

1021-1852

6/19/2009

1 of 5



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

JUN 19 2009

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

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

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated May 11, 2009 for:

EPA Registration 1021-1852 Evercide® Wasp & Hornet Spray 26012

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 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 Banza Djapao of my staff at 703-305-7269.

Sincerely,

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

2065

	United States Environmental Protection Agency Washington, DC 20460	Registration	
		Amendment	OPP Identifier Number
		Other	

Application for Pesticide - Section I

1. Company/Product Number 1021-1852	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="checked" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) EVERCIDE® Wasp & Hornet Spray 26012	PM# 10	
5. Name and Address of Applicant (<i>Include Zip Code</i>) McLaughlin Gormley King Company 8810 10TH AVE N 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. _____ NOTIFICATION Product Name _____ JUN 19 2009	

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="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 pursuant PR Notice 2007-4


Section - III

1. Material This Product Will Be Packaged In:					
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="checked" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="checked" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="checked" type="checkbox"/> No	2. Type of Container <input checked="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 _____	If "Yes" Package wgt. _____ No. per container _____		
3. Location of Net Contents information <input checked="checked" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container 6-24 oz.	5. Location of Label Directions <input checked="checked" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product			
6. Manner in Which Label is Affixed to Product <input checked="checked" type="checkbox"/> Lithograph <input type="checkbox"/> Other <input 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 Registration Specialist	Telephone No. (Include Area Code) (763) 544-0341
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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 <div style="border: 1px solid black; padding: 5px; text-align: center;"> (Stamped) </div>
2. Signature 	3. Title Registration Specialist	
4. Typed Name Steven K. Ditto	5. Date 5/11/2009	



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

May 11, 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® Wasp & Hornet Spray 26012
EPA Reg. No. 1021-1852
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.

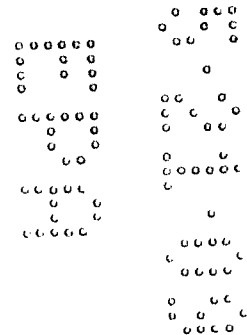
If there are any questions or you need anything further, please contact this office.

Sincerely,

McLAUGHLIN GORMLEY KING COMPANY

Steven K. Ditto
Registration Specialist

Enclosure



4 of 5

26012-0509

NOTIFICATION

EVERCIDE® Wasp & Hornet Spray 26012



McLAUGHLIN
GORMLEY
KING COMPANY

JUN 19 2009

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

[] indicates optional wording.

For Outdoor Use

- Kills Wasps, Yellow Jackets, Hornets, Mud Daubers and Scorpions on contact
- Gives rapid knock down and kill of Wasps, Yellow Jackets, Hornets, Mud Daubers and Scorpions
- Gives rapid contact kill of listed insects.
- Reaches nests up to 29 feet
- Three way Action – Pinpoint accuracy, Powerful (29') reach, Kills returning insects
- Jet action penetrates underground nests.
- Shoots to 29 feet!
- Kills on contact!
- Kills insects returning to treated nest
- Powerful jet spray
- Use [apply][spray] with pinpoint accuracy
- Reaches nests under roof eaves, around carports, doorways, window frames and other outdoor areas
- Coats nests
- Precision accuracy
- Non-staining
- No oily residue
- Penetrates underground nests
- Non-foaming jet spray
- Water-based
- Guaranteed to work or your money back

ACTIVE INGREDIENTS:

Pyrethrins	0.025%
* Piperonyl butoxide	0.050%
** N-Octyl bicycloheptene dicarboximide	0.084%
(S)-cyano(3-phenoxyphenyl)methyl-(S)-4-chloro-alpha-(1-methylethyl)benzeneacetate	0.050%

OTHER INGREDIENTS	99.791%
	<u>100.000%</u>

* Equivalent to 0.040% (butylcarbityl) (6-propylpiperonyl) ether and 0.010% related compounds
 ** MGK® 264, Insecticide Synergist

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 poison control center or doctor. ▪ Do not induce vomiting unless told to do so by 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.
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 the International Poison Center at 1-888-740-8712.	

Net Contents _____

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

EPA Reg. No. 1021-1852

EPA Est. No. 1021-MN-2

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if absorbed through skin. Avoid contact with eyes, skin 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 product is toxic to fish and other aquatic invertebrates. Do not apply directly to water. Do not contaminate water when disposing of equipment wash waters or rinsate.

PHYSICAL OR CHEMICAL HAZARDS

Contents under pressure. Do not use or store near heat or 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 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.

SHAKE WELL BEFORE USE

Kills Wasps, Yellow Jackets, Mud Daubers and Hornets:

To treat nests:

1. Spray at sunrise or sunset [dusk]when insects are least active.
2. Stand a safe distance from the nest. Do not stand directly underneath or above nest.
3. Shake can well before each use. Always hold can upright while spraying.
4. With wind at your back, aim nozzle at nest and spray until soaked.
5. Wait 24 hours before removing the nest.

Kills other insects, including Spiders (including Black Widows), Scorpions, Crickets, Ants (excluding carpenter ants, fire ants and harvester ants), Centipedes and Earwigs:

1. Spray 1 – 2 second bursts directly on insects.
2. For scorpions, stand 3-4 feet away and thoroughly cover the insect. Make sure scorpions are dead before removing.

Use Precautions:

1. Avoid spraying plants. Rinse any foliage that is contacted with water.
2. This product is non-staining to most home siding and shingles, depending on age and cleanliness. Before using in areas where product may come in contact with home surfaces, test in an inconspicuous area first and observe for staining potential.
3. Do not use this product around electrical equipment or outlets because of possible shock hazard.

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.

NOTIFICATION
JUN 19 2009

