

1021-1741

06-29-2011

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

JUN 29 2011

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

Dear Mr. Ditto:

Subject: Application for Pesticide Notification (PRN 98-10)
Comply with Agency pyrethroid labeling letter dated June 4, 2009
EVERCIDE Permethrin 40% EC 2779
EPA Reg. No. 1021-1741
Your submission dated March 24, 2010

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated March 24, 2010 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds the action requested falls within the scope of PRN 98-10. 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 regarding this letter, please contact Dana Pilitt, PhD of my staff at (703) 305-7071 or via e-mail at pilitt.dana@epa.gov.

Sincerely,

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

Richard Gebken
Product Manager 10
Insecticide Branch
Registration Division (7505P)

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

Application for Pesticide - Section I

1. Company/Product Number 1021-1741	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) EVERCIDE® Permethrin 40% EC 2779	PM# 13	
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 to a pesticide already registered. <div style="text-align: right; font-weight: bold; font-size: 1.2em;">NOTIFICATION</div> EPA Reg. No. JUN 29 2011 Product Name _____
<input type="checkbox"/> Check if this is a new address		

Section - II

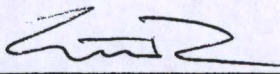
<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
 Notification pursuant PR Notice 2007-4 and EPA's Pyrethroid Non-Agricultural Outdoor Products Notification 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 <input checked="" 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 1 Pint - 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 3/24/2010	

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

March 24, 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® Permethrin 40% EC 2779
EPA Reg. No. 1021-1741
Pyrethroid Non-Agricultural Outdoor Products Notification Per EPA Letter Dated June, 4 2009 and
Notification Per PR-Notice 2007-4

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. We are also 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.

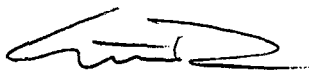
Notification of label change per June 4, 2009, letter from Environmental Protection Agency. This notification is consistent with the guidance in the June 4, 2009 letter and the requirements of EPA's regulations at 40 CFR part 156. No other changes have been made to the labeling or the Confidential Statement 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.

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
Regulatory Affairs Specialist

Enclosure

Quality Products Since 1902

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**McLAUGHLIN
GORMLEY
KING COMPANY**

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

For Agricultural/Commercial Use and Vector Control Agency, Pest Control Operators Only
 [FOR CONTROL OF FLIES, LICE, MITES, AND TICKS ON LIVESTOCK AND THEIR PREMISES]
 [CAN BE USED ON LACTATING AND NON-LACTATING CATTLE AND GOATS, BEEF CATTLE, SHEEP, SWINE, POULTRY AND HORSES]
 [DIRECTIONS FOR FLEA AND TICK CONTROL ON DOGS AS SPRAY DIP WASH OR DIP TANK]
 [CAN BE USED IN ALL AREAS OF DAIRY BARN, INCLUDING MILK ROOMS]
 [AIDS IN CONTROL OF FIRE ANTS]

NOTIFICATION

JUN 29 2011

ACTIVE INGREDIENT:

* Permethrin [(3-Phenoxyphenyl) methyl (+ or -) cis-trans-3-(2,2-dichloroethenyl) 2,2-dimethylcyclopropanecarboxylate].....	40.00%
** OTHER INGREDIENTS.....	60.00%
	100.00%

* Cis-trans isomers ratio: Min. 35% (+ or -) cis and Max. 65% (+ or -) trans

** Contains petroleum distillates

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

**KEEP OUT OF REACH OF CHILDREN
WARNING**

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 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.
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. 1021-1741

EPA Est. No. 1021-MN-2

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

WARNING

May be fatal if swallowed. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Wear long-sleeved shirt and long pants, socks, shoes, and chemical-resistant gloves such as Nitrile or Butyl Rubber. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

ENVIRONMENTAL HAZARDS

This product is extremely toxic to fish and other aquatic organisms. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems. This product is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds while bees are actively visiting the treatment area.

PHYSICAL OR CHEMICAL HAZARDS

Combustible. Do not use or store near heat or open flame.

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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.

