09-30-2010 C



1021-1775

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

> OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

Ms. Miriam Frugis McLaughlin Gormley King Company 8810 Tenth Avenue North Minneapolis, MN 55427-4372

SEP 3 0 2010

Subject: Label Notification(s) for Pesticide Registration Notice 98-10

Dear Ms. Frugis:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated March 22, 2010 for the following product(s):

MGK[®] Wasp & Hornet Reg. No. 1021-1775 Killer Aerosol

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, Lede AD Luc

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

Environmental Protection Agency Regis.ution OPP Identifier Numi 1: CompanyProduct Number 2 EPA Product Manager 3. Proposed Classification 1: CompanyProduct Number 2 EPA Product Manager 3. Proposed Classification 1: CompanyProduct Number 2 EPA Product Manager 3. Proposed Classification 1: CompanyProduct Name/ AcompanyProduct Name/ In accordance with PIFAA Section 3(0)(3)(b)(), my 1: A CompanyProduct Name/ Product Manager 10 In accordance with PIFAA Section 3(0)(3)(b)(), my MGK@ Wasp & Horner Killer Aerosol 5. Section - II In accordance with PIFAA Section 3(0)(3)(b)(), my States Orduct Is similar or identical In compaction and labeling to: EPA Reg. No. NOTIFICATION Section - II Check If this is a new address Product Name SEP 3. 0 2010 Interview of Application. Check If this is a new address Section - II Final printed liabels in response to Agency letter dated 'Me Too' Application. Explanation: Less and page(b) If incessary, (For section 1 and Section 1I.) Notification consistent with guidance in the June 4, 2009 Product Name Prose of Container Chef Resistant Packaging Unit Packaging yet Yet	Please read instructions before com					Form Ar d.	OMB No. 2070-00	60. Approval expires 05-31-98	
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₽ PA Form 8570-1 (Rev. 8-94) Previous editions are obsolete.

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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 22, 2010

Document Processing Desk (NOTIF-PYRETHROID) U.S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs (7504P) Room S-4900, One Potomac Yard 2777 South Crystal Dr. Arlington, VA 22202-4501

Subject: MGK[®] Wasp & Hornet Killer Aerosol EPA Reg. No. 1021-1775

> Notifications consistent with the guidance in the June 4, 2009 letter and the requirements of EPA's regulations at 40 CFR part 156

Dear Sir or Madam:

By Notification we are changing the language of "Environmental Hazards" and "Directions for Use" on this label according to the guidance in the June 4, 2009 letter and the requirements of EPA's regulations at 40 CFR part 156. No changes in application rates were made.

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 statement 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 of 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

Miriam Frugis Regulatory Affairs Specialist

Enclosures



Via Courier

Quality Products Since 1902

20864- 0310 (PYRET)



MCLAUGHLIN GORMLEY KING COMPANY MGK® Wasp & Hornet Killer Aerosol

NOTIFICATION

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

[Optional Wording]:

Kills Wasps, Hornets and Yellow Jackets] [Fast knock-down] [*20% More. *Compared to our Size] [Foaming (Blanketing) foam sticks to the nest] [Reaches one-story eaves (nests)] [Easy to hold applicator] [(Also) kills bees and yellow jackets] [(Also) kills bees and yellow jackets] Foam (spray) lets you (allows you to) see where vou've spraved!] [Kills biting and stinging insects] [Fast Knock-Down] [Water-Based (Aerosol)] [Guaranteed kill] [Kills Flies, Mosquitoes, Gnats, Box Elder Bugs, Aphids, Japanese Beetles, Gypsy Moths, Tent Caterpillars, Whiteflies, Mealybugs, (Spider) Mites, Small Flying Moths and other listed pests]

[Kills with contact] [*For Listed Pests] SEP 3 0 2010 [Kills on Contact] [Non-staining] [Easy to use applicator] [Kills hornets, wasps, bees and yellow jackets] [Foaming barrier helps trap insects in the nest] Foam spray) stays where you spray it! [Reaches nests under roof eaves, around carports, doorways, window frames, and other outdoor areas] [Delivers a powerful foam spray] [20 Ft. Range! [Sprays up to 20 ft.] [For Outdoor Use] [Kills Common Plant Pests on Ornamentals] [For Outdoor Use Only] [Graphic: Outline of small tree]

ACTIVE INGREDIENTS:	
Tetramethrin [(1-Cyclohexene-1,2-dicarboximide) methyl 2,2-dimethyl-3-	
(methylpropenyl) cyclopropanecarboxylate]	0.20%
d-phenothrin: [3-phenoxybenzyl-(1RS, 3RS; 1RS, 3SR)-2,2-dimethyl-3-(2-	
methylprop-1-enyl) cyclopropanecarboxylate]	0.20%
OTHER INGREDIENTS	99.60%
TOTAL	100.00%

KEEP OUT OF REACH OF CHILDREN

CAUTION

	FIRST AID
IF SWALLOWED:	 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:	 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.
IF INHALED:	 Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. Call a poison control center or doctor for further treatments
IF IN EYES:	 Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes. Then continue rinsing eyes. Call a poison control center or doctor for treatment advice.

