5/13/2010

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

> OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

May 13, 2010

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

> Subject: Label Notification(s) for Pesticide Registration Notice 2007-4 Updating the Storage and Disposal language

Dear Mr. Ditto:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated April 15, 2010 for the following product(s):

Drypy II

Evercide Esfenvalerate 35% W.P. 2787 Evercide Emulsifiable Concentrate 2806 Evercide Emulsifiable Concentrate 2805 MUP Multicide Fogging Concentrate 2611 MUP EPA Reg. No. 1021-1719 EPA Reg. No. 1021-1752 EPA Reg. No. 1021-1776 EPA Reg. No. 1021-1782 EPA Reg. No. 1021-1811

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 <u>nonrefillable</u> 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 Regina Foushee'-Smith at 703-605-0780.

Sincerely Richard J. Gebke

Product Manager Insecticide Branch Registration Division (7505P)

Environmental Protection Agency     Amendment     Application for Pesticide - Section     Application for Pesticide - Section     Application for Pesticide - Section     Application     Application for Pesticide - Section     Application     Applicati     Applicati     Application		v	nited States		Rey ratio		60. Approval expires 05-31-98 OPP Identifier Numbe
Weakington, DC 20480       X       Other         Application for Pesticle - Section 1       Company/Product Number       3. Proposed Classification         Company/Product Number       2. EPA Product Manager       3. Proposed Classification         Company/Product Number       2. EPA Product Manager       3. Proposed Classification         Company/Product Number       2. EPA Product Manager       3. Proposed Classification         Company/Product Number       4. Expeditest Review. In accorance with FIFAs Section 3(c)(3(b)(s), my product Is similar or identical in composition and labeling to:         INNEAPOLIS, MN 55427       EPA Reg. No.         Product Name       Product Name         Check if this is a new address       Section - II         Amendment - Explain below.       Epale Intelliation.         Amendment - Explain below.       Other - Explain below.         Application I progress to Agency letter dated       Motification - Explain below.         Application I progress to Agency letter dated       Motification - Explain below.         Application Pursuent to PR-Notice 2007-4       NOTIFICATION         MAY 1 3 2010       Section - III         Metherial This Product Will Be Packaging Vill       No. per location         Yee       Yee       Onalian         Amendment - Explain below.       Stackaging Vill       Contaliner <th>SED</th> <th>Environment</th> <th>al Protection Agency</th> <th></th> <th></th> <th></th> <th></th>	SED	Environment	al Protection Agency				
CompanyMindud Number         2: EPA Product Manager         3: Proposed Classification           CompanyMindud: (Name)         Richard Gebken         3: None         Retricted           CompanyMindud: (Name)         Pair         3: None         Retricted           CompanyMindud: (Name)         Fill         3: None         Retricted           CompanyMindud: (Name)         Fill         3: None         Retricted           Name and Address Applicant (Include 22 Code)         5: Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(), my product Is similar or identical in composition and labeling to:           Rel OFENTA ADDRESS         Product Is similar or identical in composition and labeling to:           Into Text PA ADDRESS         Product Name           Check if this is a new actress         Section - II           Amendment - Explain below.         Gene - Explain below.           Notification - Explain below.         Other - Explain below           Application pursuant to PR-Notice 2007-4         NOTIFICATION           Material This Product Will Be Packaging wit.         Other - Explain below.           Interview         Interview         No. per           Interview         No. per         If "Yes           No         Package wgt.         Other           Intelenistin manion         4: Stac() Realal Container			ngton, DC 20460	×	Other		
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hild-Resistant Packaging       Unit Packaging       Yes       2 Type of Container         Yes       Yes       Yes       Yes       Hetal         Image: Provide the statements I have made on this form and all attachments thereto are true, accurate and complete.       1 actual the statements I have made on this form and all attachments thereto are true, accurate and complete.       1 actual the statements I have made on this form and all attachments thereto are true, accurate and complete.       1 actual the statements I have made on this form and all attachments thereto are true, accurate and complete.       1 actual the statement of	Motorial This Decision Mill	De Desla ved les		- 111		·	
Yes*       Yes       Yes       Metal         Yes*       No       No       Plastic         Certification must       If "Yes"       No. per       Glass         e submitted       Unit Packaging wgt.       container       Package wgt.       container         Location of Net Contents information       4. Size(s) Retail Container       5. Location of Label Directions         Image: Label       Container       5 Gal, 55 Gal. and Totes       On Label         . Manner in Which Label is Affixed to Product       Lithograph       Other         Paper glued       Stenciled       Stenciled         Section - IV       Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)         Iame       Title       Telephone No. (Include Area Code)         Steven K. Ditto       Regulatory Affairs Specialist       6. Date Application         I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.       6. Date Application         Signature       3. Title       Regulatory Affairs Specialist       Cittee         Typed Name       5. Date       Cittee       Cittee         Signature       3. Title       Cittee       Cittee         Typed Name				Juble Deekeeine		D. Turne of C	
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Certification must       If "Yes"       No. per container       If "Yes" container       Qalass         Location of Net Contents information       4. Size(s) Retail Container       5. Location of Label Directions       Other (Specify)         Label       Container       5 Gal, 55 Gal. and Totes       On Label       On Label         Manner in Which Label is Affixed to Product       Lithograph       Other       Other         Paper glued       Stenciled       Other       Section - IV         Container       Title       Regulatory Affairs Specialist       Telephone No. (Include Area Code)         I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete.       6. Date Application         I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete.       (Stamped)         I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete.       6. Date Application         I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete.       (Stamped)         I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.       3. Title         Signature       5. Date       Certification       Certification         PA Form 8570-1 (Rev. 8-94) Previous editi				님			
Certification must e submitted       Unit Packaging wgt.       container       Package wgt.       container       Paper         Location of Net Contents information       4. Size(s) Retail Container       5. Location of Label Directions       On Label         . Lobel       Container       5. Gal, 55 Gal. and Totes       On Label       On Labeling accompanying product         . Manner in Which Label is Affixed to Product       Lithograph       Other       On Labeling accompanying product         . Manner in Which Label is Affixed to Product       Lithograph       Other       On Labeling accompanying product         . Manner in Which Label is Affixed to Product       Lithograph       Other       On Labeling accompanying product         . Stenciled       Section - IV       Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)       Telephone No. (Include Area Code)         . Certification       Certification       Fegulatory Affairs Specialist       6. Date Application         . Signature       3. Title       Regulatory Affairs Specialist       Certification         . Signature       5. Date       Certification       Certification         . Steven K. Ditto       5. Date       Certification       Certification         . Steven K. Ditto       5. Date       Certification       C				<u> NO</u>	<u> </u>	1 =	
e submitted       Other (Specify)         Location of Net Contents information       4. Size(s) Retail Container       5. Location of Label Directions         ✓ Label       Container       5 Gal, 55 Gal. and Totes       On Label         Manner in Which Label is Affixed to Product       Lithograph       Other         Paper glued       Stenciled       Other         Stenciled       Section - IV         Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)         rame       Title         Regulatory Affairs Specialist       (763) 544-0341         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.         Signature       3. Title         Regulatory Affairs Specialist       Cittee         Signature       5. Date         Steven K. Ditto       3. Title         PA Form 8570-1 (Rev. 8-94) Previous editions are obsolete.       Cittee			F -		• .		
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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

