

1021-1794

7/17/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

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

JUL 17 2009

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

Dear Mr. Ditto:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated June 15, 2009 for:

EPA Registration 1021-1794 Evercide® Esfenvalerate 10MC

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 identify 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 Joyce Edwards of my staff at 703-308-5479.

Sincerely,

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



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 15, 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® Esfenvalerate 10MC
EPA Reg. No. 1021-1794
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





McLAUGHLIN
GORMLEY
KING COMPANY

EVERCIDE® Esfenvalerate 10MC
(Microencapsulated Insecticide)

For Professional Pest Control Operator Use Only
In Crack and Crevice and Residual Treatment

8810 Tenth Avenue N. / Minneapolis, Minnesota 55427-4372 U.S.A. - Telephone (763) 544-0341

Controls Numerous Pests In and Around Structures

For Use In and Around the Home and Non-Food Areas of: Schools, Warehouses, Office Buildings, Apartment Buildings, Theatres, Hotels, Motels, Kennels, Truck Trailers, Railroad Cars, and Warehousing Establishments

Controls pests in and around livestock and poultry housing structures and pet kennels

6 weeks residual activity on German roaches on concrete surfaces

Controls ants, box elder bugs, carpet beetles, centipedes, cockroaches, crickets, darkling beetles, dog ticks, earwigs, fleas, flies, millipedes, pill bugs, scorpions, silverfish, spiders, and wasp and hornet nests**

ACTIVE INGREDIENT:

Esfenvalerate (CAS #66230-04-4)	9.36%
*OTHER INGREDIENTS	90.64%
*Contains petroleum distillates	100.00%

** Not registered for treatment of wasp and hornet nests in California

EVERCIDE® - Registered trademark of McLaughlin Gormley King Company

KEEP OUT OF REACH OF CHILDREN
CAUTION

FIRST AID

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 SWALLOWED:	<ul style="list-style-type: none"> ▪ Call a poison control center or doctor immediately for treatment advice. ▪ Do not give any liquid to the person. ▪ Do not induce vomiting unless told to do so by a poison control center or a doctor. ▪ Do not give anything by mouth to an unconscious person.
IF IN EYES:	<ul style="list-style-type: none"> ▪ Hold eye open and rinse slowly and gently with water for 15-20 minutes. ▪ Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eyes. ▪ Call a poison control center or doctor for treatment advice.

NOTE TO PHYSICIAN: Contains petroleum distillate – vomiting may cause aspiration pneumonia. 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:

Mc LAUGHLIN GORMLEY KING COMPANY
8810 Tenth Avenue North
Minneapolis, MN 55427

EPA Reg. No. 1021-1794

EPA Est. No. 1021-MN-2

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if absorbed through skin. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

ENVIRONMENTAL HAZARDS

This product is toxic to fish and aquatic invertebrates. Do not apply directly to water. Do not contaminate water when disposing of equipment wash waters. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirement 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 sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

DIRECTIONS FOR USE

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

GENERAL INFORMATION:

Do not apply this product in patient rooms or in any rooms while occupied by the elderly or infirm. Do not apply to classrooms while in use. Do not apply in institutions (including libraries, schools, sports facilities, etc.) in the immediate area where occupants are present.

EVERCIDE® Esfenvalerate 10MC is designed for use only as a broadcast residual surface spray, injected into wall voids, spot treatment, or crack and crevice spray to control various pests in and around residential and non-food areas of commercial structures and in and around livestock and poultry structures. EVERCIDE® Esfenvalerate 10MC may also be used on Backyards, Lawns, Trees and Ornamental Landscaping. EVERCIDE® Esfenvalerate 10 MC may be sprayed on any surface that will not be damaged or stained by water. DO NOT use this product as a fogger or apply it as a space spray.

