

1021-1779

10/16/2008

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Thomas A. Lennan
Registration Specialist
McLAUGHLIN GORMLEY KING Company
8810 Tenth Avenue North
Minneapolis, MN 55427

OCT 16 2008

SUBJECT: Application for Pesticide Notification – Adding Optional Smaller Treatment Areas for
Smaller Volumes of Product
EVERCIDE® Esfenvalerate RTU 28062
EPA Reg. No. 1021-1779
Application Dated November 2, 2007

Dear Mr. Lennan:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions requested fall within the scope of PRN 98-10. The label submitted with the applications have been stamped "Notification" and will be placed in our records.

If you have any questions, please me directly at 703-305-6249 or Terri Stowe of my staff at 703-305-6117.

Sincerely,

A handwritten signature in black ink, appearing to be "Linda", is located below the "Sincerely," text.

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

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United States
Environmental Protection Agency
Washington, DC 20460

Registration
Amendment
☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 1021-1779	2. EPA Product Manager George LaRocca	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) EVERCIDE® Esfenvalerate RTU 28062	PM# 13	
5. Name and Address of Applicant (Include Zip Code) McLAUGHLIN GORMLEY KING COMPANY 8810 TENTH AVENUE NORTH MINNEAPOLIS, MN 55427	6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to: NOTIFICATION EPA Reg. No. _____ 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.)

By Notification we are adding optional smaller treatment areas that are for smaller volumes of product that result in the exact same application rate that is currently on the label.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	
				<input type="checkbox"/> Plastic	
				<input type="checkbox"/> Glass	
				<input type="checkbox"/> Paper	
				<input type="checkbox"/> Other (Specify)	
*Certification must be submitted					
3. Location of Net Contents information <input type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container	5. Location of Label Directions <input 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"/> Paper glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other					

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)			
Name Thomas A. Lennan	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 Thomas A. Lennan	5. Date 11/2/2007		



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

November 2, 2007

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® Esfenvalerate RTU 28062
EPA Reg. No. 1021-1779
Notification Per PR-Notice 98-10

Dear Sir or Madam:

By Notification we are adding optional smaller treatment areas that are for smaller volumes of product that result in the exact same application rate that is currently on the label.

Enclosed are 2 copies of the label, one copy has changes highlighted in yellow

I certify that 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, then 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

Thomas A. Lennan
Registration Specialist

Enclosure

MGK®McLAUGHLIN
GORMLEY
KING COMPANY

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

EVERCIDE® Esfenvalerate RTU 28062

LIQUID READY-TO-USE INDOORS & OUTDOORS

Kills Home Invading Pests On Contact

Kills Ants, Cockroaches, Spiders, Fleas, and Ticks (including ticks which transmit Lyme disease),

Kills Ants, Cockroaches, Spiders, Fleas & Ticks and Carpenter ants.

Kills Cockroaches for up to 12 weeks (3 months). Season Long Control

Kills Adult and Pre-Adult (larvae) Fleas and their hatching eggs for up to 8 weeks (2 months)

Water-based, Non-Staining, No Oily Residue. Odor free

Economical Do-It-Yourself Pest Control. Trigger Sprayer Included

ACTIVE INGREDIENT:

(S)-cyano(3-phenoxyphenyl)methyl-(S)-4-chloro-alpha-(1-methylethyl)benzeneacetate 0.025%

OTHER INGREDIENTS 99.975%

100.000%

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"> Call a poison control center or doctor immediately for treatment advice. Have a person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by a poison control center or doctor. 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.
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:

McLAUGHLIN GORMLEY KING COMPANY

8810 Tenth Avenue North
Minneapolis, MN 55427

EPA Reg. No. 1021-1779

EPA Est. No. 1021-MN-2

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

Harmful if swallowed or absorbed through skin. Avoid contact with skin, eyes, or clothing. 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. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

PHYSICAL OR CHEMICAL HAZARDS

Do not use this product in or on electrical equipment due to the 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.

EVERCIDE® Esfenvalerate RTU 28062 is an effective formulation, which kills crawling insects fast. It stays on treated surfaces and provides residual insect killing power for up to three months.

