Pesticide Registration Notices 98-10 and 2007-4
(**EPA Registration Number 1021-1582**)

Dear Mr. Ditto,

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notices (PRN) 98-10 and 2007-4 dated February 27, 2009 for the product EVERCIDE® Vegetable and Garden Insect Killer 2526 (EPA Registration Number 1021-1582). The Registration Division (RD) has conducted its review of this request for its applicability under PRNs 98-10 and 2007-4 and finds that the label changes requested fall within the scope of PRNs 98-10 and 2007-4. The label submitted with the application has been 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 call me directly at 703-305-6249 or Steve Schaible of my staff at 703-308-9362.

Sincerely,


A handwritten signature in black ink, appearing to be "Linda Arrington".

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

20914

Please read instructions before completing form

Form Approved. OMB No. 2070-0060. Approval expires 05-31-98

	United States Environmental Protection Agency Washington, DC 20460	Registration Amendment Other	OPP Identifier Number
		X	

Application for Pesticide - Section I

1. Company/Product Number 1021-1582	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) EVERCIDE® Vegetable and Garden Insect Killer 2526	PM# 13	
5. Name and Address of Applicant (Include Zip Code) McLaughlin Gormley King Company 8810 10TH AVE N 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: EPA Reg. No. _____ Product Name _____

NOTIFICATION

MAY 14 2009

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 type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
 Notifications pursuant PR Notice 2007-4 and PR-Notice 98-10.

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			
*Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container		<input type="checkbox"/> Metal <input checked="" 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 4-24 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 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 Registration 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 Registration Specialist	
4. Typed Name Steven K. Ditto	5. Date 2/27/2009	

30914



McLAUGHLIN GORMLEY KING COMPANY
8810 Tenth Avenue North • Minneapolis, MN 55427-4319 U.S.A.
763-544-0341 • 800-645-6466 • Fax 763-544-6437 • www.mgk.com

February 27, 2009

Document Processing Desk (NOTIF)
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® Vegetable and Garden Insect Killer 2526
EPA Reg. No. 1021-1582
Notification Per PR-Notice 2007-4

Dear Sir or Madam:

By Notification we are changing the storage and disposal language to comply with the Final Rule "Pesticide Management and Disposal; Standards for Pesticide Containers and Containment".

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

Notification of label change per PR Notice 2007-4. 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.

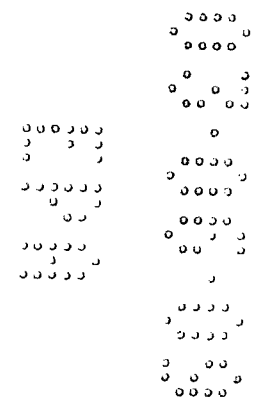
If there are any questions or you need anything further, please contact this office.

Sincerely,

McLAUGHLIN GORMLEY KING COMPANY

Steven K. Ditto
Registration Specialist

Enclosure



FOR USE ON THE FOLLOWING GARDEN VEGETABLES

CROP	DAYS TO HARVEST	CROP	DAYS TO HARVEST
Artichoke	7	Green Peas	3
Broccoli	3	Melons	3
Cabbage	3	Peppers	7
Carrots	7	Potatoes	7
Cauliflower	3	Pumpkin	3
Collards	7	Radishes	7
Cucumbers	3	Snap Beans	3
Dry Beans	21	Squash	3
Dry Peas	21	Sweet Corn	1
Eggplant	7	Tomatoes	1

TO CONTROL THE FOLLOWING INSECTS: Alfalfa Caterpillar, Alfalfa Looper, Aphid, Armyworm, Artichoke Plume Moth, Beet Armyworm, Buckhorn Aphid, Cabbage Looper, Carrot Weevil, Celery Looper, Chinch Bug, Colorado Potato Beetle, Corn Earworm, Corn Rootworm (adults), Cowpea Curculio, Cucumber Beetle (adults) - spotted and striped, Cutworm, Diamondback Moth, European Corn Borer, Flea Beetle, Grasshopper, Green Cloverworm, Imported Cabbageworm, Leafhopper, Looper, Lygus Bug, Mexican Bean Beetle, Painted Lady Caterpillar, Pea Aphid, Pea Weevil, Pepper Weevil, Pickleworm, Potato Leafhopper, Potato Psyllid, Potato Tuberworm, Rindworm, Saltmarsh Caterpillar, Sap Beetle, Southwestern Corn Borer, Squash Bug, Squash Vine Borer, Stalk Borer, Stink Bug, Tarnished Plant Bug, Tobacco Hornworm, Tomato Fruitworm, Tomato Hornworm, Tomato Pinworm, Vegetable Leafminer, Velvetbean Caterpillar, Western Bean Cutworm, and Whitefly.

