

1021-1749

4/17/2009

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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

APR 17 2009

Subject: Label Notification(s) for Pesticide Registration Notices 2007-4

Dear Registrant:

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

EPA Registration 1021-1749 Evercide® Permethrin Dust 2786

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. 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.


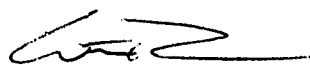
If you have any questions, please contact me directly at 703-305-6249 or Banza Djapao of my staff at 703-305-7269.

Sincerely,

A handwritten signature in black ink, appearing to be "Linda Arrington".

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

2097

 United States Environmental Protection Agency Washington, DC 20460		Registration Amendment Other	OPP Identifier Number
Application for Pesticide - Section I			
1. Company/Product Number 1021-1749		2. EPA Product Manager Richard Gebken	
4. Company/Product (Name) EVERCIDE® Permethrin Dust 2786		3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted	
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: right; font-weight: bold; font-size: 1.2em;">NOTIFICATION</div> EPA Reg. No. _____ Product Name _____ <div style="text-align: right; font-size: 1.2em;">APR 17 2009</div>	
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			
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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input checked="" 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 4-24 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 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 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 3/10/2009	

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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 10, 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® Permethrin Dust 2786
EPA Reg. No. 1021-1749
Notification Per PR-Notice 2007-4

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".

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.

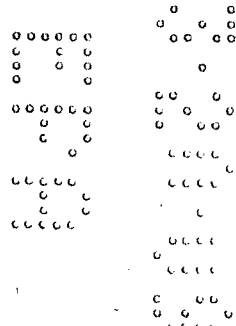
If there are any questions or you need anything further, please contact this office.

Sincerely,

McLAUGHLIN GORMLEY KING COMPANY

Steven K. Ditto
Registration Specialist

Enclosure



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2786-0309

EVERCIDE® Permethrin Dust 2786

MGK® McLAUGHLIN
GORMLEY
KING COMPANY

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

[] OR () indicates alternate or optional wording

- [Contains PERMETHRIN]
- [KILLS beetles, caterpillars, bugs and many more] [Ready to Use]
- [Controls ornamental pests] [To control (kill) vegetable pests]
- [Use on home garden fruits, vegetables and ornamental plants (including roses)]
- [Use on fruit & nut trees]
- [Use on dogs, cats and pet bedding to control fleas, ticks and lice]
- [For control of Horn Flies and Lice on Beef and Dairy Cattle]
- [Aids in reducing Face Fly population on Beef and Dairy Cattle]
- [For control of Lice on Swine]
- [For control of Northern Fowl Mites on Poultry]
- [For use in dust bags, [this] shaker can or mechanical dust applicator]
- [Easy-to-use powder duster]
- [No unpleasant odor]

ACTIVE INGREDIENT:

Permethrin..... 0.25%

OTHER INGREDIENTS..... 99.75%

100.00%

EVERCIDE® - Registered trademark of McLaughlin Gormley King Company

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

FIRST AID

IF ON SKIN OR CLOTHING:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 to 20 minutes. • Call a poison control center or doctor for treatment advice.
IF IN EYES:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. • Remove contact lenses, if present, after the first 15 minutes, then continue rinsing eyes. • Call a poison control center or doctor for treatment advice.
<p>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.</p>	

Net Contents _____

Manufactured by:

Mc LAUGHLIN GORMLEY KING COMPANY

8810 Tenth Avenue North

Minneapolis, MN 55427

EPA Reg. No. 1021-1749

EPA Est. No. 1021-MN-2

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

CAUTION

HUMANS: Harmful if absorbed through the skin. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

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.

ENVIRONMENTAL HAZARDS

This product is extremely toxic to fish and aquatic organisms. Do not apply directly to any body of water. Do not contaminate water when disposing of equipment wash waters. (Place on containers for Commercial Use)

ENVIRONMENTAL HAZARDS

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. (Place on containers for Outdoor Residential Use)

PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame.