READ ENTIRE LABEL BEFORE USE

Care should be taken to avoid depositing the product onto exposed surfaces or introducing the material into the air. Avoid contamination of feedstuffs, food, or food handling surfaces.

PRECAUTIONS: People and pets should not be allowed in treated areas until spray has dried. Do not use this product on pets.

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

Sprayer Instructions:

How to prime and care for your sprayer:

- After shaking product well, remove cap from container and replace with sprayer hose and cap assembly. Tighten securely.
- Turn sprayer nozzle one half turn counter-clockwise. Hold sprayer below the level of container and prime by pumping trigger 10-15 times until product is dispensed. Adjust nozzle to fine spray or jet stream as needed.
- To store, turn nozzle to "off" position and store with sprayer above level of liquid in container to prevent leakage.

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[To Attach Sprayer:

SHAKE WELL

To attach and operate sprayer: Remove sticker from cap. Open the flip top on cap. Extend hose from sprayer.

Firmly insert black hose tip into opening until it snaps into place. Adjust nozzle to spray or stream. Point sprayer away from people or animals. Squeeze trigger until liquid is dispensed. After use turn the spray nozzle to X (off). Do not disconnect the hose from bottle.]

SHAKE WELL BEFORE USE

Typical Areas That May Require Insecticide Treatment:

INDOORS:

Spray areas where Cockroaches, Palmetto Bugs, Ants, Clover Mites, Crickets, Firebrats, Water Bugs, Silverfish, and Spiders are found or normally occur including dark corners of rooms and closets, cracks and crevices in walls, along and behind baseboards, beneath and behind sinks, stoves, refrigerators, and cabinets, and around plumbing and other utility installations.

For control of Ants, apply to ant trails, around doors and windows, and wherever else ants may find entrance.

For control of Carpet Beetles, thoroughly spray along baseboards and edges of carpeting, under carpeting, rugs and furniture, in closets, on shelving, and wherever else insects are seen or suspected.

For control of Fleas and Brown Dog Ticks, thoroughly spray pet beds and resting quarters and nearby cracks and crevices, along and behind baseboards, window and door frames, and localized areas of floors and floor coverings where fleas and ticks may be present. Pet bedding should be replaced with clean fresh bedding after treating the area. *Do not treat pets with this product.* To control the source of flea infestations, treat pets with a product registered for application to animals.

Note: Check carpet manufacturer's warranty and care and maintenance information before using product on your specific brand of carpeting.

AS A SURFACE SPRAY: Use at a rate of one (1) gallon [96 oz.] [24 oz.] of spray per 1,000 [750] [188] square feet.

To Kill the Accessible Stages of Granary Insects: Rice Weevils, Confused Flour Beetles, Rust Red Flour Beetles, Saw-toothed Grain Beetles, Cadelles, Meal Moth Larvae and Adults, Cigarette Beetles, Drugstore Beetles, and Granary Weevils: Apply as a coarse wet spray to surfaces where these pests are normally found, such as floors and baseboards and around walls, benches, and pieces of equipment. Pay particular attention to cracks, crevices, and similar protected locations in floors and walls. Thoroughly spray around and into floor drains, non-food conveyors, and other areas where granary insects may be found. Do not apply when food processing facility is in operation or food is exposed. Do not apply this spray to surfaces or utensils that may come into contact with food, excessive food residues may result.

Do Not Exceed More Than One (1) Application Every Fourteen (14) Days.

To Kill Ants, Cockroaches, Crickets, Earwigs, Millipedes, Psocids, Silverfish, Sowbugs, Spiders and Waterbugs: Apply this spray with a sprayer that produces coarse wetting droplets into all cracks and crevices in woodwork and floors, underneath sinks, areas behind pipes, and in all places where these insects shelter. Directly spray as many insects as possible. Do not exceed more than one (1) application every seven (7) days in restaurants and similar food service

establishments or more than one (1) application every fourteen (14) days in all types of food handling establishments.

FOR PREMISE PESTS: Use at the rate of one (1) [24 oz.] gallon of spray per 1,000 [188] square feet.