Use only in areas described. Remove pets and cover fish aquariums and pets' food and water dishes before spraying. Keep all people (especially children) and pets out of the areas being treated and restrict access to these areas until all surfaces are dry. DO NOT leave product where children or pets can come into contact with it. DO NOT allow spray to contact food or food-containing surfaces, feed, or water supplies. Thoroughly wash dishes and food handling utensils with soap and water if they become contaminated with this product. Food utensils such as teaspoons and measuring cups must not be used for food purposes after use with pesticides.

DILUTION (dilute ONLY with water): Shake container of EVERCIDE® Esfenvalerate 10MC before diluting. Clean spray equipment before and after use. For dilution, add water to spray tank and then add the appropriate amount of EVERCIDE® Esfenvalerate 10MC. Agitate spray thoroughly before using and also occasionally during use to ensure dispersion. Use 0.4 ounces (12 cc.) of EVERCIDE® Esfenvalerate 10MC to make a spray containing 0.03% active ingredient to treat 1,000 square feet of surface area. Use 0.8 ounces (24 cc.) in one gallon of water to make a spray containing 0.06% active ingredient to treat 1,000 square feet of surface area. Use 0.03% solution for light infestations or as a maintenance control rate. Use 0.06% for heavy infestations or as an initial clean-out rate. Avoid excessive application. Dampen surfaces, but not to the point of saturation or run-off.

EVERCIDE® Esfenvalerate 10MC may be tank mixed with other insecticide products, unless expressly prohibited by the product label. Any tank mix application must follow the most restrictive label instructions of all products in the tank.

Recommended Dilutions:

Ounces of EVERCIDE® Esfenvalerate 10MC per gallon water

Maintenance Rate (0.03% esfenvalerate)	0.4 oz. (12 cc)
Clean-out Rate (0.06% esfenvalerate)	0.8 oz. (24 cc)

Formula for determining the active ingredient content of the finished spray mixture: The following formula may be used to determine the percent active ingredient that is in the spray tank after mixing EVERCIDE® Esfenvalerate 10MC.

$$\frac{(9.36) \times (\text{fluid ounces of EVERCIDE® Esfenvalerate 10MC added to tank})}{(\text{Gallons of finished spray mix}) \times (128)} = \text{Percent Active ingredient of spray solution}$$

AS A SURFACE SPRAY:

To Kill Ants, Centipedes, Cockroaches, Carpet Beetles, Crickets, Earwigs, Millipedes, Silverfish, Scorpions, Sowbugs, and Spiders: Apply spray with a sprayer that produces coarse, wetting droplets into all cracks and crevices in woodwork, floors, underneath sinks, areas behind pipes and in all places where these insects shelter. For ants, apply to ant trails; also apply around doors and windows and wherever these pests may find entrance to the structure. Contact as many insects as possible with direct spray. Repeat applications as needed, but do not exceed more than one application every seven (7) days.

To Kill Brown Dog Ticks and Fleas: For control of Brown Dog Ticks, thoroughly apply as a spot treatment to infested areas such as dog runs, kennels, pet beds and resting areas, 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 as a fine particle broadcast spray using the 0.4 ounce-per-gallon-of-water dilution on infested rugs, carpets, and pet resting areas.

Prior to treatment, aquariums and fish bowls should be covered and pet birds should be removed from the area. Do not permit humans or pets to contact treated surfaces until spray has dried. Old pet bedding should be removed and replaced with clean, fresh bedding after treatment. DO NOT SPRAY PETS WITH THIS PRODUCT. Treat dogs and cats with a product registered for use on animals.

FOR OUTDOOR PESTS:

Do not spray in or near fishponds or other bodies of water.

Not for use on plants being grown for sale or other commercial use. Not for use in nurseries, sod farms or golf courses.

Outside Surfaces of Buildings and Perimeter Treatment:

To help prevent infestations of buildings by listed crawling insects, apply EVERCIDE® Esfenvalerate 10MC as a residual spray to the outside surfaces of buildings, including, but not limited to, siding, eaves, foundations, window and door frames, porches, patios, garages, carports, fences, lawns and grass areas. Use the 0.4 or 0.8 fluid ounce rate per 1,000 square feet of surface area. Apply with up to 10 gallons of spray solution per 1,000 square feet. Higher volumes may be used to obtain desired coverage of dense vegetation or landscaping materials. Alternate directions are to use 2 to 4 fluid ounces of product per 50 gallons of water.

