

1021-1648

04/03/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Steven K. Ditto
Registration Specialist
McLaughlin Gormley King Company
8810 10th Ave., North
Minneapolis, MN 55427

APR 3 2009

Subject: Notification(s) for Label Revisions under PRN 2007-4 and 98-10
1. Added Marketing Phrases

Dear Mr. Ditto:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 2007-4 and 98-10 dated February 24, 2009 for:

EPA Registration 1021-1648

EVERCIDE Total Release Aerosol 2604

The Registration Division (RD) has conducted a review of the request(s) for applicability under 2007-4 and 98-10 and finds that the label changes requested fall within the scope of 2007-4 and 98-10. 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 identify 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 703-305-6249 or Nicole Williams of my staff at 703-308-5551.

Sincerely,


A handwritten signature in cursive script, appearing to read "Linda Arrington".

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

	United States Environmental Protection Agency Washington, DC 20460	Registration Amendment X Other	OPP Identifier Number
	Application for Pesticide - Section I		
	1. Company/Product Number 1021-1648	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) EVERCIDE® Total Release Aerosol 2604		PM# 10	
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. _____ NOTIFICATION Product Name _____ APR 03 2009	

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

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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Unit Packaging wgt. 9-24 oz.	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Package wgt. 3	2. Type of Container <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		No. per container 3	No. per container
3. Location of Net Contents information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 3-8 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"/> Other <input 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	

EPA Form 8570-1 (Rev. 8-94) Previous editions are obsolete.

MGK[®]

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

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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® Total Release Aerosol 2604
EPA Reg. No. 1021-1648
Notifications Per PR-Notice 2007-4 and PR-Notice 98-10

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". We are also adding marketing phrases concerning previously approved pests.

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.

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 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 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.

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

Quality Products Since 1902

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2604-0040209

EVERCIDE® Total Release Aerosol 2604

MGK®

McLAUGHLIN
GORMLEY
KING COMPANY

8810 Tenth Avenue N. / Minneapolis, Minnesota 55427-4372 U.S.A. - Telephone (763) 544-0341

[] OR () indicates alternate or optional wording

Water-Based [Fogger] [Formula]

For Use in Rooms, Apartments, Homes, Attics, Basements, Campers, Boats, Household Storage Areas, Garages, Pet Sleeping Areas, and Cabins

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

[Kills Ants, Cockroaches, Fleas, Spiders, Mosquitoes, Houseflies & Others Listed]

[ONE UNIT (EACH CAN) TREATS UP TO 5,000 CUBIC FEET (25 X 25 X 8) (625 Sq. Ft. X 8 Ft. High)]

[ONE UNIT (EACH CAN) TREATS UP TO 6,000 CUBIC FEET (27 X 27 X 8) (729 Sq. Ft. X 8 Ft. High)]

ACTIVE INGREDIENTS:

Tetramethrin [(1-Cyclohexene-1,2-dicarboximido) methyl 2,2-dimethyl -3-(2-methylpropenyl) cyclopropanecarboxylate] -----	0.20%
(S)-cyano(3-phenoxyphenyl)methyl-(S)-4-chloro-alpha-(1-methylethyl)benzeneacetate-----	0.10%

* N-Octyl bicycloheptene dicarboximide-----	1.00%
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OTHER INGREDIENTS-----	98.70%
	<u>100.00%</u>

* MGK® 264, Insecticide Synergist

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

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 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:	<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.
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 the International Poison Center at 1-888-740-8712.	

Net Contents _____

Manufactured by:

Mc LAUGHLIN GORMLEY KING COMPANY
8810 Tenth Avenue North
Minneapolis, MN 55427

EPA Reg. No. 1021-1648

EPA Est. No. 1021-MN-2

Made in U.S.A.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if absorbed through skin. Avoid contact with skin, eyes, 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.

PHYSICAL OR CHEMICAL HAZARDS

Highly Flammable Ingredient



Ingrediente Altamente Inflamable

Contents under pressure. Do not use or store near heat or open flame. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting. This product contains a highly flammable ingredient. It may cause a fire or explosion if not used properly. Follow the Directions for Use on this label very carefully.

NOTIFICATION

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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/feed handling establishments, restaurants or other areas where food/feed is commercially prepared, processed or stored. 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.

SHAKE WELL BEFORE USE

This product will kill ants, cockroaches, confused flour beetles, crickets, fleas, houseflies, mosquitoes, rice weevils, saw-toothed grain beetles, small flying moths, sow bugs, spiders (including black widow), and brown dog ticks.

DO NOT use more than one fogger per room. DO NOT use in small, enclosed spaces such as closets, cabinets or under counters or tables. Do not use in a room 5 ft. X 5 ft. or smaller; instead, allow fog to enter from other rooms. Turn off ALL ignition sources such as pilot lights (shut off gas valves), other open flames or running electrical appliances that cycle off and on (i.e., refrigerators, thermostats, etc.). Call your gas utility or management company if you need assistance with your pilot lights.

KEEP CONTAINER UPRIGHT

Cover exposed food, dishes and food-handling equipment. Open cabinets and doors to area to be treated. Shut off fans and air conditioners. Close doors and windows. Point valve opening away from face when releasing. Use one unit for each [5,000] 6,000 cubic feet of unobstructed area. Do not remain in the area during treatment and ventilate thoroughly before re-entry.

TO OPERATE VALVE: Place several layers of newspaper or pad on stand or on table in the center of the room. Point valve opening away from face. To lock valve in open position for automatic discharge, press valve button all the way down, hooking the catch. Then place fogger on stand or table in the center of the room with valve locked open. Leave building at once and keep building closed for two hours before airing out. Open all doors and windows and allow to air for 30 minutes. Repeat spraying if necessary, but no sooner than within 2 weeks.

To Kill Brown Dog Ticks and Fleas: Destroy pet's old bedding and replace with clean, fresh bedding after treatment is completed. Use product as above. Pets should be treated with a registered flea and tick control product prior to reentering treated premises.

STORAGE AND DISPOSAL

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

STORAGE: Store in a cool, dry place. Keep container closed. Pesticide Storage

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

DISPOSAL: 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 or 1-800-CLEANUP for disposal instructions.

NOTIFICATION

APR 03 2009