

1021-1780

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

MAR 20 2009

Mr. Steven K. Ditto
McLaughlin Gormley King Company
8810 10th Avenue North
Minneapolis, MN 55427

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 January 20, 2009 for:

EPA Registration 1021-1780 Evercide® Wasp & Hornet Killer 20861

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

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	United States Environmental Protection Agency Washington, DC 20460	Registration Amendment Other	OPP Identifier Number
		X	

Application for Pesticide - Section I

1. Company/Product Number 1021-1780	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) EVERCIDE® Wasp & Hornet Killer 20861	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: right; font-weight: bold; font-size: 1.2em;">NOTIFICATION</div> EPA Reg. No. _____ Product Name _____ <div style="text-align: right; font-weight: bold; font-size: 1.2em;">MAR 20 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:				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 checked="" type="checkbox"/> Metal <input 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 6-24 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 checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Other <input 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 1/20/2009	

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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

January 20, 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® Wasp & Hornet Killer 20861
EPA Reg. No. 1021-1780
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.

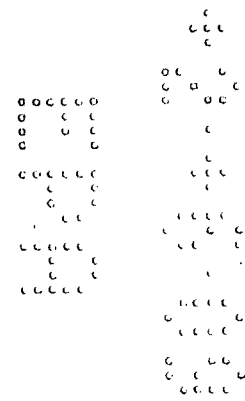
If there are any questions or you need anything further, please contact this office.

Sincerely,

McLAUGHLIN GORMLEY KING COMPANY

Steven K. Ditto
Registration Specialist

Enclosure



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20861-405z0109

EVERCIDE® Wasp & Hornet Killer 20861

MGK®

McLAUGHLIN
GORMLEY
KING COMPANY

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

This Jet Spray Product can be used both indoors (attics and other places where nests are built and where food or feed are not exposed) and outdoors on Wasp, Hornet, and Yellow Jacket nests.

Kills Wasps Hornets Yellow Jackets Scorpions

[] denotes optional language

[] oz. Value Size

[For outdoor use]

[Triple Action Jet Spray [Foam] Threat! - Pinpoint accurate foam, Reaches roof eaves, Kills returning insects]

[Jet spray reaches nests 20 feet above the ground]

[Foam spray]

[Sticky [entrapping] foam stops wasps instantly]

[Delivers a powerful foam [jet] spray]

[Use [apply][spray] with pinpoint accuracy]

[Reaches nests under roof eaves, around carports, doorways, window frames, and other outdoor areas]

[Traps insects in the nest - kills [stops] [instantly] on contact]

[Drops wasps instantly]

[Kills biting and stinging insects]

[Kills Wasps, Yellow Jackets, and Hornets on contact]

[Kills Fire Ants, Scorpions, and Black Widow Spiders]

[Gives rapid knockdown and kill]

[Gives rapid contact kill and residual kill of insects returning to the treated nest]

[Jet spray reaches nests up to 20 feet above ground]

[Reaches nests under roof eaves, around carports, doorways, window frames, and other outdoor areas]

[Aids in reducing annoyance from Flies, Mosquitoes, Ants, Ticks, Centipedes, Crickets, Fleas, and Earwigs]

[Sticky [entrapping] foam stops wasps within seconds] [Foam [Jet] Spray]

[Water-based [Formula]] [Pinpoint accurate foam spray]

[Kills returning insects] [Jet-Gel™ Spray]

[Jet-Gel™ Technology] [Jet-Gel™ Formula]

[Turbo-Gel™ Spray] [Coats nests for complete kill]

[Precision targeting] [Precision accuracy]

ACTIVE INGREDIENTS:

Tetramethrin [(1-Cyclohexene-1,2-dicarboximido) methyl 2,2-dimethyl -3-(2-methylpropenyl) cyclopropanecarboxylate] -----	0.200%
Sumithrin (3-Phenoxybenzyl-(1RS, 3RS; 1RS, 3SR)-2,2-dimethyl-3-(2-methylprop-1-enyl) cyclopropanecarboxylate -----	0.200%
OTHER INGREDIENTS -----	99.600%

TOTAL	100.000%
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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 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.
IF INHALED:	<ul style="list-style-type: none"> 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 treatment.