LLL

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 Weight Manufactured by: McLAUGHLIN GORMLEY KING COMPANY 8810 Tenth Avenue North Minneapolis, MN 55427 EPA Reg. No. 1021-1775 EPA Est. No. 1021-MN-2

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if absorbed through skin or inhaled. Do not get on skin, in eyes or on clothing. Do not breathe spray mist. Wash thoroughly with soap and water after handling or before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

ENVIRONMENTAL HAZARDS

This product is toxic to fish and other aquatic invertebrates. Do not apply directly to water. Do not contaminate water by cleaning of equipment or disposal of wastes.

PHYSICAL OR CHEMICAL HAZARDS

Contents under pressure. Do not store near heat or open flame. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting. Do not apply this product around electrical equipment due to possibility of shock hazard.

DIRECTIONS FOR USE

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

USE RESTRICTIONS:

People and pets should not be allowed in treated area until spray has dried.

OUTDOORS

SHAKE TWICE ONLY [SHAKE WELL] BEFORE USING. HOLD CAN UPRIGHT. APPLY IN SHORT BURSTS. DO NOT USE INSIDE THE HOME. DO NOT SPRAY IN WINDY CONDITIONS. [PRODUCT FACTS] [Alternate wording]

Do not water the treatment area to the point of run-off.

Do not make applications during the rain.

All outdoor applications must be limited to spot or crack-and-crevice treatments only, except for the following permitted uses: C 606 c

(1) Treatment to soil or vegetation around structures;

(2) Applications to lawns, turf, and other vegetation;

6 0 5 0 Other than applications to building foundations, all outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches and structural surfaces (such as windows, dogrs, and 00 eavers) are limited to spot and crack-and-crevice applications, only. . 00 00, 00 00, 00000

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

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Page 2 of 6 20864-0310 (PYRET)

[Ortho & Your Environment

Your home and yard are places for family and pets to enjoy. That's why Ortho® products are designed with care to provide effective solutions to insect problems inside and outside your home.]

[Use Directions:

- Wait until dusk or early morning when insects are least active. Make sure you can clearly see the opening of the nest.
- Shake well before using.
- > Holding can upright, direct foaming spray into nest opening.
- > Completely cover the entire nest. If insects fall out, continue spraying until no more are visible.
- > After you apply, leave area immediately.]

[This product is non-staining to most home siding (exterior surfaces) depending on age and cleanliness. Before using in areas where spray may contact home siding, test in an inconspicuous area and re-check in a few hours. Avoid unnecessary contact with plant foliage.]

[This product may stain or adversely affect vinyl, painted, and plastic surfaces. Avoid application to asphalt roofing shingles as staining may occur. Before using in areas where spray may contact these surfaces, test in an inconspicuous area and recheck in a few hours. Avoid spraying desirable plants. Rinse with water any desirable foliage that is contacted with spray.]

<u>To Kill Wasps</u>: Application should be made at dusk or early morning when insects are least active. [1.] Hold can upright. [2.] Point valve opening away from face. [3.] With wind at back, aim at nests in trees, bushes, under eaves, chimneys, cracks or crevices.

<u>To Kill Yellow Jackets</u>: Yellow Jackets make their nests in the ground, dead tree stumps, railroad ties, walls or similar structures. [1.] During daylight hours, watch them closely to determine location of nest entrance. [2.] Wait until dusk or early morning when insects are at rest. [3.] Empty entire can down hole from a close enough distance to direct 100% of spray into hole.

<u>To Kill Hornets</u>: Unless you can clearly see the opening at the bottom of the hornet's nest, never use a hornet spray (on the nest) as hornets may escape and attack you. Hornets usually make their nests in trees, shrubs and under eaves. [1.] During daylight hours, determine location of nest entrance. [2.] Wait until dusk or early morning when insects are at rest. Direct foam spray into entrance hole. [3.] As hornets fall out continue spraying until no more are visible or the can is empty. [4.] Leave area immediately.

To Kill Spiders, Caterpillar and Eastern Tent Caterpillars: General: When sprayed directly on insects, this spray will kill the insect listed. Caution should be taken when spraying new tender growth on young plants.