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.

READ THE ENTIRE LABEL BEFORE EACH USE.

FOR PET USE - USE ONLY ON DOGS & CATS

HOME GARDENS

For use on home gardens. Not for use on plants being grown for commercial sale or commercial use.

EVERCIDE® Permethrin Dust 2786 [brand insecticide] [this product] controls a wide range of insect pests. Apply when insects first appear before damage from feeding occurs. [How to Apply:] Wearing household latex or rubber gloves, use a dust applicator such as a [this] shaker can, dust gun, puffer or other bulbous duster, rotary duster or other appropriate duster as available. Dust lightly to cover upper and lower leaf surfaces with a thin, even film of dust. Apply when air is calm to avoid drift and contact with eyes and skin. Allow dust to settle in treated areas before reentering. Wash hands thoroughly after handling and before eating or smoking. Do not allow dust to wind drift to non-target plants or water supplies. Start applying at the farthest corner of the treatment area and work backward to avoid contact with dusted surfaces. For plants above chest height, consider using [brand insecticide].

Vegetables and Melons

The number in parentheses () following each crop grouping is the pre-harvest interval, e.g., the number of days that must be observed between application and harvest.

- Artichokes (0): To control (kill) *artichoke plume moth*, *leafminer*. Do not exceed 5 applications per season.
- Asparagus (1): To control (kill) *asparagus beetle*, *cutworm*. Do not exceed 4 applications per season.
- Asparagus (post-harvest): To control (kill) *larval and adult stage of asparagus beetle*, *tarnished plant bug*, *lygus bug*, *collards* and *adult stage of Japanese beetle*. Dust ferns or bush growth after spear harvest when insects are present. (Not for use in California).
- Celery - see leafy vegetables.
- Cole Crops (Broccoli, Brussels Sprouts, Cabbage, Cauliflower, Chinese Cabbage (tight-heading variation only), Chinese Broccoli (on gai ion, white flowering). (1): To control (kill) *beet armyworm*, *cabbage aphid*, *cabbage looper*, *cutworm*, *diamondback moth*, *flea beetle*, *imported cabbageworm*, *leafminer*, *plant bug*, *thrips*. Apply every 5 days or as needed. Do not exceed 8 applications per season on cauliflower, Brussels sprouts and broccoli, or 5 applications on cabbage.
- Corn - see sweet corn.
- Cucurbits (Balsam Pear - bitter melon: Chinese waxgourd - Chinese preserving melon; Citron melon; Cucumber; Gherkin; Edible gourds; Melons including hybrids such as cantaloupe, casaba, crenshaw, honeydew, honeyballs, mango melon, muskmelon, Persian melon; Pumpkin, Squash - summer and winter; Watermelon) (0): To control (kill) *aphid*, *cabbage looper*, *cucumber beetle (adult)*, *cutworm*, *leafhopper*, *leafminer*, *melonworm*, *pickleworm*, *plant bug*, *squash bug*. Do not exceed 8 applications per season.
- Eggplant (3): To control (kill) *Colorado potato beetle*, *vegetable leafminer*, *flea beetle*. Do not exceed 10 applications per season.
- Leafy Vegetables (Amaranth, Arugula, Celery, Chervil, Corn Salad, Chrysanthemum (edible-leaved and garland), Cress (garden and upland), Dandelion, Dock, Endive, Fennel, Lettuce (head and leaf), Orach, Parsley, Purslane (garden and winter), Rhubarb, Spinach, Swiss chard (1): To control (kill) *alfalfa looper*, *aphid*, *beet armyworm*, *cabbage looper*, *corn earworm*, *cutworm*, *European corn borer*, *fall armyworm*, *green cloverworm*, *Southern armyworm*, *tobacco budworm*, *vegetable leafminer*. Do not exceed 5 applications per season.
- Melons - see Cucurbits.
- Onions (dry bulb & garlic) (1): To control (kill) *armyworm*, *cutworm*, *leafminer*, *onion maggot (adult)*, *onion thrips*, *stink bug*. Do not exceed 6 applications per season.
- Peppers (bell) (3): To control (kill) *beet armyworm*, *aphid*, *cabbage looper*, *corn earworm*, *European corn borer*, *flea beetle*, *pepper weevil*, *vegetable leafminer*. Do not exceed 8 applications per season.
- Potatoes (14): To control (kill) *beet armyworm*, *cabbage looper*, *Colorado potato beetle*, *cutworm*, *European corn borer*, *potato aphid*, *potato flea beetle*, *potato leafhopper*, *potato psyllid*, *potato tuberworm*, *tarnished plant bug*. Do not exceed 8 applications per season.
- Spinach (1): To control (kill) *aster leafhopper*, *beet armyworm*, *cabbage looper*, *corn earworm*, *cutworm*, *European corn borer*, *leafhopper*. Do not exceed 5 applications per season.
- Sweet Corn (1): To control (kill) *corn earworm*, *corn rootworm (adult)*, *European corn borer*, *fall armyworm*, *hop vine borer*, *leafminer*, *Southern armyworm*, *stalk borer*. Dust every 5 days or as needed. Do not exceed 6 applications per season. (FL-only: 8)
- Tomatoes (0): To control (kill) *beet armyworm*, *cabbage looper*, *Colorado potato beetle*, *granulate cutworm*, *hornworm*, *vegetable leafminer*, *tomato fruitworm*, *tomato pinworm*. Do not exceed 6 applications per season.