April 15, 2010

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® Emulsifiable Concentrate 2805 MUP EPA Reg. No. 1021-1782 Notification Per PR-Notice 2007-4

Dear Sir or Madam:

By Notification, we are updating the storage and disposal statement per PR-Notice 2004-7. This product is a manufacturing use product that is not diluted prior to use, therefore we have not added detailed rinsing instructions per §156.146. We have however, per Nancy Fitz' recommendation maintained our current instructions to triple rinse the container before disposing or offering for reconditioning or recycling. A copy of Nancy's recommendation is enclosed for your convenience.

Enclosed are two (2) copies of the label. One (1) copy has changes highlighted.

This amendment 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."

Sincerely,

McLAUGHLIN GORMLEY KING COMPANY

Steven K. Ditto Regulatory Affairs Specialist

Enclosure



**Quality Products Since 1902** 

2805\_1021-1782-0410

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## NOTIFICATION

MAY 1 3 2010

### EVERCIDE® Emulsifiable Concentrate 2805 MUP

An Insecticide for Repackaging or Formulating Use Only

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

McLAUGHLIN

GORMLEY

### ACTIVE INGREDIENTS:

	Esfenvalerate (S)-cyano(3-phenoxyphenyl)methyl-(S)-4-chloro-	0.425%	
	alpha-(1-methylethyl)benzeneacetate		
*	OTHER INGREDIENTS	99.575%	
	-	100 000%	

\* Contains petroleum distillates

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

# KEEP OUT OF REACH OF CHILDREN

	FIRST AID			
IF ON SKIN OR CLOTHING:	Take off contaminated clothing.			
	<ul> <li>Rinse skin immediately with plenty of water for 15-20 minutes.</li> </ul>			
_	<ul> <li>Call a poison control center or doctor for treatment advice.</li> </ul>			
IF SWALLOWED:	<ul> <li>Immediately call a poison control center or doctor.</li> </ul>			
	<ul> <li>Do not induce vomiting unless told to do so by the poison</li> </ul>			
	control center or doctor.			
	<ul> <li>Do not give any liquid to the person.</li> </ul>			
	<ul> <li>Do not give anything by mouth to an unconscious person.</li> </ul>			
IF IN EYES:	<ul> <li>Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> </ul>			
	<ul> <li>Remove contact lenses, if present, after the first 5 minutes,</li> </ul>			
	then continue rinsing eye.			
	<ul> <li>Call a poison control center or doctor for treatment advice.</li> </ul>			
	as petroleum distillate – vomiting may cause aspiration			
	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. 1021-1782

EPA Est. No. 1021-MN-2

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

## WARNING

Causes skin irritation. Harmful if swallowed or absorbed through skin. Causes moderate eye irritation. Do not get on skin or on clothing. Avoid contact with eyes. Were contend of the skin contact with eyes. Were contend of the skin contact with eyes. Were contend of the skin contact may cause allergic reactions in some individuals. 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 and other aquatic invertebrates. 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

Combustible. Do not use or store near heat or open flame.

#### DIRECTIONS FOR USE

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

Only for formulation into an insecticide for the following use(s): (1) food and feed and non-food crops for which tolerances exist, residential outdoor and indoor food and non-food, medical and residential uses; (2) uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and (3) uses for experimental purposes that are in compliance with USEPA requirements.

EVERCIDE® Emulsifiable Concentrate 2805 MUP is designed for repackaging or formulating with deionized water to produce insecticide sprays. Formulators who use this product may be responsible for providing data to support their own registrations with the appropriate regulatory agencies. Mix well in drum before sampling and each 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.

<u>PESTICIDE DISPOSAL</u>: Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

<u>CONTAINER HANDLING</u>: Nonrefillable container. Do not reuse or refill this container. Triple rinse (or equivalent) promptly after emptying. Then offer for recycling if available or reconditioning if appropriate, or puncture and dispose of container in a sanitary landfill, or by other procedures approved by state and local authorities.

> Page 1 of 1 2805\_1021-1782-0410