

1021-1613

9/27/2010

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Mr. Steve Ditto
McLaughlin Gormley King Company
8810 Tenth Avenue North
Minneapolis, MN 55427-4372

SEP 27 2010

Subject: Label Notification(s) for Pesticide Registration Notice 98-10

Dear Mr. Ditto:


The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated March 22, 2010 for the following product(s):

Evercide® Wasp and Hornet Reg. No. 1021-1613
Spray 2577

The Registration Division (RD) has conducted a review of this request for applicability under PR Notice 98-10 and finds that the label change(s) requested falls within the scope of PRN 98-10. The label has been date-stamped "Notification" and will be placed in our records.

If you have any questions, please contact Linda A. DeLuise at 703-305-5428.

Sincerely,


Richard J. Gebken
Product Manager
Insecticide Branch
Registration Division (7504P)

2015



United States
Environmental Protection Agency
Washington, DC 20460

Registration
Amendment
Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 1021-1613	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) EVERCIDE® Wasp and Hornet Spray 2577	PM# 10	
5. Name and Address of Applicant (Include Zip Code) McLaughlin Gormley King Company 8810 10TH AVE N MINNEAPOLIS, MN 55427	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 _____	
<input type="checkbox"/> Check if this is a new address		

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.)

Pyrethroid Non-Agricultural Outdoor Products Notification per EPA letter dated June 4, 2009.

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	
*Certification must be submitted	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container	<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 6-24 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 checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> 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 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 3/22/2010	

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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

March 22, 2010

Document Processing Desk (NOTIF - PYRETHROID)
Office of Pesticide Programs (7504P)
U.S. ENVIRONMENTAL PROTECTION AGENCY
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Via Courier

Subject: EVERCIDE® Wasp and Hornet Spray 2577
EPA Reg. No. 1021-1613
Pyrethroid Non-Agricultural Outdoor Products Notification Per EPA Letter
Dated June, 4 2009

Dear Sir or Madam:

By Notification we are changing the Environmental Hazards and Directions for Use sections to comply with the June 4, 2009 letter from the Environmental Protection Agency.

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

Notification of label change per June 4, 2009, letter from Environmental Protection Agency. This notification is consistent with the guidance in the June 4, 2009 letter and the requirements of EPA's regulations at 40 CFR part 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 statements to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR part 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.

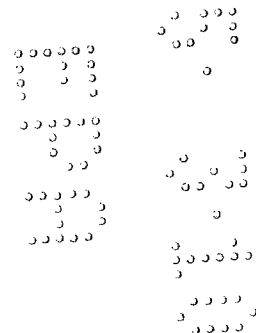
If there are any questions or you need anything further, please contact this office.

Sincerely,

McLAUGHLIN GORMLEY KING COMPANY

Steven K. Ditto
Regulatory Affairs Specialist

Enclosure



Quality Products Since 1902

MAY 7 2010

40 of 5

2577-02090310

EVERCIDE® Wasp and Hornet Spray 2577



McLAUGHLIN
GORMLEY
KING COMPANY

8810 Tenth Avenue N. / Minneapolis, Minnesota 55427-4319 U.S.A. - Telephone (763) 544-0341

[] indicates alternate or optional wording

[This product can be used both indoors (attics and other places where nests are built and where food or feed are not exposed) and outdoors for controlling Wasp, Hornet, and Yellow Jacket nests.

Kills Wasps, Yellow Jackets, and Hornets on contact

Gives rapid contact kill and residual kill of insects returning to the treated nest

Gives rapid knockdown and kill of Wasps, Yellow Jackets, and Hornets

Jet Spray Reaches nests 20 feet above ground

Electrically non-conducting formula

Dielectric Breakdown Voltage: 40.6 KV [40,600 Volts]by ASTM Test Method D-877-87

Also controls Ants and Spiders]

ACTIVE INGREDIENTS:

Tetramethrin 0.200%

Esfenvalerate 0.031%

* OTHER INGREDIENTS 99.769%

100.000%

* Contains petroleum distillates

EVERCIDE® - Registered trademark of McLaughlin Gormley King Company

NOTIFICATION

SEP 27 2010

KEEP OUT OF REACH OF CHILDREN

CAUTION

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 a doctor.
- Do not give any liquid to the person.
- Do not give anything by mouth to an unconscious person.

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.

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

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:

Mc LAUGHLIN GORMLEY KING COMPANY

8810 Tenth Avenue North

Minneapolis, MN 55427

EPA Reg. No. 1021-1613

EPA Est. No. 1021-MN-2

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if absorbed through skin. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

ENVIRONMENTAL HAZARDS

This product is toxic to fish and other aquatic invertebrates. Do not apply directly to water. Do not contaminate water when disposing of equipment wash waters or rinsate.

PHYSICAL OR CHEMICAL 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.

Do not use in commercial food processing, preparation, storage or serving areas. In the home, all food processing surfaces and utensils should be covered during treatment, or thoroughly washed before use. Exposed food should be covered or removed.

Remove pets and birds and cover fish aquariums before spraying.

Do not water the treated area to the point of run-off.

Do not make applications during rain.

All outdoor applications must be limited to spot or crack-and-crevice and wasp and hornet nest treatments only.

All outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches and structural surfaces (such as windows, doors, and eaves) are limited to spot and crack-and-crevice applications, only.

For Control of Nests of Wasps, Yellow Jackets, and Hornets: The best time to spray is in the early morning or early evening, when air temperature is cooler and most insects are in the nest and little activity is observed around the nest opening. Spray only if it is not windy. Stand a safe distance from the nest, not directly underneath it. Hold container upright at arms length, pointing the actuator at nest and spraying the opening of the nest first. Then spray the rest of the nest until it is saturated. Treated insects will fall out of the nest and die. Any insects returning to the treated nest will also be killed. Wait 48 hours before removing the nest. Foliage of desirable plants contacted during spraying should be hosed off with water.

For Control of Ants and Spiders: (Outdoors only) For Ants and Spiders found in areas such as electric service boxes, water meter boxes, telephone boxes, along house foundation, foundation vents, sills and ledges, etc., spray in short bursts to contact pests. Ant trails, runways, and hills should also be sprayed as necessary. Do not spray foliage of desirable plants. If spray does contact foliage, hose off with water.

[Graphic: [Brand Name] Quality Pledge]

[Satisfaction Guaranteed]

If for any reason you are not completely satisfied with the performance or results of this [Brand Name] product, it will be repaired or replaced free of charge.

Simply provide proof of purchase and return the product and /or unused portion to the place of purchase.]

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.

Pesticide Disposal and Container Handling

Do Not Puncture or Incinerate!

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.

Federal regulations prohibit CFC propellants in aerosols

