

1021-1793

2/16/2010

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

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

Mr. Thomas A. Lennan  
McLaughlin Gormley King Company  
8810 Tenth Avenue North  
Minneapolis, MN 55427

FEB 16 2010

Subject: Label Notification(s) for Pesticide Registration 2007-4

Dear: Ms. Lennan:

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

**EPA Registration Number: 1021-1793      EVERCIDE® Concentrate 26621 MUP**

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 re 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 non-refillable 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 Melody Banks on 703 305-5413.

Sincerely,

Richard Gebken  
Product Manager 11  
Insecticide Branch  
Registration Division (7505P)

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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 1021-1793	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) EVERCIDE® Concentrate 26621 MUP	PM# 13	
5. Name and Address of Applicant (Include Zip Code) McLAUGHLIN GORMLEY KING COMPANY 8810 TENTH AVENUE NORTH 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:  EPA Reg. No. _____ Product Name _____	

**Section - II**

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated <b>NOTIFICATION</b>
<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.

**FEB 16 2010**

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification pursuant to PR-Notice 2007-4

**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 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
3. Location of Net Contents information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 30 and 55 Gallons	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 Thomas A. Lennan	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 Thomas A. Lennan	5. Date 1/15/2010	

**MGK**<sup>®</sup>

**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

1-26-2010

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January 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® Concentrate 26621 MUP  
EPA Reg. No. 1021-1793  
Notification Per PR-Notice 2007-4

Dear Sir or Madam:

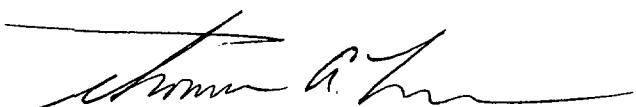
By Notification, we are updating the storage and disposal statement per PR-Notice 2007-4. This product is a manufacturing use product that is not diluted prior to use, therefore we have not added detailed rinsing instructions per §156.146. We have however, per Nancy Fitz' recommendation maintained our 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 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.

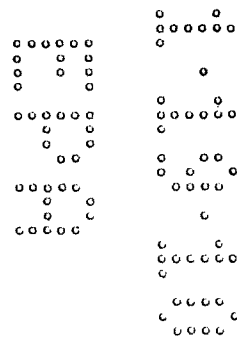
Sincerely,

McLAUGHLIN GORMLEY KING COMPANY



Thomas A. Lennan  
Registration Specialist

Enclosure



**Quality Products Since 1902**



McLAUGHLIN  
GORMLEY  
KING COMPANY

**NOTIFICATION**  
FEB 16 2010

EVERCIDE® Concentrate 26621 MUP

For Manufacturing or Repackaging Only

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

**ACTIVE INGREDIENT:**

Esfenvalerate (CAS #66230-04-4) .....	3.48%
* OTHER INGREDIENTS .....	96.52%
	100.00%

\* Contains petroleum distillates

EVERCIDE® - Registered trademark of McLaughlin Gormley King Company

KEEP OUT OF REACH OF CHILDREN

**CAUTION**

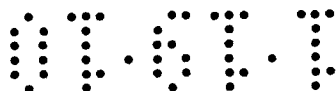
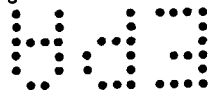
FIRST AID	
IF SWALLOWED:	<ul style="list-style-type: none"> <li>Immediately call a poison control center or doctor.</li> <li>Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>Do not give any liquid to the person.</li> <li>Do not give anything by mouth to an unconscious person.</li> </ul>
IF ON SKIN OR CLOTHING:	<ul style="list-style-type: none"> <li>Take off contaminated clothing.</li> <li>Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>
IF INHALED:	<ul style="list-style-type: none"> <li>Move person to fresh air.</li> <li>If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth if possible.</li> <li>Call a poison control center or doctor for further treatment advice.</li> </ul>
NOTE TO PHYSICIAN: Contains petroleum distillate - vomiting may cause aspiration pneumonia. 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. 1021-1793

EPA Est. No. 1021-MN-2



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

**CAUTION:** Harmful if swallowed, inhaled or absorbed through skin. Avoid contact with skin, eyes or clothing. Avoid breathing vapor or spray mist. 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 product is toxic to fish, birds and other wildlife. Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters. 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 into sewer systems without previously notifying the 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. Do not apply this product around 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.

This product is to be repackaged or used to formulate end use insecticide products when used with appropriate carriers and fillers. Formulators who use this product may be responsible for providing data to support their own registration with the appropriate regulatory agencies.

This product can be used to manufacture products which will be used in both food and non-food sites, as well as structural, stored product protection, residential and non-residential, on-animal use and animal premise treatment products, farm and home premise treatment, outdoor building perimeter and lawn uses.

**STORAGE AND DISPOSAL**

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

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

**PESTICIDE DISPOSAL:** Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility. In case of spill or leak, soak up with sand, earth or synthetic absorbents. Do not use alkaline absorbents or clean area of spill with alkaline detergents.

**CONTAINER HANDLING:** Nonrefillable Container. Do not reuse or refill container. Triple rinse (or equivalent) promptly after emptying and offer for recycling if available or reconditioning, if appropriate or dispose of in a sanitary landfill or by other procedures approved by State and Local authorities.

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