

1021-1816

9/27/2010

107



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 27 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 April 21, 2010 for the following product(s):

Evercide® Esfenvalerate **Reg. No. 1021-1816**
0.025% RTU CS

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 black ink, appearing to read "Richard J. Gebken".

Richard J. Gebken
Product Manager
Insecticide Branch
Registration Division (7504P)

2097

 <p>United States Environmental Protection Agency Washington, DC 20460</p>	Registration <input checked="" type="checkbox"/> Amendment <input type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 1021-1816	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) EVERCIDE® Esfenvalerate 0.025% RTU CS	PM# 13	
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

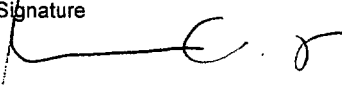
<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
 Pyrethroid Non-Agricultural Outdoor Products Notification per EPA letter dated June 4, 2009.
 Notification per 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 type="checkbox"/> Metal <input checked="" 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		If "Yes" Package wgt. No. per container			
3. Location of Net Contents information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 4-24 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 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 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 4/21/2010	

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MGK[®]

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 21, 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[®] Esfenvalerate 0.025% RTU CS
EPA Reg. No. 1021-1816
Notifications consistent with the guidance in the June 4, 2009 letter
and the requirements of EPA's regulations at 40 CFR part 156
PR-Notice 2007-4

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. In addition to that, we are also 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 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.

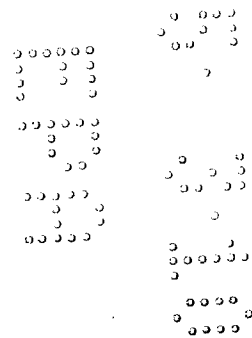
If there are any questions or you need anything further, please contact this office.

Sincerely,

McLAUGHLIN GORMLEY KING COMPANY



Miriam Frugis
Regulatory Affairs Specialist



Quality Products Since 1902

MAY 7 2010

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28372_1021-1816_0410 (PYRET)



McLAUGHLIN
GORMLEY
KING COMPANY

EVERCIDE® Esfenvalerate 0.025% RTU CS

For Residential Use Only

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

READY-TO-USE INDOORS & OUTDOORS

- [] Indicates optional language
- [Ready-to-Use] [Kills Home Invading Pests on Contact]
- [Kills (invading) (most common) (household) pests]
- [Multi-purpose (insect) (pest) (home) treatment]
- [Microencapsulation protects the active(s) (ingredients) from the elements]
- [Kills Ants, Cockroaches, Spiders, Fleas, and Ticks (including ticks which may transmit Lyme disease).]
- [Works in adverse weather conditions]
- [24 hour protection never rests]
- [Keeps bugs out]
- [Protects your home from the inside out]
- [On constant watch]
- [Keeps on killing (up to) (12 months) (1 year)*]
- [No oily residue]
- [Long-lasting Protection]
- [Always on duty]
- [Kills the (pests) (insects) you see and those you do not]

- [Kills Adult, Pre-Adult (larvae) Fleas and their hatching eggs for up to 8 weeks (2 months).]
- [Water-based, Non-Staining, No Oily Residue.]
- [No (bad) (fumes) (odor)]
- [Guaranteed to work]
- [Indoor/ Outdoor Use]
- [Kills on Contact]
- [Time Release (formula)]
- [Prevents (ants) (bugs)(pests) from entering (your home)]
- [Kills for up to 12 months (1 year)*]
- [(up to) 12-month (1 year) protection*]
- [Keeps on killing (up to) (12 months) (1 year)*]
- [(Pest) (Home) (Surveillance) (Guard) (Duty)]
- [Kills now, Kills later]
- [Continuous protection]
- [(Year-long*) (12-month*) protection inside and out]
- [Superior Value for Your Money]
- [Economical Do-It-Yourself Pest Control/Trigger Sprayer Included]
- [Microencapsulation]

*For German Cockroaches on indoor, unsealed concrete and/or cement surfaces only.

ACTIVE INGREDIENT:

(S)-cyano(3-phenoxyphenyl)methyl-(S)-4-chloro-alpha-(1-methylethyl)benzeneacetate.....	0.025%
*OTHER INGREDIENTS	99.975%
*Contains Petroleum Distillates	100.000%

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

NOTIFICATION

SEP 27 2010

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, and 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.
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 _____

5097

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

EPA Reg. No. 1021-1816

EPA Est. No. 1021-MN-2

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. 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 toxic to fish and other aquatic invertebrates. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area.

To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.

PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame. Do not use this product in or on 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.

EVERCIDE® Esfenvalerate 0.025% RTU CS is an effective formulation that kills crawling insects fast. It stays on treated surfaces and provides residual insect killing power for up to three months.

READ ENTIRE LABEL BEFORE USE

Care should be taken to avoid depositing the product onto exposed surfaces or introducing the material into the air. In the home, cover all food handling surfaces and cover or remove all food and cooking utensils, or wash thoroughly after treatment. Cover or remove exposed food/feed.