FOR GARDEN TREE FRUITS, NUTS, AND BERRIES: Apply as a full coverage spray to upper and lower leaf surfaces. Apply to the point of drip but not to runoff. As pests are observed, repeat treatment to maintain control up to the number of days listed before the harvest for each crop.

TO CONTROL THE FOLLOWING INSECTS: Apple Aphid, Black Cherry Aphid, Codling Moth, Leafrollers, Leafhoppers, Green Fruit Worm, Plant Bugs, Oblique Banded Leafroller, Variegated Leafroller, Tentiform Leaf Miner, San Jose Scale (on fruit only), Tufted Apple Budmoth, Plum Curculio, Oriental Fruit Moth, Apple Maggot, Red-Banded Leafroller, Lesser Appleworm, Rosey Apple Aphid, Periodical Cicada, Pear Psylla, Pear Slug, Naval Orangeworm, Peach Twig Borer, Filbert Worm, Peach Tree Borer, Lesser Peach Tree Borer, Cherry Fruit Fly, American Plum Borer, Pecan Weevil, Hickory Shuckworm, Pecan Nut Casebearer, Pecan Aphids, Pecan Spittlebug, Pecan Stem Phylloxera, Pecan Leaf Phylloxera, Walnut Aphid, Walnut Husk Fly.

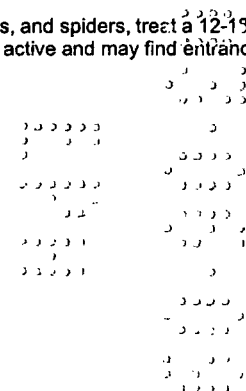
CROP	DAYS TO HARVEST	CROP	DAYS TO HARVEST
Apple	21	Pecans	21
Almond	21	Pears	28
Caneberries		Stone Fruits	
Blackberries	21	Apricot	14
Loganberries	21	Cherries	14
Red Raspberries	21	Nectarines	14
Black Raspberries	21	Peaches	14
Elderberries	21	Plums	14
Gooseberries	21	Prunes	14
Filberts	21	Walnuts	21

FOR USE ON ORNAMENTAL PLANTS (Annuals and Perennials), SHRUBS, ROSES, AND SHADE TREES: Apply to cover upper and lower leaf surfaces. Apply to the point of drip but not to runoff. Repeat weekly as pests are observed.

TO CONTROL THE FOLLOWING INSECTS: Alfalfa Caterpillar, Alfalfa Looper, Aphid, Armyworm, Artichoke Plume Moth, Beet Armyworm, Buckhorn Aphid, Cabbage Looper, Carrot Weevil, Celery Looper, Chinch Bug, Colorado Potato Beetle, Corn Earworm, Corn Rootworm (adults), Cowpea Curculio, Cucumber Beetle (adults) - spotted and striped, Cutworm, Diamondback Moth, European Corn Borer, Flea Beetle, Grasshopper, Green Cloverworm, Imported Cabbageworm, Leafhopper, Looper, Lygus Bug, Mexican Bean Beetle, Painted Lady Caterpillar, Pea Aphid, Pea Weevil, Pepper Weevil, Pickleworm, Potato Leafhopper, Potato Psyllid, Potato Tuberworm, Rindworm, Saltmarsh Caterpillar, Sap Beetle, Southwestern Corn Borer, Squash Bug, Squash Vine Borer, Stalk Borer, Stink Bug, Tarnished Plant Bug, Tobacco Hornworm, Tomato Fruitworm, Tomato Hornworm, Tomato Pinworm, Vegetable Leafminer, Velvetbean Caterpillar, Western Bean Cutworm, Whitefly, Japanese Beetle, Spittlebugs, Redheaded Pine Sawfly, Balsam Woolly Adelgid, Pine Chafer, Red Pine Sawfly, Pine Coreid Bug, European Pine Sawfly, Northern Pine Weevil.

