

1021-1779

07/11/2011

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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

JUL 11 2011

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 June 20, 2011 for the following product(s):

EVERCIDE® Esfenvalerate
RTU 28062

EPA Reg. No. 1021-1779


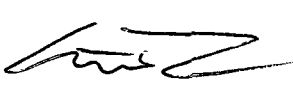
The Registration Division (RD) has conducted a review of this request for applicability under PR Notice 98-10 and finds that the label change(s) requested falls within the scope of PRN 98-10. The label has been date-stamped "Notification" and will be placed in our records.

If you have any questions, please contact Linda A. DeLuise at 703-305-5428.

Sincerely,

Linda A. DeLuise

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

 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 Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) EVERCIDE® Esfenvalerate RTU 28062		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-size: 2em; font-weight: bold;">NOTIFICATION</div> EPA Reg. No. _____ JUL 11 2011 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 to PR-Notice 98-10.			
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 checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify)
*Certification must be submitted		If "Yes" No. per container Unit Packaging wgt.	If "Yes" No. per container Package wgt.
3. Location of Net Contents information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 4oz. - 1 Gal.	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) 544-0341
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 Regulatory Affairs Specialist	
4. Typed Name Steven K. Ditto		5. Date 6/20/2011	



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

June 20, 2011

Document Processing Desk (NOTIF)
Richard Gebken, PM 10
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® Esfenvalerate RTU 28062
EPA Reg. No. 1021-1779
Notification Per PR Notice 98-10

Dear Mr. Gebken:

By Notification we are adding the non-public health pests Asian Lady Beetles, Boxelder Bugs, Brown Marmorated Stink Bugs (BMSB), and Stink Bugs to the listed pests throughout the label and on a front panel marketing claim. We are also adding Airplane Cargo Holds to the list of use sites.

Enclosed are 2 copies of the label, one copy with changes highlighted.

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulation at 40 CFR 152.46, and no other change 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 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,

McLAUGHLIN GORMLEY KING COMPANY

Steven K. Ditto
Regulatory Affairs Specialist

Enclosure

cc: [illegible]

MGK®McLAUGHLIN
GORMLEY
KING COMPANY

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

LIQUID READY-TO-USE INDOORS & OUTDOORS

Kills Home Invading Pests On Contact

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

Kills Stink Bugs, Brown Marmorated Stink Bugs (BMSB), Asian Lady Beetles and Boxelder Bugs

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

NOTIFICATION**JUL 11 2011****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. 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. 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.

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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.

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:

1. After shaking product well, remove cap from container and replace with sprayer hose and cap assembly. Tighten securely.
2. 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.
3. To store, turn nozzle to "off" position and store with sprayer above level of liquid in container to prevent leakage.

[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 Asian Lady beetles, Boxelder Bugs, Brown Marmorated Stink Bugs (BMSB), Cockroaches, Palmetto Bugs, Ants, Clover Mites, Crickets, Firebrats, Water Bugs, Silverfish, Stink Bugs 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.

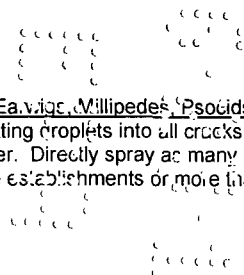
Note: Check carpet manufacturer's warranty and care and maintenance information before using product on your specific brand of carpeting.

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, Caddis, 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, Asian Lady Beetles, Boxelder Bugs, Brown Marmorated Stink Bugs (BMSB), Cockroaches, Crickets, Earwig, Millipedes, Psocids, Silverfish, Sowbugs, Spiders, Stink Bugs 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.] [96 fluid ounces] gallon of spray per 1,000 [188] [750] 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, Airplane Cargo Holds, 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) [96 fluid ounces] gallon of spray mixture per 1,000 [750] 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, Asian Lady Beetles, Boxelder Bugs, Brown Marmorated Stink Bugs (BMSB), Cockroaches, Crickets, Earwigs, Millipedes, Psocids, Silverfish, Sowbugs, Spiders, Stink Bugs 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:

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

Do not make applications during rain.

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.

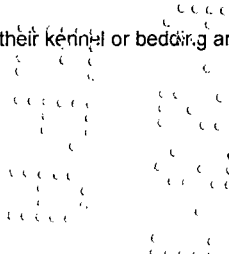
GENERAL: Use EVERCIDE® Esfenvalerate RTU 28062 to control on contact Ants, Asian Lady beetles, Boxelder Bugs, Brown Marmorated Stink Bugs (BMSB), Cockroaches, Crickets, Sowbugs, Spiders, Stink Bugs and Ticks. Apply to outside surfaces of buildings, porches, patios, garages, grasses, and other areas where 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. Also spray surfaces around light fixtures, on porches, in garages and other places where insects alight or congregate. Repeat as needed.

Ants, Asian Lady Beetles, Brown Marmorated Stink Bugs (BMSB), Ticks (including ticks which transmit Lyme disease), Crickets, Fleas, Stink Bugs, 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, Asian lady beetles, Boxelder bugs, Brown Marmorated Stink Bugs (BMSB), crickets, spiders, stink bugs 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 and disposal.

Pesticide Storage

Store in a cool, dry area. 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.

[For commercial use]

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a cool, dry place. Keep container closed. Always store pesticides in the original container. Store away from food and pet food.

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.

CONTAINER DISPOSAL: Triple rinse or pressure rinse (or equivalent) promptly after emptying. Offer for recycling or reconditioning, or dispose of in a sanitary landfill or by other procedures approved by State and Local authorities.