Application Within Residential and Non-Residential Buildings Including Homes, Apartment Buildings, Kennels, and Non-Food Areas of Industrial, Institutional, and Commercial Buildings, such as Hospitals, Hotels, Warehouses, Truck Trailers, Railroad Cars, Theatres, Office Buildings, and Schools.

GENERAL: Apply as a coarse wet spray to thoroughly treat hiding places such as cracks and crevices, moist areas around pipes, under refrigerators, and along baseboards to control pests listed below. Use at the rate of one (1) gallon of spray mixture per 1,000 square feet. Spray directly on insects when possible. Do not permit humans or pets to contact treated surfaces until the spray is dry. Do not treat establishments where livestock feed is present.

To Kill Ants, Cockroaches, Crickets, Earwigs, Millipedes, Psocids, Silverfish, Sowbugs, Spiders, and Waterbugs: Spray areas where these pests are found or may hide, including dark corners of rooms and closets, cracks and crevices in walls, along baseboards and door and window frames, behind and beneath sinks, stoves, refrigerators and cabinets, and around garbage cans, plumbing and other utility installations. Directly spray pests driven out of hiding places. For Ants, apply to ant trails, around doors and windows, and wherever these pests may find entrance.

To Kill Brown Dog Ticks and Fleas: For Control of Brown Dog Ticks, thoroughly apply as a spot treatment to infested areas such as pet beds and resting quarters, nearby cracks and crevices, along and behind baseboards, window and door frames, and localized areas of floor and floor coverings where these pests may be present. For control of Fleas, thoroughly apply a fine particle broadcast spray to infested rugs, carpets, and pet resting areas. Prior to treatment cover aquariums and fish bowls and remove birds, such as canaries, from the area. Do not permit humans or pets to contact treated surfaces until spray is dry. Following treatment, remove and replace old bedding with clean, fresh bedding. *Do Not Spray Pets With This Product.* Treat dogs and cats with a product registered for use on animals. Also, treat your yard with a product registered for yard application.

To Kill Bedbugs: First, thoroughly clean and air mattresses and springs. Apply as a spot treatment to cracks and crevices, around baseboards, and on floorboards, headboards, and walls. Then spot treat only areas that may harbor pests. On mattresses, concentrate on tufts, folds, and seams.

To Kill Carpenter Ants: Use a coarse spray, around doors, door frames, windows, and other areas where Carpenter Ants enter the premises or hide. Spray into cracks and crevices, through openings, or into small newly drilled holes into wall voids where these ants or their nests are present.

Typical Areas That May Require Insecticide Treatment:

OUTDOORS:

GENERAL: Use EVERCIDE® Esfenvalerate RTU 28062 to control on contact Ants, Cockroaches, Crickets, Sowbugs, Spiders, and Ticks. Apply to outside surfaces of buildings, porches, patios, garages, grasses, and other areas where these pests are seen or found. Do not spray in or near fish ponds or other bodies of water. Avoid soaking young or flowering plants.

Flies and Mosquitoes: For outdoor use only as an aid in controlling these insects. Spray outside surfaces of screens, doors, window frames, or wherever insects may enter the room.

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Also spray surfaces around light fixtures, on porches, in garages and other places where insects alight or congregate. Repeat as needed.

Ants, Ticks (including ticks which transmit Lyme disease), Crickets, Fleas, and Earwigs: For treatment of infestation of these insects in areas where there are weeds or bushy non-crop areas, thoroughly spray infested areas. When treating for ticks, pay special attention to areas frequented by pets. For ants, thoroughly wet hills and runways.

Building Perimeter Treatment: To help prevent infestations of buildings by ants, crickets, spiders, and sowbugs (pillbugs), treat a 12 – 18 inch band of soil or other substrate adjacent to buildings and the building foundation to a height of 2 to 3 feet where these pests are active and may find entrance.

Keep pets and children out of the treated area until the spray has dried. Do not spray animals. Dogs and cats and their kennel or bedding area should also be treated with a registered flea control product in conjunction with this application.

STORAGE AND DISPOSAL

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

STORAGE: Store in a warm, dry place. Keep container closed.

DISPOSAL:

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.

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