PRECAUTIONS: People and pets should not be allowed in treated areas until spray has dried. Do not use this product on pets.

Do not water the treated area to the point of run-off.

Do not make applications during the 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;
- (2) Applications to lawns, turf, and other vegetation;
- (3) Applications to building foundations, up to a maximum height of 3 feet.

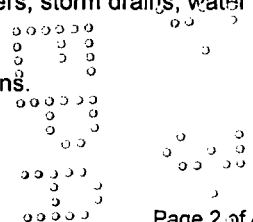
Other than applications to building foundations, all outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches and structural surfaces (such as windows, doors, and eaves) are limited to spot and crack-and-crevice applications, only.

Do not apply directly to sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur.

NOTICE: Buyer assumes all responsibility for safety and use not in accordance with directions.

Sprayer Instructions:

How to prime and care for your sprayer:



1. After vigorously shaking product, remove cap from container and replace with sprayer hose and cap assembly. Tighten securely.
2. Turn sprayer nozzle one half turn counter-clockwise. Hold sprayer below the level of container and prime by pumping trigger 10 – 15 times until product is dispensed. Adjust nozzle to fine spray or jet stream as needed.
3. To store, turn nozzle to "off" position and store with sprayer above level of liquid in container to prevent leakage.

SHAKE WELL BEFORE USE

Typical Areas That May Require Insecticide Treatment:

INDOORS:

Spray areas where Ants, Cockroaches, Clover Mites, Crickets, Earwigs, Firebrats, Millipedes, Palmetto Bugs, Psocids, Silverfish, Sowbugs, Spiders and Water Bugs are found or normally reside, including dark corners of rooms and closets; cracks and crevices in walls; along and behind baseboards; beneath and behind sinks, stoves, refrigerators, and cabinets; and around plumbing and other utility installations.

For control of Carpet Beetles, thoroughly spray along baseboards and edges of carpeting, under carpeting, rugs and furniture, in closets, on shelving, and wherever else insects are seen or suspected.

Note: Check carpet manufacturer's warranty and care and maintenance information before using product on your specific brand of carpeting.

To Kill Brown Dog Ticks and Fleas: For Control of Brown Dog Ticks, thoroughly apply as a spot treatment to infested areas such as pet beds and resting quarters, 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 a fine particle broadcast spray to infested rugs, carpets, and pet resting areas. Prior to treatment, aquariums and fish bowls should be covered and birds, such as canaries, removed from the area. Do not permit humans or pets to contact treated surfaces until the spray has dried. Old bedding should be removed and replaced with clean, fresh bedding after treatment. *Do not treat pets with this product.* To control the source of flea infestations, pets should be treated with a product registered for application to animals. Also, treat your yard with a product registered for yard application.

To Kill Bedbugs: Apply as a spot treatment to cracks and crevices, and around baseboards, floorboards, headboards, and walls. First, thoroughly clean and air mattresses and springs. Then spot treat only areas that may harbor pests. On mattresses, concentrate on tufts, folds, and seams. Allow all areas to thoroughly dry before use. Cover mattress before use.

For Ants, apply to ant trails; around doors and windows; and wherever Ants may find entrance.

To Kill Carpenter Ants: Use a coarse spray, around doors, doorframes, windows, and other areas where these ants enter the premises or hide. Spray into cracks and crevices through openings or small, newly drilled holes into wall voids where these ants or their nests are present.

Typical Areas That May Require Insecticide Treatment:

OUTDOORS:

GENERAL: Use EVERCIDE® Esfenvalerate 0.025% RTU CS to control Ants, Cockroaches, Crickets, Sowbugs, Spiders, and Ticks on contact. Apply to outside surfaces of buildings, porches, patios, garages, grasses, and other areas where these pests have been seen or are found. Do not spray in or near fish ponds or other bodies of water. Avoid soaking young or flowering plants.

Flies and Mosquitoes: For outdoor use only as an aid in controlling these insects. Spray outside surfaces of screens, doors, window frames, or wherever insects may enter the room. Also spray surfaces around light fixtures, on porches, in garages, and other places where insects alight or congregate.

Ants, Ticks (including ticks which may transmit Lyme disease), Crickets, Fleas, and Earwigs: For treatment of infestation of these insects in areas where there are weeds or bushy non-crop areas, spray infested areas thoroughly. When treating for Ticks, give special attention to areas frequented by pets. For Ants, thoroughly wet hills and runways.

Building Perimeter Treatment: To help prevent infestations of buildings by Ants, Crickets, Spiders, and Sowbugs (Pillbugs), treat a 12 – 18 inch band of soil or other substrate adjacent to buildings and the building foundation to a height of 2 – 3 feet where these pests are active and may find entrance.

Keep pets and children out of the treated area until after the spray has dried. Do not spray animals. Dogs, cats, and their kennel or bedding area should also be treated with a registered flea control product in conjunction with this application.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or 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:
Nonrefillable container. Do not reuse or refill this container.

If empty: Place in trash or offer for recycling if available.

If partially filled: Call your local solid waste agency for disposal instructions. Never place unused product down