

1021-1814

08-11-2010

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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

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

JUN 11 2010

Subject: Label Notification(s) for Pesticide Registration 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 for April 16, 2010 for:

EPA Registration Number: 1021-1814 EVERCIDE® Esfenvalerate MC – 18%

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 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
Insecticide Branch
Registration Division (7504P)

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United States
Environmental Protection Agency
Washington, DC 20460

Registration

OPP Identifier Number

Amendment

x

Other

Application for Pesticide - Section I

1. Company/Product Number 1021-1814	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) EVERCIDE® Esfenvalerate MC - 18%	PM# 13	
5. Name and Address of Applicant (Include Zip Code) McLAUGHLIN GORMLEY KING COMPANY 8810 TENTH AVENUE NORTH MINNEAPOLIS, MN 55427		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 _____
<input type="checkbox"/> Check if this is a new address		

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.

NOTIFICATION
JUN 11 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:				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	
	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container	<input type="checkbox"/> Plastic
*Certification must be submitted					<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 5 Gal, 55 Gal. and Totes		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 Steven K. Ditto	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 Steven K. Ditto	5. Date 4/16/2010	



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

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April 16, 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® Esfenvalerate MC – 18%
EPA Reg. No. 1021-1814
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.

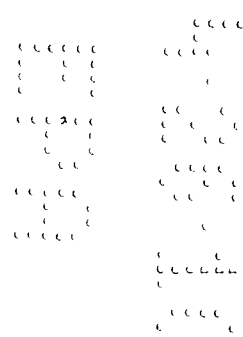
This amendment is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is 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." If there are any questions or you need anything further, please contact this office.

Sincerely,

McLAUGHLIN GORMLEY KING COMPANY

Steven K. Ditto
Regulatory Affairs Specialist

Enclosure



Quality Products Since 1902

MAY 7 2010



McLAUGHLIN
GORMLEY
KING COMPANY

NOTIFICATION
JUN 11 2010

EVERCIDE® Esfenvalerate MC -18%

An Insecticide for Manufacturing Use Only

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

ACTIVE INGREDIENT:

(S)-cyano(3-phenoxyphenyl)methyl-(S)-4-chloro-alpha-(1-methylethyl)benzeneacetate	18.00%
OTHER INGREDIENTS	82.00%
	100.00%

EVERCIDE®, MGK®- Registered trademarks of McLaughlin Gormley King Co.

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID	
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.
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.
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.	

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

CAUTION

Harmful if swallowed or absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wear protective eyewear (goggles, face shield or safety glasses with side shields). 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 organisms. 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 local 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.

Only for formulation into an insecticide for the following use(s): (1) Outdoor and indoor food and non-food areas of residential, industrial, institutional and livestock areas and food and feed and non-food crops for which tolerances exist; (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.

This product may be used to formulate products for specific uses not listed on the label if the formulator, user group, or grower has complied with U.S. EPA data submission requirements regarding the support of such use(s).

Warm gently to liquify and 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 tightly closed container in a dry place.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL/HANDLING: Nonrefillable container. Do not reuse or refill this 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.

Net Contents _____

Manufactured by:

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

EPA Reg. No. 1021-1814

EPA Est. No. 1021-MN-2

FILE