FOR OUTDOOR PESTS: To control on contact ants, cockroaches (including German and Asian cockroaches), crickets, palmetto bugs, pillbugs, sowbugs, spiders, and ticks. Use at the rate of 1 gallon per 1,000 square feet to outside surfaces of buildings, porches, patios, garages and other areas where these pests have been seen or are found. Do not spray in or near fish ponds or other bodies of water.

Building Perimeter Treatment: To help prevent infestations of buildings by ants, centipedes, crickets, sowbugs, pillbugs, and spiders, treat a 12-18 inch band of soil or other substrate adjacent to buildings and the building foundation to a height of 2 to 3 feet where these pests are active and may find entrance. Apply as a coarse wet spray at the rate of 1 gallon per 1,000 square feet.



STORAGE AND DISPOSAL

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

Pesticide Storage

Store in a cool dry area. Always store pesticides in the original container. Store away from food and pet food.

Storage Disposal and Container Handling

Nonrefillable container. Do not reuse or refill this container.

If empty:

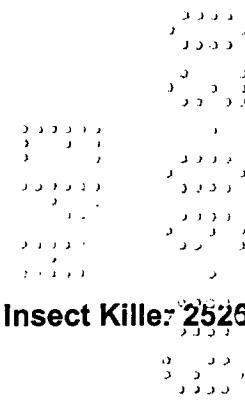
Place in trash or offer for recycling if available.

If partly filled:

Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

2526-1006

EVERCIDE® Vegetable and Garden Insect Kille: 2526



DIRECTIONS FOR USE

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

FOR BEST RESULTS	
<p>HOW TO APPLY [optional illustration]</p>	<ul style="list-style-type: none"> • <i>Text for trigger sprayer:</i> Adjust spray nozzle to give a fine spray. When done close nozzle. • <i>Text for nested sprayer:</i> Adjust spray nozzle to give a fine spray. When done, flip down spout to close. NO NEED TO DISCONNECT TRIGGER SPRAYER. Close nozzle on trigger sprayer. Snap sprayer back in place. • <i>Text for Pull 'N Spray:</i> Adjust nozzle on wand to deliver a narrow or wide spray. Pull up on handle – DO NOT PUMP. Follow illustrations and instructions above. Point wand at area to be treated and push button to begin spraying. Twist nozzle at end of wand to adjust spray pattern. Pull “T-handle” again as needed to continue spraying. JUST PULL UP – NO NEED TO PUMP. Hold wand 12 inches from the insect or surface being sprayed. Use only for spot treatment. Do not spray into the air. Spray until slightly wet without soaking. • Garden Pests: Hold sprayer [wand] about 12 inches from plant. Thoroughly cover all plant surfaces until slightly wet, but not to the point of runoff. <i>Alternative text:</i> Spray plant to wet the upper and lower leaf surfaces until wet but not to the point of runoff. • Nuisance Pests: Apply directly to the listed pests in outdoor areas. Also, spray outdoor surfaces of buildings, porches, patios, garages and [&] other areas where these bugs [insects] [pests] have been seen or are found. Do not spray in or near fishponds or other bodies of water. <p><i>Alternative text:</i></p> <ul style="list-style-type: none"> • Nuisance Pests: Apply directly to the listed pests in outdoor areas. • Outdoor Surfaces: Spray buildings, porches, patios, garages and [&] other areas where the bugs [insects] [pests] have been seen or are found. Do not spray in or near fishponds or other bodies of water.
<p>WHEN TO APPLY [optional illustration]</p>	<p>Apply as necessary to maintain control waiting at least 7 days between each application.</p>

GARDEN PESTS [BUGS] [INSECTS] CONTROLLED [KILLED]

On Ornamental Plants including: Roses, Flowers, Shrubs and [&] Small* [Shade] Trees