WHEN SPRAYING, HOLD CAN 18-24 INCHES FROM PLANT. For best results, spray in the evening or on a cloudy day when air is still. Mist the plants lightly. Use a slow sweeping motion. Avoid wetting foliage with spray. Spray rows at the rate of 1 foot per second. For heavy growth, spray both sides of row. Repeat as needed. Do not spray when temperatures exceed 90°F.

This product is not recommended for use on vinyl siding.

[Optional Wording:]

To kill Wasps, Yellow Jackets, and Hornets: For best results application should be made at dusk or early morning. At these times and especially during cooler weather the insects are least active, also most insects have returned to their nest. Remove protective cap. Hold can in upright position to spray. It is best to apply in short bursts. Point valve opening away from face. With wind at back, aim directly into the nest, depress button, and contact as many insects as possible. The foam helps determine where application has been made and aids in covering insect with chemical. Insects contacted will drop but may not immediately die. However, they will not recover. Insects which are thoroughly contacted will """.

Page 3 of 6

مندية منابعة eventually die. Spray all individual insects observed. Spray will reach nests up to 20 feet away. Repeat as necessary. Since it is impossible to test all surfaces under all conditions, avoid unnecessary contact with plant foliage, shingles, siding etc. to minimize any potential damage.

Specific Use Instructions:

For Wasps: Aim directly at nests which are typically located in trees, attics, bushes, under eaves, chimneys, cracks and crevices.

For Yellow Jackets: Nests are typically located in the ground, dead tree stumps, railroad ties, wall voids, or similar structures. Empty the entire can into the hole from a close enough distance to direct 100% of spray into hole. Spray all individual insects observed.

For Hornets: Nests are typically located in trees, shrubs and under eaves. Never apply unless you can see the opening at the bottom of the nest as insects may escape and attack you. Therefore determine the location of the nest entrance during daylight hours but wait until dusk or early morning when the insects are least active. Direct spray into entrance hole. As insects fall out continue spraying until no more are visible or can is empty. Leave area immediately.

Other Uses - Outdoors Only:

To kill Tent Caterpillars: Applications are most effective when caterpillars are young and tents are first noticed. For best results, application should be made at dusk or early morning when insects have returned to their tents. The caterpillar tent should be thoroughly wetted with the aerosol spray. Ideally tents should be sprayed from two sides from less then 10 feet away whenever possible to achieve the most thorough coverage. Because tents are naturally water resistent/repellent, the branches coming out of the top of the tent should be thoroughly wetted on all sides if possible for distance of 1-2 feet away from the tent. The reason for this is that some caterpillars may attempt to abandon the tent shortly after spray application. Any spray residue on the branches above the tent will, therefore, contaminate the crawling individuals thereby ensuring their demise even when the spray does not penetrate the tent.

To kill Gypsy Moth Caterpillars: Apply directly to foliage in trees and shrubs where caterpillars are feeding. Spray individual caterpillars which migrate down trunks of trees and rest at ground level. Spray individual adult moths when observed and destroy egg masses whenever found. Avoid unnecessary contact with plant foliage, shingles, siding etc., to minimize any potential damage.

To kill Ants: Spray trails, nests and nest entrances. Spray individual insects where possible.

To kill Spiders (including Black Widow and Brown Recluse Spiders): Spray individual pests observed. Pests which are thoroughly contacted will eventually die.

To kill Crickets, Centipedes, Sowbugs, Pillbugs and Ticks: Spray individual pests observed. Pests which are thoroughly contacted will eventually die.

OUTDOORS

GENERAL: To kill listed ornamental pests spray directly on insects when possible. Kills Eastern Tent Caterpillars, Gypsy Moth Caterpillars, Aphids, Cankerworms, Leafhoppers, White Flies, Spider Mites, " Japanese Beetles, Mealybugs, Ants, Caterpillars, and Box Elder Bugs on (ornamenta's including) Ornamental Cherry, Spirea, Roses, Crepe Myrtle, Ornamental Crabapple, Andromeda, Ažalea, Chrysanthemum, Gardenia, Purple Passion Vine, Peony, Oleander, and Arborvitae. ©action should be taken when spraying new tender growth on young plants. When spraying, hold can 18-20 inches from plant. For best results, spray in the evening or on a cloudy day when air is still. Mist the plants lightly " Use a slow sweeping motion. Avoid wetting the foliage with the spray. Spray rows at the rate of 1 foot per second. For heavy growth, spray both sides of row. Do not spray when temperatures exceed 90°F. Do ccenter of the spray in windy conditions.

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Page 4 of 6 20864-0310 (PYRET) Optional: For use in homes and non-food areas of industrial buildings, schools, warehouses, office buildings, theaters, garages, motels and hotels.

