

1021-1741

02/26/2013

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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

FEB 26 2013

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 February 15, 2013 for the following product(s):

Evercide® Permethrin 40% **EPA Reg. No. 1021-1741**
EC 2779

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,

A handwritten signature in black ink, appearing to read "Linda A. DeLuise", written over a horizontal line.

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

	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# 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: <div style="text-align: center; font-weight: bold; font-size: 1.2em;">NOTIFICATION</div> EPA Reg. No. _____ FEB 26 2013 Product Name _____

Section - II

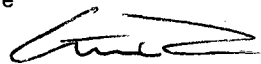
<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> 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 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 <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) 544-034
2. Signature 		6. Date Application Received (Stamped)
3. Title Regulatory Affairs Specialist		
4. Typed Name Steven K. Ditto	5. Date 2/15/2013	
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.		



February 15, 2013

Document Processing Desk (NOTIF)
Richard Gebken, PM10
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
Notification Per PR-Notice 98-10

Dear Mr. Gebken:

By Notification we are adding an optional direction for use to instruct the user to warm and liquefy the product prior to use. The addition does not affect labeled use rates, sites or pests.

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

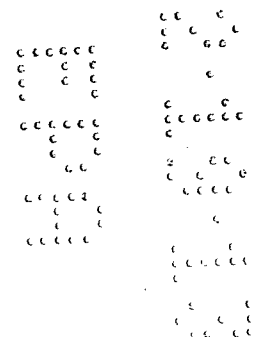
This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false 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,

Steven K. Ditto
Regulatory Affairs Specialist

Enclosure



8810 Tenth Avenue North
Minneapolis, MN 55427
TOLL FREE 800.645.6466
TEL 763.544.0341
FAX 763.544.6437
WWW.MGK.COM

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EVERCIDE® Permethrin 40% EC 2779

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]

ACTIVE INGREDIENT:

* Permethrin [(3-Phenoxyphenyl) methyl (+ or -) cis-trans-3-(2,2-dichloroethyl) 2,2-dimethylcyclopropanecarboxylate)	40.00%
** OTHER INGREDIENTS.....	60.00%
	<hr/> 100.00%

NOTIFICATION

FEB 26 2013

* 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.

Manufactured by:

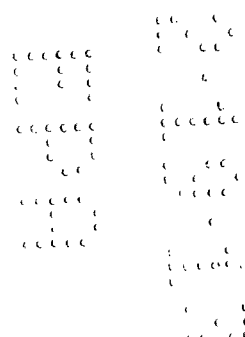


8810 Tenth Avenue North
Minneapolis, MN 55427

EPA Reg. No. 1021-1741

EPA Est. No. 1021-MN-2

Net Contents _____



PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING

May be fatal if swallowed. Avoid contact with skin or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators using ULV cold foggers or fog/mist generators in indoor spaces must wear:

- Coveralls over long-sleeved shirt and long pants;
- Chemical-resistant gloves made of barrier laminate, butyl rubber, nitrile rubber or viton;
- Chemical-resistant footwear plus socks, and
- Chemical-resistant headgear, if overhead exposure.

Applicators using ULV cold foggers and/or fog/mist generators in outdoor spaces must wear:

- Long-sleeved shirt and long pants,
- Shoes plus socks, and
- Chemical-resistant gloves made of barrier laminate, butyl rubber, nitrile rubber or viton.

All other mixers, loaders, applicators, and other handlers must wear:

- Long-sleeved shirt and long pants,
- Shoes plus socks,
- Chemical-resistant gloves made of barrier laminate, butyl rubber, nitrile rubber or viton,
- Chemical-resistant apron for mixers/loaders, persons cleaning equipment, and persons exposed to the concentrate and for handlers performing animal dip applications.

USER SAFETY REQUIREMENTS

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

USER SAFETY RECOMMENDATIONS

Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.

Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

This pesticide is extremely toxic to aquatic organisms, including fish and invertebrates. Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not apply when weather conditions favor drift from treated areas. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water disposing of equipment wash waters.

Under some conditions, it may also have a potential for transport into surface water in runoff (primarily absorbed to suspended soil particles), for several months or more after applications. These include poorly draining or wet soils with readily visible slopes toward adjacent surface waters, frequently flooded areas, and areas overlying extremely shallow groundwater, areas with in-field canals or ditches that drain to surface water, areas not separated from adjacent surface waters with vegetated filter strips, and areas over-lying tile drainage system that drain to surface waters.

This pesticide 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.

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.

General Precautions and Restrictions:

FOR PET USE – USE ONLY ON DOGS.

Except when applying to dogs or livestock, do not enter or allow others to enter treated area until sprays have dried.

Except when applying to dogs or livestock, do not enter or allow others to enter until vapors, mists, and aerosols have dispersed, and the treated area has been thoroughly ventilated.

Except when applying to dogs or livestock, do not apply this product in a way that will contact workers or other persons, either directly or through drift.

Except when applying to dogs or livestock, only protected handlers may be in the area during application.

Do not breathe dust, vapors, or spray mist.

Not for use in outdoor residential misting systems.

When used in dairy barns or facilities: Close milk bulk tank lids to prevent contamination from spray and from dead or falling insects. Remove or cover milking utensils before application. Wash teats of animals before milking.

All outdoor applications must be limited to spot or crack and crevice treatments only, except for the following permitted uses:

- (1) Treatment to soil or vegetation around structures;
- (2) Applications to lawns, turf, and other vegetation;
- (3) Applications to building foundations, up to a maximum height of 3 feet.

Other than applications to building foundations, 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.

Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, or aquatic habitat can occur. Do not allow the product to enter any drain during or after application.

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.

[Warm gently to liquefy and mix well before each use.]

Directions for use in commercial animal premise automatic misting systems:

Not for use in outdoor residential misting systems (indoor or outdoor).

Do not apply this product in barns or stables where animals intended for slaughter or human consumption will be maintained.

Do not apply when food, feed or water is present.

Do not apply directly to animals.

When using this product, installers and service technicians must comply with the license, certification, or registration requirements of the state(s), tribe(s), or local authority(ies) where they are installed.

When applying via a remote activation device, do not apply when people and pets are present. If possible, when applying via automatic timer, set the timing for application when people and pets are unlikely to be present.

Direct nozzles to spray towards the target area and away from areas where people are typically present.

Do not use in an evaporative cooling system.

Do not use in misters located within 3 feet of air vents, air conditioner units, or windows.

If used in a system with a reservoir tank for the end use dilution, the system reservoir tank must be locked. Securely attach the end use pesticide label and a dilution statement to the system reservoir tank in a weather protected area or plastic sleeve. The dilution statement must be phrased as follows: this container holds ___ parts [product name] to ___ parts water.

If used in a direct injection system, the pesticide container must be locked. Securely attach the end use label to the pesticide container in a weather protected area or plastic sleeve.

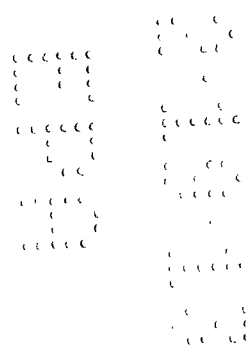
This product must only be used in systems that have been calibrated to apply no more than the maximum application rate of 4 fluid ounces per 1000 cubic feet or 10 gallons of diluted product.

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 perineal areas, sides and bedding. Repeat at 14 days.

TARGET SPECIES	USE	DILUTE (NO. TREATED)	APPLICATION RATE
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, <u>legs, tail and ears.</u>
	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. <u>(Can be used in Milk Rooms)</u>
	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 <u>sq. ft.</u>)
	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 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.