Ornamentals (including Roses, Flowers, Shrubs and Small Trees)

Contact insects directly whenever possible.

- Controls (Kills): *aphid*, *bagworms*, *cabbage looper*, *cicadas*, *corn earworms*, *cutworm*, *exposed thrips*, *fall cankerworm*, *fall webworm*, *inchworms*, *Japanese beetle (adults)*, *leafhopper*, *leafminer*, and omnivorous leafroller, mealybugs, spider mites, stinkbugs, adult strawberry root weevil, adult obscure root weevil, thrips and whitefly on the following plants:
African violets, Ageratum, Arizona Cypress, Aster, Azalea, Begonia, Camellia, Carnation, Chrysanthemum, Coleus, Common Ninebark, Common Snowberry, Crassula, Dahlias, Delphinium, Dogwood, Exacum, Euonymus, English Ivy, Fuchsia, Geranium, Gladiolus, Gold Bells, Grape Vines (ornamental), Hypoestes, Ivy, Laurel, Lilac, Marigold, Mock Orange, Nannyberry, Orchid, Palm, Pansy, Pea Shrub, Petunia, Philodendron, Poinsettia, Rhododendron, Rose, Snapdragon, Stocks, Taxus, Wax Plant, Wandering Jew, Weeping Fig, Zinnia.

Fruit and Nut Trees

The number in parentheses () following each crop grouping is the pre-harvest interval, e.g., the number of days that must be observed between application and harvest. Also includes relevant comment.

- Apples (Do not apply after petal fall): To control *apple aphid*, *green fruitworm*, *redbanded leafroller*, *plum curculio*, *spotted tentiform leafminer*, *tarnished plant bug*, *white apple leafroller*. Do not exceed 1 application per season.
- Cherries (In the East, do not exceed 4 applications after petal fall): To control *green fruitworm*, *lesser peachtree borer*, *plum curculio*, *redbanded leafroller*, *rose chafer*, *tarnished plant bug*. Do not exceed 6 applications per season.

Cherries (In the West, do not exceed 3 applications after petal fall): To control *green fruitworm*, *lesser peachtree borer*, *plum curculio*, *redbanded leafroller*, *rose chafer*, *tarnished plant bug*. Do not exceed 4 applications per season.

Peaches (14): To control *green fruitworm*, *lesser peach tree borer*, *oriental fruit moth*, *peach twig borer*, *plum curculio*, *rose chafer*, *tarnished plant bug*. Dust lightly. Apply up to 5 times per season.