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. 1021-1780

EPA Est. No. 1021-MN-2

5066

No CFCs
CONTAINS NO CFCS WHICH DEplete THE OZONE LAYER
Federal regulations prohibit CFC propellants in aerosols



PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if absorbed through skin or inhaled. Avoid contact with skin, eyes, or clothing. Avoid breathing vapor or 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 use or 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.

SHAKE WELL BEFORE USE

OUTDOOR USES: Under eaves, near window frames, doorways, carports, picnic areas, and outdoor play areas.

INDOOR USES: Attics, and anywhere nests are built and where food or feed are not exposed.

Kills insects and eliminate the nests where they live and breed. Insects will fall to the ground and die after spraying. Kills any insects inside the nest as well as any returning.

For Control Wasps, Yellow Jackets, Hornets, and other listed insects:

For Nests:

1. Spray at sunrise or sunset when insects are least active.
2. Stand a safe distance from the nest. Do not stand directly underneath.
3. Shake can well before each use. Hold can upright and spray away from person. Push button to spray.
4. Aim actuator at the opening in the nest and spray until soaked.
5. Then spray the rest of the nest until it is saturated. This product's powerful spray will also kill insects that return to the nest.
6. Wait at least 24 hours before removing the nest.

To Kill Wasps, Hornets, Yellow Jackets, Fire Ants, Spiders (including Black Widow Spiders), Scorpions, Crickets, Ants, Fleas, Ticks, Centipedes, Earwigs, Flies, and Mosquitoes:

1. Spray 1-2 seconds until surface is moist to kill insects under eaves, around screens, windows, doors, patios, cracks, holes and crevices or wherever insects are noticed.
2. To prevent insects from entering the home, spray around areas where insects enter such as outdoor plumbing, faucets, etc. and cracks or crevices in foundations as well as along sills and ledges.

Kills Wasps, Yellow Jackets, Mud Daubers, and Hornets:

To treat nests:

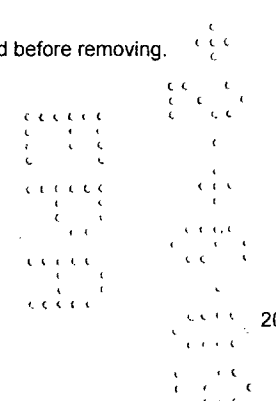
1. Spray at sunrise or dusk when insects are least active.
2. Stand a safe distance from the nest. Do not stand directly underneath
3. Always hold can upright while spraying.
4. With wind at your back, aim actuator [trigger] at the nest, and push button to spray.
5. Spray opening of nest until soaked. Then spray the rest of the nest.
6. Entrapping [jet] foam will remain on the nest to kill insects that return to the nest.
7. Wait at least 24 hours before removing the nest.

Kills other insects, including Fire Ants, Spiders (including Black Widow Spiders), Scorpions, Crickets, Ants, Fleas, Ticks, Centipedes, Earwigs, Flies, and Mosquitoes:

1. Spray short 1-2 second bursts directly on insects.
2. For scorpions, stand 3-4 feet away and thoroughly cover the insect. Make sure scorpions are dead before removing.

Use Tips:

1. If windy, stand with the wind at your back to avoid spray drift.
2. Avoid spraying vegetation directly
3. Rinse with water any desirable foliage that is contacted with spray.



leaf

General Precautions & Restrictions:

Avoid contamination of food and feedstuffs. Do not use in commercial food/feed processing, preparation, food/feed storage or serving areas. In the home, all food processing surfaces and utensils should be covered during treatment, or thoroughly washed before use. Exposed food/feed should be covered or removed.

Remove pets and birds and cover fish aquariums before spraying.

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.

Use Precautions:

1. Avoid spraying desirable plants. Rinse with water any desirable foliage that is contacted with spray.
2. This product may stain 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.

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

STORAGE AND DISPOSAL

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

STORAGE: Store in a cool dry place away from heat or open flame, preferably in a locked storage area. **Pesticide Storage**

Store in a cool, dry area. Always store pesticides in the original container. Store away from food and pet food.

CONTAINER DISPOSAL: **Pesticide Disposal and Container Handling**

Do not Puncture or Incinerate!

Nonrefillable container. Do not reuse or refill this container.

If eEmpty:

___ Place in trash or offer for recycling if available.

If pPartly fFilled:

___ Call your local solid waste agency for disposal instructions.

NOTIFICATION

MAR 20 2009

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