When making perimeter treatments, apply spray solution to a band of soil 6 to 10 feet wide around and adjacent to building. Also treat the exterior building foundation and walls to a height of 2 to 3 feet. Treat exterior building surfaces where pests are active and may find entrance.

Mosquito Breeding Sites:

Mosquito populations may be reduced by application of EVERCIDE® Esfenvalerate 10MC to sites where mosquitoes rest, harbor, and breed. Apply spray solution into tall grass, shrubbery, and around backyards and lawns where these pests may hover or rest. Apply while air is still.

Not for wide area mosquito adulticide use. Do not apply with hand held or truck mounted cold aerosol ULV sprays and thermal fogging devices.

Scorpion Control:

Treat outdoor areas that are landscaped, planted, mulched, or unmaintained. Treat with 0.8 fluid ounces per 1,000 sq. ft. of surface area in sufficient water volume to achieve coverage. Treat areas where insects may harbor or enter buildings, including, but not limited to, under decks, retaining walls, fences, in weep holes, under siding, wall voids, soffits, around attic vents, cracks and crevices, openings around windows, doors, pipes, wiring, cables and other potential points of entry.

Stinging Insect Control Outdoors:

For stinging insects, apply spray solution to nests and harborage areas late in the evening when stinging insects are commonly at rest. Thoroughly spray nest, nest entrance, harborage sites, and surrounding areas where insects land or walk. For nests inside walls, inject sufficient spray to treat nest. Do not use in areas where an electrical shock hazard exists. For applications made when pests are active, applicator should wear protective equipment as required. Repeat application when there are signs of renewed insect activity.

For control of Fire Ants, combine broadcast application with mound drenches to control foraging workers and newly mated fly-in queens. Apply EVERCIDE® Esfenvalerate 10MC as a broadcast application at a rate of 0.8 fl. oz. per 1,000 square feet. Treat mounds using 1-2 gallons of 0.06% solution (0.8 fl.oz. in 1 gallon of water). Sprinkle mound until it is wet, and treat a 4 foot diameter circle around the mound. For best results, apply during the coolest times of day, early morning or late evening, but not in the heat of the day.

Insect Control in Ornamental Trees and Landscapes:

For residential and commercial trees, shrubs, ground covers, and bedding and foliage plants that will not be harvested for food, apply EVERCIDE® Esfenvalerate 10MC in appropriate volumes of water to obtain thorough coverage. Apply as a full-coverage foliar spray, applying to the point of drip but not runoff. Treat active soil pests with an application to surrounding soil. Repeat treatments as necessary to achieve control, using higher application rates as pest pressure and foliage area increases. Repeat applications as necessary, but no more than once every seven (7) days. Certain plants may be sensitive to the final spray solution. A small-scale test is recommended to verify safety to ornamental plants. Spray and observe for one (1) week prior to application of an entire planting.

Insect Control on Lawns, Turf Grass, and Turf:

For best results, lawn or turf grass should be mowed 1-2 days before spraying. Treat with spraying equipment or a hand sprayer. Use application volumes of up to 10 gallons per 1,000 square feet to get uniform coverage when treating dense grass foliage. For low volume applications using less than 2 gallons of spray solution per 1,000 square feet, immediate irrigation with at least 0.25 inches of water is recommended to improve effectiveness on sub-surface pests.

When hand spraying, spray using a slow, even sweeping motion, making sure to cover the entire lawn or turf grass area where pests are observed. Spray under ornamentals and trees. Repeat treatments may be necessary at 7-14-day intervals.

