

1021-1674

03/30/2009

1/7



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. Steven K. Ditto
McLaughlin Gormley King Company
8810 10th Avenue North
Minneapolis, MN 55427

MAR 30 2009

Subject: Label Notification(s) for Pesticide Registration Notices 2007-4 and 98-10
Storage and Disposal language Revision and Other Changes

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 and 98-10 dated January 22, 2009 for:

EPA Registration 1021-1674 Evercide® Total Release Aerosol 2614

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and 98-10 and finds that the label change(s) requested falls within the scope of PRN-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 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 703-305-6249 or Banza Djapao of my staff at 703-305-7269.

Sincerely,

A handwritten signature in black ink, 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
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 1021-1674	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 2614	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: NOTIFICATION EPA Reg. No. _____ Product Name <u>MAR 30 2009</u>	

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 - Explain below. 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:				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"/> 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 1/22/2009



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

January 22, 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 2614
EPA Reg. No. 1021-1674
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 clarifying two marketing claims which are specific to fleas to read as such. There are existing data to support these claims.

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.

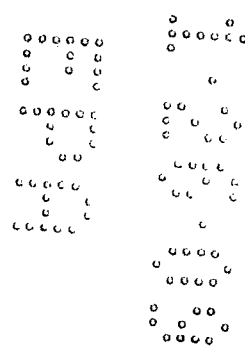
Sincerely,

McLAUGHLIN GORMLEY KING COMPANY

Steven K. Ditto
Registration Specialist

Enclosure

Quality Products Since 1902



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2614-09080109

EVERCIDE® Total Release Aerosol 2614

MGK®

**McLAUGHLIN
GORMLEY
KING COMPANY**

Contains NYLAR® Insect Growth Regulator

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

ONE [EACH] UNIT [CAN] TREATS A ROOM OF UP TO 6,000 [5,000] [4,000] [2,000] CUBIC FEET OF UNOBSTRUCTED SPACE [27 x 27 x 8] [25 x 25 x 8] [25 x 20 x 8] [16 x 16 x 8]
[] OR () indicates alternate or optional wording

[Nylar®] [brand name] is an insect growth regulator similar to the naturally occurring insect growth hormones which interferes [stops] their growth and development

[Nylar®] [brand name] stops [prevents] the flea from developing into egg laying adults
[Nylar®] [brand name] can be used as part of an integrated pest management [IPM] program
[Nylar®] [brand name] can be a biorational approach to insect control
[Nylar®] [brand name] keeps working in areas exposed to the sun

Inhibits flea reinfestation for up to [210 days] [30 weeks] [7 months]
Kills adult and preadult fleas, including flea eggs for [210 days] [30 weeks] [7 months]
Prevents fleas from developing into the biting adult stage
Stops [prevents] hatching fleas [preadult (larval) fleas] [hatching eggs (larvae)] from becoming full-grown [developing into] biting adults
One treatment works for [210 days] [30 weeks] [7 months] against hatching fleas [preadult (larval) fleas] [hatching eggs (larvae)]
Kills present (today's) fleas and prevents new [tomorrow's] fleas from growing up to bite
[Nylar®] [brand name] activity keeps working for [210 days] [30 weeks] [7 months] against fleas
Controls [stops (kills) (prevents)] stages of fleas that don't look like fleas
Prevents [stops] the emergence of adult fleas
Flea eggs deposited on treated areas will not develop into adult fleas
Larvae crawling onto treated areas will not develop into adult fleas
[Nylar®] [brand name] acts on the immature life stage of the flea, preventing it from developing into biting adults

Kills [inhibits] Cockroaches, Ticks, Ants, Bedbugs and other listed insects
Also kills Deer Ticks and other Ixodid species that may carry and transmit Lyme Disease
Effective long-term control
[Num] Pack. Contains [Num] ___ oz. Foggers.]

ACTIVE INGREDIENTS:

Pyrethrins	0.050%
(S)-cyano(3-phenoxyphenyl)methyl-(S)-4-chloro-alpha-(1-methylethyl)benzeneacetate	0.100%
* Piperonyl butoxide, Technical	0.100%
** N-Octyl bicycloheptene dicarboximide	0.167%
2-[1-Methyl-2-(4-phenoxyphenoxy) ethoxy] pyridine	0.100%

OTHER INGREDIENTS..... 99.483%
100.000%

- * Equivalent to 0.080% (butylcarbityl) (6-propylpiperonyl) ether and 0.020% related compounds
- ** MGK® 264, Insecticide Synergist