Aphid, Armyworm, Balsam Woolly Adelgid, Buckhorn Aphid, Cabbage Looper, Cucumber Beetle (adults) - spotted and [&] striped, Cutworm, European Pine Sawfly, Fall Webworm, Flea Beetle, Grasshopper, Gypsy Moth, Imported Cabbageworm, Japanese Beetle, Leafhopper, Looper, Northern Pine Weevil, Pine Chafer, Pine Coreid Bug, Red Pine Sawfly, Redheaded Pine Sawfly, Saltmarsh Caterpillar, Spittlebugs, Tent Caterpillar and [&] Whitefly

On Listed Vegetables and [&] Melons

Alfalfa Caterpillar, Alfalfa Looper, Aphid, Armyworm, Artichoke Plume Moth, Beet Armyworm, Buckhorn Aphid, Cabbage Looper, Carrot Weevil, Celery Looper, Chinch Bug, Colorado Potato Beetle, Corn Earworm, Corn Rootworm (adults), Cowpea Curculio, Cucumber Beetle (adults) - spotted and [&] striped, Cutworm, Diamondback Moth, European Corn Borer, Flea Beetle, Grasshopper, Green Cloverworm, Imported Cabbageworm, Leafhopper, Looper, Lygus Bug, Mexican Bean Beetle, Painted Lady Caterpillar, Pea Aphid, Pea Weevil, Pepper Weevil, Pickleworm, Potato Leafhopper, Potato Psyllid, Potato Tuberworm, Rindworm, Saltmarsh Caterpillar, Sap Beetle, Southwestern Corn Borer, Squash Bug, Squash Vine Borer, Stalk Borer, Stink Bug, Tarnished Plant Bug, Tobacco Hornworm, Tomato Fruitworm, Tomato Hornworm, Tomato Pinworm, Vegetable Leafminer, Velvetbean Caterpillar, Western Bean Cutworm and [&] Whitefly

On Listed Berries and [&] Small Fruit and [&] Nut Trees

Apple Aphid, Black Cherry Aphid, Codling Moth, Leafrollers, Leafhoppers, Green Fruit Worm, Plant Bugs, Oblique Banded Leafroller, Variegated Leafroller, Tentiform Leaf Miner, San Jose Scale (on fruit only), Tufted Apple Budmoth, Plum Curculio, Oriental Fruit Moth, Apple Maggot, Red-Banded Leafroller, Lesser Appleworm, Rosey Apple Aphid, Periodical Cicada, Pear Psylla, Pear Slug, Naval Orangeworm, Peach Twig Borer, Filbert Worm, Peach Tree Borer, Lesser Peach Tree Borer, Cherry Fruit Fly, American Plum Borer, Pecan Weevil, Hickory Shuckworm, Pecan Nut Casebearer, Pecan Aphids, Pecan Spittlebug, Pecan Stem Phylloxera, Pecan Leaf Phylloxera, Walnut Aphid and [&] Walnut Husk Fly

Vegetables	Days to Wait to Harvest	Vegetables	Days to Wait to Harvest	Vegetables	Days to Wait to Harvest
Artichoke	7	Dry Beans	21	Radishes	7
Broccoli	3	Dry Peas	21	Snap Beans	3
Cabbage	3	Eggplant	7	Squash	3
Carrots	7	Green Peas	3	Sweet Corn	1
Cauliflower	3	Peppers	7	Tomatoes	1
Collards	7	Potatoes	7		
Cucumbers	3	Pumpkin	3		

FIRST AID:

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.
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 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 minutes. 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. Emergency Information call 1-800-225-2883.

ENVIRONMENTAL HAZARDS

This pesticide is highly toxic to fish and other wildlife. Do not apply directly to water. Do not contaminate water when cleaning equipment or when disposing of equipment wash waters. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas.

NOTICE: Buyer assumes all responsibility for safety and use not in accordance with directions.

 **Questions, Comments or Medical Information ?**
call 1-800-225-2883 www.ortho.com

The ORTHO Guarantee If for any reason you are not satisfied with this product, mail us proof of purchase to obtain a full refund of your purchase price.

Ortho®, Registered trademarks of Monsanto Company
EVERCIDE® - Registered trademark of McLaughlin Gormley King Co.

EPA Reg No 1021-1582-
EPA Est.
Superscript is first letter of lot number
Made in USA

NOTIFICATION
MAY 1 1999