Rate Range:

Use lower rate range for pests that are commonly exposed and will be contacted by spray solution at the time of application. For pests that will not be contacted by spray solution at the time of application, use the upper rate range. Use 0.8 fl. oz per 1,000 sq. ft. when treating Mole Crickets and Chinch Bugs.

To Kill Swarming Termites: OUTDOORS ONLY.

Apply spray mix as a coarse, wetting spray when swarming termites are seen emerging from woodpiles, wooden fence posts, wooden structures, or from the ground. Swarming usually occurs in the spring or at other times when a termite colony becomes overcrowded and new reproductive termites with wings emerge and fly away to mate and establish new colonies. This treatment will control the sprayed termites and will not protect the structure from which the swarm is coming. Use only as a contact spray to kill emerging reproductive (winged) and worker termites emerging from infested wood. This treatment is not a substitute for a comprehensive termite control program.

To Kill Wood Destroying Pests: OUTDOORS ONLY.

Apply spray mix as a coarse, wetting spray to exposed pests and to the damaged areas of wood, spraying into galleries or tunnels in the exposed wood. Also spray around doors, window and door frames, and other areas where these pests may hide or enter the house. Spray into cracks and crevices and, if necessary, drill small holes and spray into inaccessible wooden structural voids where these pests are suspected.

Insect Control in Ornamental Trees and Landscapes:

For residential and commercial trees, shrubs, ground covers, and bedding and foliage plants that will not be harvested for food, apply EVERCIDE® Esfenvalerate 10MC in appropriate volumes of water to obtain thorough coverage. Apply as a full-coverage foliar spray, applying to the point of drip but not runoff. Treat active soil pests with an application to surrounding soil. Repeat treatments as necessary to achieve control, using higher application rates as pest pressure and foliage area increases. Repeat applications as necessary, but no more than once every seven (7) days. Certain plants may be sensitive to the final spray solution. A small-scale test is recommended to verify safety to ornamental plants. Spray and observe for one (1) week prior to application of an entire planting.

USE IN AND AROUND LIVESTOCK POULTRY AND PET HOUSING:

For use in and around unoccupied areas of livestock facilities, such as, but not limited to: Barns, Cow and Calf Pens & Hutches, Dairy Barns & Milk Rooms, Hog Barns, Horse Barns, Sheep Barns, Poultry Houses, Rabbit Hutches, Kennels, and Dog Runs. Do not contaminate milk, food, or drinking water. Remove animals from area being treated. Cover feeders and waterers. Do not apply or allow insecticide to drift onto animals. Do not allow animals to enter treated areas until surfaces are dry. Use a maintenance rate of 0.4 oz (12 cc) per gallon of water (0.03% Esfenvalerate) for Light infestations & 0.8 oz (24 cc) per gallon of water (0.06% Esfenvalerate) as the cleanout rate. Treat using 1 gallon of spray solution per 1,000 square feet of surface to be treated.

Crawling Insect Pests in Livestock, Poultry and Pet Premises:

Apply as a general surface, Wall and Equipment void treatment, spot treatment, and/or crack and crevice treatment. Apply to floors and vertical and overhead surfaces where crawling insects are or may be present. Treat stanchions, pipes, windows, doors, posts, cage framing, gates, under (but not in) feeders, and other areas where insects hide or congregate. To reduce immigration of insects, make a perimeter treatment around the outside of building foundations. Apply in a uniform band 1-3 feet up the exterior foundation wall and 3-6 feet out from the foundation.

Litter Beetle Control in Livestock and Poultry Premises:

To control litter beetles (darkling, hide, and carrion beetles), bedbugs and other listed insects in poultry housing, apply EVERCIDE® Esfenvalerate 10MC to walls and floors at cleanout and before reintroduction of animals. Apply as a general surface treatment, wall and equipment void treatment, spot treatment, and or crack and crevice treatments. Treat areas where beetles frequently occur, such as floors, litter, walls, ceilings, screens, posts, supports, cages, cage framing, stalls, and around feeders. To reduce immigration of insects, make a perimeter treatment around the outside of building foundations. Apply in a uniform band 1-3 feet up the exterior foundation wall and 3-6 feet out from the foundation.