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

NOTIFICATION

MAR 30 2009

KEEP OUT OF REACH OF CHILDREN

WARNING

STORE THIS PRODUCT IN AN AREA INACCESSIBLE TO CHILDREN

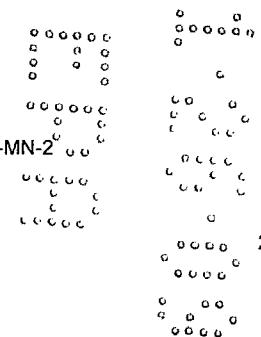
FIRST AID	
IF SWALLOWED:	<ul style="list-style-type: none"> ▪ Immediately call a poison control center or doctor. ▪ Do not induce vomiting unless told to do so by a poison control center or a doctor. ▪ Do not give any liquid to the person. ▪ Do not give anything by mouth to an unconscious person.
IF 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 1-888-740-8712.	
NOTE TO PHYSICIAN: Contains petroleum distillates - vomiting may cause aspiration pneumonia.	

Net Weight _____

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

EPA Reg. No. 1021-1674

EPA Est. No. 1021-MN-2



Federal regulations prohibit CFC propellants in aerosols



PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING

Causes skin irritation. Harmful if absorbed through skin. Do not get on 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. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

PHYSICAL OR CHEMICAL HAZARDS

Highly Flammable Ingredient



Ingrediente Altamente Inflamable

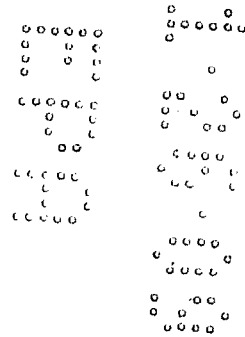
Contents under pressure. Do not use or store near heat or open flame. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting. This product contains a highly flammable ingredient. It may cause a fire or explosion if not used properly. Follow the Directions for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

[[NYLAR®] [brand name], an insect growth regulator, is similar to growth hormones that occur naturally in insects. [NYLAR®] [brand name] inhibits development of the immature stages of the flea for [210 days] [30 weeks] [7 months] preventing them from reaching the biting adult stage.

[EVERCIDE® Total Release Aerosol 2614] [brand name] contains a combination of three insecticides that stops [blocks (interrupts) (terminates)] the flea life cycle in three ways and controls other listed insects. The first insecticide is [NYLAR®] [brand name], an insect growth regulator that will not allow the flea to reproduce thereby providing long-term [residual] control. The second insecticide is the botanical Pyrethrum, [an extract of a Chrysanthemum flower,] which provides effective, quick-kill of insects upon direct contact and an added benefit of flushing the insects from their hiding place to aid in a more complete control [kill]. Esfenvalerate, the third active insecticide, provides activity until [NYLAR®] [brand name] takes effect.

[EVERCIDE® Total Release Aerosol 2614] [brand name] contains a combination of ingredients that kills both adult and hatching fleas [preadult (larval) fleas] [hatching eggs (larvae)]. Kills hatching fleas [preadult (larval) fleas] [hatching eggs (larvae)] before they grow up to bite. [NYLAR®] [brand name] the insect growth regulator in this fogger, continues to kill (control) hatching fleas [preadult (larval) fleas] [hatching eggs (larvae)] for [210 days] [30 weeks] [7 months] by preventing their development into adults. The fogger reaches fleas [and other listed insects] hidden in carpets, rugs, drapes, upholstery, pet bedding, floor cracks and open cabinets. Occasionally adult fleas may be present in treated areas when reintroduced from infested animals.

To protect your pet against and to minimize reintroduction of adult fleas from outdoors, use EPA registered flea and tick products, [brand name] flea or flea and tick collar, [brand name] pet dust, [brand name] pet spray, [brand name] pet dip, [brand name] pet shampoo, flea shampoo or flea and tick pet shampoo, in conjunction with this application and prior to re-entry. As part of a complete flea control program use EPA registered [brand name] outdoor [lawn] [home and garden] spray, [brand name] [pressurized] [Ready-to-Use] [RTU] flea and tick [indoor] [premise] spray.]



Kills [controls] insects [on contact] [such as]:

Cockroaches [adults (nymphs)]	Sowbugs	Fleas [adults (larvae) (eggs) (preadult)]
Smokey Brown Cockroaches [adults (nymphs)]	Millipedes	Ticks [that may carry and transmit Lyme Disease]
Brown Banded Cockroaches [adults (nymphs)]	Beetles	Brown Dog Ticks
Asian Cockroaches [adults (nymphs)]	Ground Beetles	Long Star Ticks
German Cockroaches [adults (nymphs)]	Elm Leaf Beetles	Deer Ticks
American Cockroaches [adults (nymphs)]	Boxelder Bugs	Other Ixodid Species
Australian Cockroaches [adults (nymphs)]	Earwigs	American Dog Ticks
Waterbugs [adults (nymphs)]	Lice	Gulf Coast Ticks
Palmetto Bugs [adults (nymphs)]	Pillbugs	Foraging Ants [Fire Ants] [Pharaoh Ants]
	Clover Mites	Carpenter Ants [Eastern (Western)]
	Dermestids [Carpet Beetles (Trogoderma)]	Centipedes
Granary Insects	Midges	Flying Moths [small]
Flat Grain Beetles	Flies	Almond Moths
Caddis Rice Weevils	Gnats	Chocolate Moths
Flour Beetles	Cluster Flies	Tobacco Moths
Cigarette Beetles	Mosquitoes	Indian Meal Moths
Drugstore Beetles	Sciarid Flies	Indian Mealworms
Lesser Grain Borers	Firebrats	Angoumois Grain Moths
Merchant Grain Beetles	Silverfish	Hornets
Saw-toothed Grain Beetles	Booklice	Carpenter Bees
Grain Weevils	Bedbugs	Wasps
Warehouse Beetles	Wood Borers (exposed stages)	Yellow Jackets [Eastern (Western)]
Red Flour Beetles	Grain Mites	Cheese Mites

For use in: Apartments, Attics, Basements, Boats, Cabins, Campers, Closed Porches, Condominiums, Dormitories, Drive-Ins, Drugstores, Factories, Food Plants, Garages, Homes, Hospitals, Hotels, Institutions, Kennels, Kitchens, Motels, Nursing Homes, Office Buildings, Other Public Buildings, Pet Grooming Parlors, Pet Sleeping Areas, Railroad Cars, Restaurants, Rooms, Schools, Ships, Storage Areas, Supermarkets, Theaters, Trailers, Tree houses, Trucks, Verandas, Warehouses, and Zoos.

DIRECTIONS FOR USE

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

READ ALL DIRECTIONS COMPLETELY BEFORE USE

Avoid contamination of food or feedstuffs.

For use only when building has been vacated by human beings and pets. Ventilate area for 30 minutes before re-entry.

For best results, treat all infested areas [sites]. Use one fogger for each 6,000 [5,000] [4,000][2,000] cubic feet (approximately 27 ft x 27 ft x 8 ft [25ft. x 25ft. x 8 ft.] [25ft. x 20 ft. x 8 ft.] [16 ft. x 16 ft. x 8 ft.] ceiling) of unobstructed area. Use additional units for remote rooms or where the free flow of fog is not assured.

PREPARATION:

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.

[BEFORE YOU FOG:]

[1.] Remove or cover exposed food, dishes, utensils, surfaces and food-handling equipment. Shut off fans and air conditioners. [2.] Close outside doors and windows. Remove pets and birds but leave pets' bedding as this is a primary hiding place for fleas and must be treated for best results. No need to discard pet bedding after treatment. Cover or remove fish tanks and bowls. [3.] Leave rugs, draperies and upholstered furniture in place. This product will not harm furniture when used as directed. Open interior closet doors and cabinets of areas to be treated. [4.] [Cover waxed wood floors and waxed furniture in the immediate area surrounding the fogger.] (Newspapers may be used).

For more effective control of storage pests [Flour Beetle, Cigarette Beetle, Drugstore Beetle, Lesser Grain Borer, Merchant Grain Beetle, Saw-toothed Grain Beetle, Grain Weevil, Warehouse Beetle, Red Flour Beetle, Confused Flour Beetle] and Cockroaches [Smokey Brown Cockroach, Brown Banded Cockroach, Asian Cockroach, German Cockroach, American Cockroach, Australian Cockroach], [Crickets, (Waterbugs) (Palmetto Bugs) open all cupboard doors [kitchen, bathrooms, pantries], and drawers for better penetration of fog. Remove all infested foodstuffs and dispose of in outdoor trash.

For flea and tick control, thoroughly vacuum all carpeting, upholstered furniture, along baseboards, under furniture and in closets. Put vacuum bag into a sack and dispose of in outside trash. Mop all hard floor surfaces.

READ ALL DIRECTIONS AND CAUTIONS BEFORE USING

TO START FOGGING: [1.] SHAKE FOGGER WELL BEFORE USE: Hold can at arm's length with top of can pointing away from face and eyes. Push down on finger pad until it locks. This will start fogging action. [2.]Set canister in an upright position on a table, stand, etc. (up to 30 inches in height in the center of the area) and place several thicknesses of newspaper under the canister to prevent marring of the surface. Treat the whole dwelling using multiple units in homes with more than one level and numerous rooms. Leave the building at once.

DO NOT RE-ENTER BUILDING FOR TWO HOURS. After two hours, open all outside doors and windows, turn on air conditioners and/or fans and let treated area air for 30 minutes before reoccupying. If additional units are used for remote rooms or where free flow of fog is not assured, increase airing-out time accordingly.

STORAGE AND DISPOSAL

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

