

1021-1806

09-23-2010

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Ms. Miriam Frugis
McLaughlin Gormley King Company
8810 Tenth Avenue North
Minneapolis, MN 55427-4372

SEP 23 2010

Subject: Label Notification(s) for Pesticide Registration Notice 98-10

Dear Ms. Frugis:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated March 22, 2010 for the following product(s):

**Evercide® Wasp and Hornet
Killer 20862**

Reg. No. 1021-1806

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,

A handwritten signature in cursive script, appearing to read "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 1021-1806	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 20862	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: 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 _____
<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 consistent with guidance in the June 4, 2009 letter and the requirement of EPA's regulations at 40 CFR part 156

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	
*Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container
				<input type="checkbox"/> Plastic	
				<input type="checkbox"/> Glass	
				<input type="checkbox"/> Paper	
				<input type="checkbox"/> Other (Specify)	
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"/> Paper glued <input type="checkbox"/> Stenciled		<input type="checkbox"/> Other	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)					
Name Miriam Frugis		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 Miriam Frugis		5. Date 3/22/2010			



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

March 22, 2010

Document Processing Desk (NOTIF-PYRETHROID)
U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs (7504P)
Room S-4900, One Potomac Yard
2777 South Crystal Dr.
Arlington, VA 22202-4501

Via Courier

Subject: EVERCIDE® WASP AND HORNET KILLER 20862
EPA Reg. No. 1021-1806

Notifications consistent with the guidance in the June 4, 2009 letter
and the requirements of EPA's regulations at 40 CFR part 156

Dear Sir or Madam:

By Notification we are changing the language of "Environmental Hazards" and "Directions for Use" on this label according to the guidance in the June 4, 2009 letter and the requirements of EPA's regulations at 40 CFR part 156. No changes in application rates were made.

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

Notification of label change per June 4, 2009, letter from Environmental Protection Agency. This notification is consistent with the guidance in the June 4, 2009 letter and the requirements of EPA's regulations at 40 CFR part 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 part 156, this product may be in violation of FIFRA and I may be subject of enforcement action and penalties under sections 12 and 14 of FIFRA.

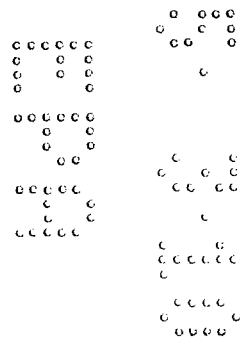
If there are any questions or you need anything further, please contact this office.

Sincerely,

McLAUGHLIN GORMLEY KING COMPANY

Miriam Frugis
Regulatory Affairs Specialist

Enclosures



MAY 7 2010

Quality Products Since 1902

20862_1021-1806_0310 (PYRET)



McLAUGHLIN
GORMLEY
KING COMPANY

EVERCIDE® Wasp & Hornet Killer 20862

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.

[] indicates optional wording

[Kills biting and stinging insects]

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

[Kills Scorpions and Black Widow Spiders]

[Gives rapid knockdown and kill. Quick Kill! Kills Insects Returning to the Treated Nest.]

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

[Jet spray reaches nests more than 20 feet above ground]

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

[Water-based.]

ACTIVE INGREDIENTS:

Tetramethrin [(1-Cyclohexene-1,2-dicarboximido) methyl 2,2-dimethyl -3-(2-methylpropenyl) cyclopropanecarboxylate]-----	0.150%
Sumithrin (3-Phenoxybenzyl-(1RS, 3RS; 1RS, 3SR)-2,2-dimethyl-3-(2-methylprop-1-enyl) cyclopropanecarboxylate -----	0.150%
OTHER INGREDIENTS -----	99.700%
	<u>100.000%</u>

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

EPA Reg. No. 1021-1806

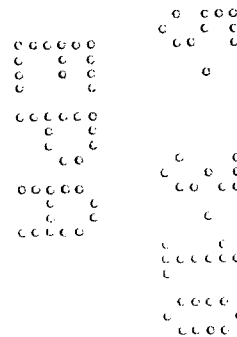
EPA Est. No. 1021-MN-2

NOTIFICATION

SEP 23 2010



Federal regulations prohibit CFC propellants in aerosols.



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PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if absorbed through skin or inhaled. Avoid contact with skin, eyes, and clothing. Wash thoroughly with soap and water after handling or before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse. Avoid breathing spray mist.

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. Keep away from heat, sparks, and 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 possible 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 USING

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.

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;

Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during or after application.

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 of Wasps, Yellow Jackets, and 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. Next 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, Spiders (including Black Widow Spiders), Scorpions, Crickets, Ants, Fleas, Ticks, Centipedes, Earwigs, Flies and Mosquitoes:

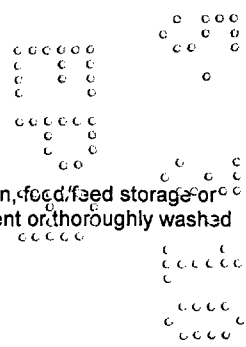
1. Spray 1-2 seconds until surface is moist to kill insects under eaves, around screens, windows, doors, patios, cracks, holes and crevices or wherever insects are noticed.
2. To prevent insects from entering the home, spray around areas where insects enter such as outdoor plumbing, faucets, etc. and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

Use Tips:

1. If windy, stand with the wind at your back to avoid spray drift.
2. Avoid spraying vegetation directly.
3. Hose off foliage of desirable plants that were contacted with spray.

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.

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

Do not Puncture or Incinerate!

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.

