

1021-1760

05-01-2009

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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

MAY 1 2009

Subject: Notification(s) for Label Revisions under PRN 2007-4 and 2008-1

Dear Mr. Ditto:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 2007-4 and 2008-1 dated March 13, 2009 for:

EPA Registration 1021-1760

Evercide Outdoor Insect Control 2790

The Registration Division (RD) has conducted a review of the request(s) for applicability under 2007-4 and 2008-1 and finds that the label changes requested fall within the scope of 2007-4 and 2008-1. 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 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	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
		X	
	Application for Pesticide - Section I		

1. Company/Product Number 1021-1760	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) EVERCIDE® Outdoor Insect Control 2790	PM# 13	
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;"> NOTIFICATION <hr/> MAY 01 2009 </div> EPA Reg. No. _____ Product Name _____	

Section - II

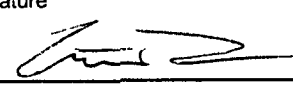
<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> 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 2007-4 and PR Notice 2008-1.

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 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 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 3/13/2009	



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

OK 3/8

March 13, 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® Outdoor Insect Control 2790
EPA Reg. No. 1021-1760
Notification Per PR-Notice 2007-4 and PR-Notice 2008-1

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 changing an environmental hazard statement in accordance with PR-Notice 2008-1.

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.

Notification of label change relative to PR Notice 2008-1. This notification is consistent with the guidance in PR Notice 2008-1 and the requirements of EPA's regulations at 40 CFR 156.10, 40 CFR 156.80 and 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 guidance of PR Notice 2008-1 and the requirements of 40 CFR 156.10, 40 CFR 156.80 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.

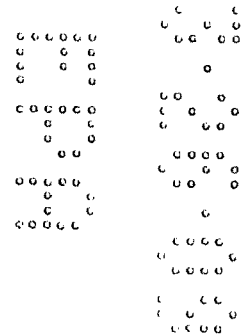
If there are any questions or you need anything further, please contact this office.

Sincerely,

McLAUGHLIN GORMLEY KING COMPANY

Steven K. Ditto
Registration Specialist

Enclosure



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2790-4006z0309z

EVERCIDE® Outdoor Insect Control 2790

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

- [For Use on Residential Areas Such as: Lawns, Ornamentals, Porches, Patios, Foundations, Wood Piles, Stored Lumber, Trench Around Building Foundation]
- [CONTROLS WOOD DESTROYING INSECTS]
- [Concentrated, Water Dilutable Product to control wood destroying, home invading and lawn insects]
- [Aids in Reducing Annoyance from Mosquitoes and Other Flying Insects]
- [Controls Wood Destroying Insects such as Termites, Carpenter Ants, Carpenter Bees, Powder Post Beetles, Deathwatch Beetles]
- [Kills Home Invading Pests Outdoors such as Ants, Beetles, Box Elder Bugs, Cockroaches, Crickets, Earwigs, Fleas, Ticks, Scorpions and other crawling and flying insects]
- [Kills Deer Ticks that may Transmit Lyme Disease]
- [Treats 22 linear feet for Termites]
- [For homeowner post construction use only]
- [Effective as an outdoor home barrier spray against listed crawling pests]
- [Kills Ants (including Fire Ants) and other home invading pests]

Optional wording when Booklet Label is used
[OPEN Resealable Label for Directions and Precautions
PRESS to reuse]

NOTIFICATION

MAY 01 2009

ACTIVE INGREDIENT:

* Permethrin (3-phenoxyphenyl)methyl(±)-cis,trans-3-(2,2-dichloroethenyl)-2,2-dimethylcyclopropanecarboxylate	9.00%
** OTHER INGREDIENTS	91.00%
	100.00%
* Cis,trans ratio: Min. 35% (±) cis and max 65% (±) trans	
** Contains petroleum distillates	

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

KEEP OUT OF REACH OF CHILDREN

CAUTION

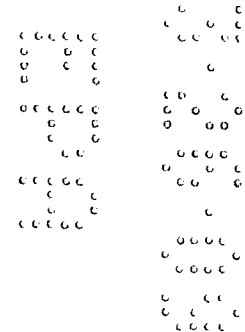
FIRST AID	
IF SWALLOWED:	<ul style="list-style-type: none"> ▪ Immediately call a poison control center or doctor. ▪ Do not induce vomiting unless told to do so by a poison control center or doctor. ▪ Do not give any liquid to the person. ▪ Do not give anything by mouth to an unconscious person.
IF IN EYES:	<ul style="list-style-type: none"> ▪ Hold eye open and rinse slowly and gently with water for 15 – 20 minutes. ▪ Remove contact lenses, if present, after the first 15 minutes. ▪ Call a poison control center or doctor for treatment advice.
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.	