READ ENTIRE LABEL BEFORE EACH USE.

FOR PET USE – USE ONLY ON DOGS.

Do not use this or any other pesticide on sick, old or debilitated animals.

Do not use on dogs under 4 months old. Consult a veterinarian before using this product on medicated, debilitated, aged, pregnant or nursing animals. Sensitivities may occur after using any pesticide product for pets. If signs of sensitivity occur, bathe your pet with mild soap and rinse with large amounts of water. If signs continue, consult a veterinarian immediately.

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 and crack-and-crevice treatments only, except for the following permitted uses:

- (1) Treatment to soil and vegetation around structures;
- (2) Applications to lawns, turf, and other vegetation

TARGET SPECIES	USE	DILUTE (NO. TREATED)	APPLICATION RATE
Lactating and Non-Lactating Dairy Cattle and Goats, Beef Cattle and Sheep			
Horn flies only (For 1 week residual control)	High pressure spray	4 fl. oz. (118 ml) to 50 gals. water (treats 200) 0.025% Active Ingredient (AI)	1 qt. of coarse spray per animal
Horn flies, Face flies, Stable flies, House flies, Horse flies, Deer flies, Black flies, Mosquitoes, Eye gnats, Mange mites, Scabies mites, Ticks, Lice, Sheep keds (1-2 weeks residual control of horn flies)	High pressure spray	4 fl. oz. (118 ml) to 25 gals. water (treats 50-100) 0.05% AI	1-2 qt. of coarse spray per animal over whole body surface. For mange, Scabies, Ticks and Lice thoroughly wet animal. Repeat application 10-14 days for Mites and Lice.
Horn flies, Face flies, Stable flies, Ear ticks and Lice. (2-3 weeks residual control of horn flies)	Low pressure spray (Hand pump sprayer)	4 fl. oz. (118 ml) to 2-1/2 gals. water (treats 64-80) 0.5% AI	For fly and lice control, spray midline from face to tailhead to point of runoff (4-5 fl. oz.) (118-148 ml). For ear tick control, spray directly into each ear (1/2 fl. oz. (15 ml) each).
Horn flies, Face flies, Stable flies (Season long control of horn flies)	Backrubber, Self Oiler	4 fl. oz. (118 ml) to 10 gals. diesel oil or suitable mineral oil, 0.125% AI	Keep rubbing device charged. Results improved by daily forced use.
Poultry			
Northern fowl mites, Lice	High pressure spray	1-4 fl. oz. (30-118 ml) to 3.75 gals. water (treats 375) 0.08-0.33% AI	1 gal. of coarse spray per 100 birds, paying particular attention to vent area.
Swine (Allow 5 days between last treatment and slaughter)			
Lice, Mange	Sprayer or Dip	4 fl. oz. (118 ml) to 25 gals. water (treats 50-100) 0.05% AI	Thoroughly wet or dip animals including ears. For Mange, spray pen floors, sides and bedding. Repeat at 14 days.
Horses & Dogs (Do not use on cats)			
Horn flies, Face flies, Stable flies, House flies, Horse flies, Black flies, Mosquitoes, Eye gnats, Mange mites, Scabies mites, Ticks, Lice, Fleas	Low pressure spray	1/4 fl. oz. (7.5 ml) to 1 pt. Water 0.625% AI	1-2 fl. oz. (30-60ml) spray per animal. Spot treat back, face, legs, tail and ears.
	Dip wash	1/4 fl. oz. (7.5 ml) to 1.25 gals. water 0.0625% AI	Thoroughly wet animal to skin with sponge or rag. Let dip dry.
	Dip (dogs only)	4 fl. oz. (118 ml) to 20 gals. water 0.0625% AI	Make sure all areas are soaked to skin. Let dip dry on animal. Do not rinse off.