Flying Insect Pests in Livestock, Poultry and Pet Premises:

For residual control of flying insects, treat insect resting areas such walls, ceilings, screens, around windows, doors, light fixtures, floors, bedding, and other surfaces that attract flying insects. Apply as a general surface treatment, wall and equipment void treatment, spot treatment, and into cracks and crevices. Initiate treatments at the beginning of fly season and repeat treatments during periods of heavy infestation. Treat no more than twice per week & at least three days apart.).

Insects Controlled:

Annual Bluegrass Weevils	Ants	Aphids	Armyworms
Asian Lady Beetles	Bagworms	Balsam Woolly Adelgids	Bedbugs
Bees	Beetles	Billbugs	Biting Flies
Blow Flies	Borers	Boxelder Bugs	Carpenter Ants
Carpenter Bees	Carpet Beetles	Aarion Beetles	Caterpillars
Casebearers	Centipedes	Chiggers	Chinch Bugs
Cockroaches	Crane Flies	Crickets	Cutworms
Darkling Beetles (lesser meal worm)	Deer Flies	Deer Ticks	Diamondback Moths
Dog Ticks	Earwigs	Elm Leaf Beetles	European Pine Sawflies
Face Flies	Fire Ants	Firebrats	Flea Beetles
Fleas	Flies	Fruit Flies	Fungus Gnats
Gnats	Grasshoppers	Gypsy Moth Caterpillars	Hickory Shuckworms
Hide Beetles	Horn Flies	Hornets	Horse Flies
Houseflies	Japanese Beetles	Lace Bugs	Leaf Miners
Leaf Rollers	Leaf Tiers	Leafhoppers	Lice
Litter Beetles	Loopers	Lygus Bugs	Midges
Millipedes	Mites	Mole Crickets	Mosquitoes
Moths	Northern Pine Weevils	Periodical Cicadas	Pillbugs
Pine Chafers	Pine Coreid Bugs	Plant Bugs	Psocids
Red Pine Sawflies	Red Striped Fireworms	Rindworms	Sap Beetles
Scales	Scorpions	Silverfish	Sod Webworms
Sowbugs	Spider Beetles	Spider Mites	Spiders
Springtails	Stable Flies	Stink Bugs	Swarming Termites
Tent Caterpillars	Thrips	Ticks	Wasps
Waterbugs	Webworms	Weevils	Whiteflies
Yellow Jackets			

Use Sites: For control of insects, indoors and outdoors, in non-food areas such as, but not limited to:

Homes	Schools	Warehouses	Churches	Commercial Facilities
Office Buildings	Apartment Buildings	Theatres	Athletic Facilities	Hotels
Industrial Buildings	Motels	Pet Housing	Pet Kennels	Livestock Housing
Poultry Housing	Barns	Cow and Calf Pens & Hutches	Dairy Barns	Milk Rooms
Feedlots	Hog Barns	Horse Barns	Sheep Barns	Poultry Houses
Rabbit Hutches	Kennels	Dog Runs	Transportation Equipment	Truck Trailers
Railroad Cars	Grain Storage Areas	Alleys	Garbage Bins & Receptacles	Backyards
Lawns	Trees	Ornamental Landscaping	Yards	

DO NOT TREAT ESTABLISHMENTS WHERE LIVESTOCK FEED IS PRESENT.

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STORAGE AND DISPOSAL

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

Pesticide Storage

Containers should be stored in a cool, dry, well-ventilated area. Keep container closed when not in use. Post as a pesticide storage area. Always store pesticides in the original container. Store away from food, pet food, feed, seed, fertilizers, and veterinary supplies. Place liquid formulations on lower shelves and dry formulations above.

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.

Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling if available, or puncture and dispose of in a sanitary landfill or by incineration. Do not burn unless allowed by state or local ordinances.

NOTIFICATION

JUL 17 2009