NET CONTENTS _____

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

EPA Reg. No. 1021-1760

EPA Est. No. 1021-MN-2



PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Causes eye irritation. Harmful if swallowed, inhaled, or absorbed through skin. Avoid contact with skin, eyes, or clothing. Avoid breathing vapor or spray mist. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

ENVIRONMENTAL HAZARDS

This pesticide is extremely toxic to fish. ~~Do not apply directly to water. Do not contaminate water when disposing of equipment wash waters or rinsate.~~ 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. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. 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.

DIRECTIONS FOR USE

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

GENERAL INFORMATION:

1 Tablespoon (Tbs) = 3 teaspoons (tsp) 1 fl oz = 2 Tbs 4 fl oz = 1/2 cup

SHAKE WELL BEFORE USE

Specialty Formulated for residential use. **DO NOT USE INSIDE DWELLINGS.**

This product is easy to apply and can be used to control wood destroying, home-invading, and lawn insects. This product may be used for treatment of localized areas of wooden structures, wood piles, and stored lumber to control wood infesting borers, carpenter ants, and carpenter bees. Do not spray animals with this product. Do not allow people or pets to enter treated area until after spray has dried.

HOW TO APPLY:

This product may be applied using a hose-end sprayer, pump [up] [style] pressure sprayer, by watering [sprinkling] can [or by Mosquito 86™ applicator]. Carefully dilute the recommended amount of concentrate and water according to the desired insect control directions. Using a clean sprayer, apply insecticide when insects first appear and repeat as necessary. Flush sprayer or watering can with clean water after each use.

LAWN PESTS: Ants, Armyworms, Brown Dog Ticks, Chinch Bugs, Crickets, Cutworms, Deer Ticks, Fleas, Grasshoppers, Japanese Beetle Grubs, Mole Crickets, Pillbugs, and Millipedes: Home lawns should not be longer than 3 inches at time of application. Use 4 fluid ounces of concentrate to 5 gallons of water for coverage of 800 square feet. For heavy infestations, repeat application after 2 weeks.

FOR SURFACE INSECT CONTROL (Armyworm, Cutworms, Fleas, etc.): For optimum control of surface feeding insect pests, delay watering or mowing for 12 to 24 hours

THATCH INHABITATING INSECT CONTROL (Chinch Bugs, Pillbugs, etc.): Lightly irrigate with up to 1/2 inch of water after application Evercide® Outdoor Insect Control 2790 into the thatch layer. If irrigation is not available, then use high water application rates for optimum results.

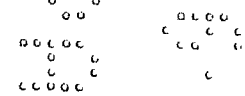
SUBSURFACE INSECT CONTROL (Mole Crickets, Grubs, etc.): Apply to lawns wet with dew, rain, or irrigation. For optimum results, immediately after application, water-in with 1/4 to 1/2 inch of water for optimum results.

ORNAMENTALS IN RESIDENTIAL LANDSCAPED AREAS (Including Trees, Shrubs, Flowers, Evergreens, Foliage Plants, and Ground Covers): Ants, Aphids, Bagworms, Beet Armyworms, Cabbage Loopers, Citrus Thrips, Fungus Gnats, Heliothis spp., Japanese Beetles, Lace Bugs, Leaf Feeding Caterpillars, Leafminers, Leafhoppers, Leafrollers, Lygus Bugs, Mealybugs, Root Weevils (Adult), and Whiteflies: Dilute 5 teaspoons of concentrate in 1 gallon of water. Apply sufficient volume of water to adequately cover foliage. Apply product when insects appear or feeding is noticed. Before treating a large number of plants, treat a few plants and re-check prior to full-scale application. Direct application to blooms may cause browning of petals. Repeat application as needed to maintain control.

FIRE ANT MOUNDS: Dilute 5 teaspoons of concentrate in 1 gallon of water. Using a sprinkling can, apply 1 or 2 gallons of diluent evenly over and around each mound in a 4-foot diameter circle until wet. Apply gently to avoid disturbing ants and causing them to move and form new mounds. For best results, apply in cool weather, such as in early morning or late evening hours. Do not apply in the heat of the day. Treat new mounds as they appear.

[TREATMENT FOR] HOME-INVADING PESTS – OUTDOORS including Ants, Asian Cockroaches, Bees, Beetles, Boxelder Bugs, Centipedes, Clover Mites, Cockroaches, Crickets, Earwigs, Elm Leaf Beetles, Firebrats, Fleas, Flies, Ground Beetles, Gypsy Moths (adult and caterpillar), Hornets, House Flies, Millipedes, Mosquitoes, Scorpions, Silverfish, Sowbugs, Spiders (including Black Widow and Brown Recluse), Ticks, Wasps, and Yellow Jackets: For use in hose-end sprayer, tank-type sprayer, or sprinkling can. Dilute 5 teaspoons of concentrate in 1 gallon of water to cover 300 square feet or 60 linear feet. To keep insects from entering the house, spray a 3-foot band of soil around the house next to the foundation. Also, spray the foundation of the house to a height of 2 feet. Also spray walks, garbage cans and garbage areas, window frames and doorways, porches, patios and shrubs and trees. **DO NOT** treat pets with this product. **DO NOT** use this product indoors.