SHAKE WELL BEFORE USE. HOLD CONTAINER UPRIGHT. APPLY IN SHORT BURSTS.

INDOORS:

USE RESTRICTIONS:

People and pets should not be allowed in treated area until spray has dried. Do not use in commercial food processing, storage preparation or serving areas. In the home all food processing surfaces and utensils should be covered during treatment or thoroughly washed before use. Remove pets, birds and cover fish aquariums (tanks) before spraying. Do not contaminate food or food processing surfaces.

(For Space Spray) To kill Flies, Mosquitoes, Gnats, Bees, Wasps, and Small Flying Moths: Close all doors and windows and direct spray into center of room with a slow sweeping motion. Spray 5-10 seconds for an average room. Keep room closed for 15 minutes after spraying. Ventilate room thoroughly before re-entry. Sweep up and destroy fallen insects. Before spraying cover exposed food and utensils.

(For Spot Treatment) To kill Ants, Centipedes, Cockroaches, Waterbugs, Palmetto Bugs, Earwigs, Crickets, Silverfish, Firebrats, Sowbugs, Pillbugs, and Spiders (including Black Widow and Brown Recluse Spiders): Contact as many insects as possible with the spray in addition to thorough spraying of all parts of the room suspected of harboring these pests. Special attention should be paid to cracks, hidden surfaces under sinks, behind stoves and refrigerators, food storage areas and wherever these pests are suspected of hiding. To kill ants, treat doors, around window frames, ant trails and other areas of entry.

[Alternate wording: For crack and crevice treatment of Ants, Cockroaches, Waterbugs, Palmetto Bugs, Centipedes, Crickets, Silverfish, Firebrats, Sowbugs, Pillbugs, Spiders, Carpet Beetles, Fleas and Ticks (such as Brown Dog Ticks): Attach extension tube to spray actuator and apply in small amounts directly into cracks and crevices. Avoid contamination of food or food processing surfaces.]

(For Spot Treatment) To kill Carpet Beetles: Directly spray as many insects as possible. Spray both interior and exterior of upholstered furniture. Both top and bottom of rugs and carpets should be sprayed thoroughly. Also treat shelves, closets, areas under furniture and wherever these insects are seen or suspected. Note: Check carpet or furniture manufacturer's warranty and care and maintenance information before using product on your specific brand of carpeting or furniture.

(For Spot Treatment) To kill exposed forms of Confused Flour Beetles, Rice Weevils, and Saw-toothed Grain Beetles: Find and destroy infested package goods. Remove all other items from pantry. Spray the shelves to kill any of the named insects present. Place clean paper on the shelves and return packages after shelves have dried.

To kill Fleas and Ticks (such as Brown Dog Ticks) in pet bedding and pet areas: Remove and destroy pet's old bedding. To reduce infestation, thoroughly spray the animal's bedding, sleeping quarters, around baseboards, window and door frames, wall cracks, local areas of floors, and other resting places until the surface is slightly moist. Treat these areas at the rate of two seconds per linear foot at a distance of 12 to 18 inches. Also spray the entire inside surface of dog houses. Put fresh bedding in pet's duarters after a spray has dried. DO NOT SPRAY ANIMALS. Also treat dogs and cats with a registered flea and tick control product before allowing them to reenter treated area.

To treat Flea and Tick (such as Brown Dog Ticks) infestation in rugs and carpets: Spray fugs and carpets where fleas tend to hide. If used on light or delicate upholstery fabrics, test for potential staining in an inconspicuous place prior to use. Spray thoroughly into hiding places such as cracks and crevices, in

Page 5 of 6

20864-0310 (PYRET)

walls and floors, along baseboards, window and door frames. Spray at the rate of one square foot per second.

[Notice: Buyer assumes all risks of use, storage or handling of this product not in accordance with directions.]

[NOTICE: Buyer assumes all risks of use, storage or handling of this product not in accordance with directions. Federal regulations prohibit CFC propellants in aerosols. Specially formulated for residential use.]

[Our Guarantee: If for any reason you are not satisfied with this product, mail us proof of purchase to obtain a full refund of your purchase price.]

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in a cool dry area away from heat or open flame, preferably in a locked storage area. Always store pesticides in the original container. Store away from food and pet food.

Pesticide Disposal and Container Handling

Do Not Puncture or Incinerate! Nonrefillable container. Do not reuse or refill this container. If empty:

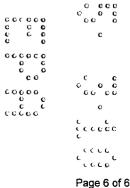
Place in trash or offer for recycling if available.

If partly filled:

Call your local solid waste agency for disposal instructions.



Federal regulations prohibit CFC propellants in aerosols



20864-0310 (PYRET)