Pears – Dormant (May be applied dormant through the delayed dormant growth periods only): To control *pear psylla*. Do not exceed 2 applications per season.

Pears – Pre-bloom (May be applied from dormant through bud burst): To control *codling moth*, *green fruitworm*, and *pear psylla*. Do not exceed 2 applications per season.

Walnuts (1): To control *codling moth*, *navel orangeworm*, and *walnut husk fly*. Do not exceed 8 applications per season.

BEEF AND DAIRY CATTLE AND HORSES

Can be used in dust bags, [this] shaker can and mechanical dust applicator. *Horn Flies*, *Lice*, *Face Flies*: Place contents of this package in any commercially available dust bag, suspend bag in areas frequented by cattle or in gateways or lanes through which the animals must pass daily for water, feed or minerals. Bags may also be placed in loafing sheds or in front of mineral feeders. For dairy cows, bags may be suspended in the exit through which the cows leave the milking barn. The bags should hang 4 to 6 inches below the back line of the cattle. For reduction of *Face Flies*, bags must be located so animals will be forced to use them daily and hung at a height so that the face is dusted.

Horn Flies, *Lice* - Direct Application: Apply 2 oz. of dust per animal by [this] shaker can or dust glove over the head, neck, shoulders, back and legs.

SWINE

Lice on Swine Direct Application: Apply only 1 ounce per head as a uniform coat to the head, shoulder and back by use of a [this] shaker can or suitable mechanical dust applicator. Do not apply more often than once every 10 days. In severe infestation, both animals and the bedding may be treated. Do not ship animals for slaughter within 5 days of treatment.

POULTRY

To control *Northern Fowl Mites*, apply at a rate of 1 lb. per 100 birds. Ensure thorough treatment of vent area.

PETS

USE ONLY ON DOGS OR CATS: Consult a veterinarian before using this product on debilitated, aged, pregnant, nursing, or medicated animals.

To control (kill) *fleas*, *ticks* and *lice*: Use product only outside or in a well-ventilated area. Wearing household latex or rubber gloves, dust entire animal avoiding pet's eyes, nose, mouth and genital areas. Rub or brush pet's hair to work dust down to the skin paying close attention to legs and feet. Use 1/2 oz. on pets 20 pounds and under and 1 oz. on pets over 20 pounds. Reapply every two weeks. Children should not apply this product. Do not use on puppies or kittens under 12 weeks of age. Dust pet bedding and doghouse using a [this] shaker can or other dust applicator.

ANTS:

Ants, Carpenter Ants:

Treat doors, around window frames, ant trails and hills, cracks and crevices and other areas of entry.

[PRODUCT FACTS]

[Kills Ants & Carpenter Ants]

[Where to Apply:] Treat doors, around window frames, ant trails and hills, cracks and crevices and other areas of entry.

[How to Apply:] Wearing household latex or rubber gloves, use a dust applicator such as a [this] shaker can. Apply when air is calm to avoid drift and contact with eyes and skin. Allow dust to settle in treated areas before reentering. Start applying at the farthest corner of the treatment area and work backward to avoid contact with dusted surfaces. Wash hands thoroughly after handling and before eating or smoking.

NOTICE: Buyer assumes all responsibility for safety and use not in accordance with directions.

Storage and Disposal language for residential use products:

STORAGE AND DISPOSAL	
Do not contaminate water, food or feed by storage and disposal.	
Pesticide Storage	
Store in cool, dry area, preferably a locked storage area. Keep container closed. Always store pesticides in the original container. Store away from food and pet food.	
Pesticide Disposal and Container Handling	
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. Never place unused product down any indoor or outdoor drain.	

Storage and Disposal language for commercial and agricultural use products:

STORAGE AND DISPOSAL

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

Pesticide Storage

Store in a cool, dry area under lock and key. 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.

Pesticide Disposal

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.

Completely empty can by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. 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.

NOTIFICATION

APR 17 2009