[When using with the Mosquito 86™ sprayer for outdoor mosquito and flying insect control:



Dispense 7.5 teaspoons (1 1/4 oz.) of concentrate into sprayer tank. Fill tank with 1.5 gallons of water (to the fill line) to cover 450 square feet or 90 linear feet. Gently tighten the cap. Put the backpack on and tighten the straps by pulling downward. Attach the quick disconnect to the blower tubing; push together until it clicks. Start the blower and set to highest rpm setting. Squeeze together the two sides of the shutoff valve located on top of the blower tube together to begin fluid flow. Begin spraying. Spray with a brisk back and forth motion, walking along as you spray, keeping the wind at your back. **ALWAYS KEEP THE NOZZLE MOVING BRISKLY BACK AND FORTH.** To keep insects from entering the house, spray a 3-foot band of soil around the house next to the foundation and the house foundation to a height of 2 feet; also spray walks, garbage cans and garbage areas, window frames, doorways, porches, patios, and shrubs and trees.

When spraying is complete, push button on shutoff to stop fluid flow prior to reducing blower speed. Turn off the blower. Rinse tank with clean water; then fill tank half full with water and flush sprayer. Allow tank and sprayer to air dry before storing.]

MOSQUITOES – OUTDOORS: Mosquitoes coming to rest on areas treated for the control of lawn and home-invading pests will be killed for varying periods of time after application, depending on exposure of treated areas to weathering conditions.

TREATMENT FOR WOOD DESTROYING PESTS – OUTDOORS including Carpenter Ants, Carpenter Bees, Powder Post Beetles, False Powder Post Beetles, Deathwatch Beetles, Old House Borers, and Ambrosia Beetles: Treat localized areas of infested wood. Add 7 1/4 fluid ounces (14 1/2 Tbs) to 1 gallon of water.

HOW TO APPLY

Fences and Outdoor Wood Surfaces of Building: Apply evenly on wood surfaces with a paintbrush. Allow to dry and repeat application to ensure the insecticide soaks into the wood.

Wood Piles and Stored Lumber: Use a hose-end or tank sprayer or sprinkling can to deliver a coarse drenching spray. Do not apply to firewood.

[TREATMENT FOR] SUBTERRANEAN TERMITES – OUTDOORS: For outdoor, homeowner post-construction use only. DO NOT use under slabs, in crawl spaces, or indoors. If termites are found within the house or structure, contact a licensed pest control operator for treatment.

MIXING INSTRUCTIONS FOR TERMITE CONTROL: Add 7 1/4 fluid ounces (14 1/2 Tbs) to 1 gallon of water for each 5 linear feet (1 quart of EVERCIDE® Outdoor Insect Control 2790 makes 4.4 gallons of diluted solution and covers 22 linear feet. 1/2 gallon of EVERCIDE® Outdoor Insect Control 2790 makes 8.8 gallons of diluted solution and covers 44 linear feet).

HOW TO APPLY

TRENCH TREATMENT: Remove all wood debris and wood forms.

Poured Concrete Foundations: Dig a trench next to the foundation 6 inches wide and 4 inches deep or down to the top of the footing, whichever is less.

Brick and Block Foundations: Dig a trench 6 inches wide and 12 inches deep. To avoid shifting your house foundation, never dig below the top of the footing. Mix diluted product into soil as soil is replaced in the trench.

FENCE POSTS: Using a sprinkling can, pour 1/2 gallon of diluted product into fence post hole and add another 1/2 gallon to the soil when filling the hole so that all the fill soil is treated to form a protective barrier.

WHEN TO APPLY

Only reapply for subterranean termites when there has been a disruption of the chemical barrier in the soil due to construction, excavation, landscaping, etc. Reapply as a spot treatment to those areas. Avoid annual reapplication of entire premises.

IMPORTANT: DO NOT treat structures that contain cisterns or wells. DO NOT treat soil in the vicinity of wells, cisterns, or ponds. For those situations, contact your County Cooperative Extension Agent or consult a commercial pest control service. DO NOT treat soil that is water saturated or frozen, or in any conditions where run-off or movement from the treatment area (site) is likely to occur. DO NOT apply while it is raining. DO NOT use on pets. DO NOT use on edible or ornamental plants. Immediately rinse with water spray drift onto these plants.

STORAGE AND DISPOSAL

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

STORAGE: Pesticide Storage

Store in a cool, dry area. Always store pesticides in the original container. Keep container closed when not in use. Do not store near food or feed. Store away from food and pet food. Protect from freezing. In case of spill or leak on floor or paved surfaces, soak up with sand, earth, or synthetic absorbent. Remove to chemical waste area.

DISPOSAL: Pesticide Disposal and Container Handling

Nonrefillable container. Do not reuse or refill this container.

If empty: Do not reuse this container.

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.

NOTIFICATION

MAY 01 2009