TARGET SPECIES	USE	DILUTE (NO. TREATED)	APPLICATION RATE
Premises - in and around Horse, Beef, Dairy, Swine, Sheep and Poultry Premises, Animal Hospitals, Pens and Kennels and Outside Meat Processing premises			
House flies, Stable flies, Little House flies (Fannia Spp.). Aids in control of Cockroaches, Ants, Spiders, Mosquitoes and crickets	Surface Spray	4 fl. oz. (118 ml) to 10 gals. water 0.125% AI	Spray surfaces until wet or 1 gal. per 750-1000 sq. ft. (Do not use in Milk Rooms)
	Space Spray	1.5 fl. oz. (45 ml) to 1 gal. water 0.469% AI	Apply as fog or fine mist until area is filled with mist, using 2 fl. oz. (60 ml) per 1000 cubic ft. (Can be used in Milk Rooms)
	Overhead space spray system	4 fl. oz. (118 ml) to 10 gals. mineral oil 0.125% AI	4 fl. oz. (118 ml) spray per 1000 cu. ft. of air space. (Do not use in Milk Rooms)
Temporary reduction of annoyance from pests mentioned above	Outdoor space spray	1.5 fl. oz. (45 ml) to 1 gal. water 0.469% AI	Fill area with mist. Apply while the air is still and avoid wetting foliage.
Bed bugs and Chicken mites	Sprayer	4 fl. oz. (118 ml) to 10 gals.. For severe infestation, it is permissible to use 4 fl. oz. to 4 gals.	Spray crevices and roost poles, cracks in walls and cracks in nest and nest boxes.
Ticks, including the Deer tick, Fleas	Indoor Sprayer	3 fl. oz. (90 ml) to 2 gals. water 0.469% AI	Treat around windows, doors, porches, screens, caves, patios, garages, under stairways and in crawl spaces where these pests may occur. Apply until surface is (approx. 1 gal. per 750-1000 sq. ft.)
	Outdoor Sprayer	4 fl. oz. (118 ml) to 100 gals. water. For longer residual, use up to 8 fl. oz. (236 ml) to 100 gals. water 0.0125%-0.025% AI	Use enough finished spray to penetrate foliage, usually 50-100 gals. per acre. To prevent infestation of buildings, treat a band of vegetation 6-10 feet adjacent to the structure.
Imported Fire Ants	Sprinkler can	3 fl. oz. (90 ml) to 1 gal. water 0.938% AI	Gently sprinkle 1 gal. over the surface of each mound. Thoroughly wet the mound and surrounding area to treat a 4 ft. diameter. For best results, apply in cool weather 65-80°F (early morning or late evening). Pressurized sprayers may disturb ants and cause migration reducing product effectiveness.

Do not apply dilutions for premise treatment directly on livestock or poultry. Ensure that feed and water are not contaminated by spray drift. For space spraying, do not remain in treated areas and ventilate the area before reoccupying. Animals should be removed from area prior to treatment. The use of any residual fly spray should be supplemental with proper manure management and general sanitation to reduce or eliminate fly breeding sites.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE AND SPILL PROCEDURES: Store upright in a dry area at room temperature, preferably under lock and key. Avoid exposure to extreme temperatures. Post as a pesticide storage area. Always store pesticides in the original container. Store away from food, pet food, feed, seed, fertilizers, and veterinary supplies. Place liquid formulations on lower shelves and dry formulations above. In case of spill or leakage, soak up with an absorbent material such as sand, sawdust, earth, fuller's earth, etc. Dispose of with chemical waste.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. To avoid wastes, use all material in this container by application according to label directions. If wastes cannot be avoided, offer remaining product to a waste disposal facility or pesticide disposal program (often such programs are run by state or local governments or by industry).

CONTAINER HANDLING:

Nonrefillable container. Do not reuse or refill this container.

Triple rinse container (or equivalent) promptly after emptying.

[For Containers of 5 Gallons or Less]

Triple rinse as follows: Empty the remaining contents into application equipment or a rinse tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling if available, or puncture and dispose of in a sanitary landfill or by incineration. Do not burn unless allowed by state and local ordinances.

[For Containers Greater than 5 Gallons]

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over on its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Then offer for recycling if available, or puncture and dispose of in a sanitary landfill or by incineration. Do not burn unless allowed by state and local ordinances.