

1021-1852

4/28/2011

1045



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

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

**APR 28 2011**

Mr. Alex Tschida  
McLaughlin Gormley King Company  
8810 Tenth Avenue North  
Minneapolis, MN 55427

Dear Mr. Tschida:

Subject: Application for Pesticide Notification (PRN 98-10)  
Add front panel claim  
EVERCIDE Wasp & Hornet Spray 26012  
EPA Reg. No. 1021-1852  
Your submission dated March 16, 2011

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated March 16, 2011 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds the action requested falls within the scope of PRN 98-10. The label submitted with the application has been 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 regarding this letter, please contact Dana Pilitt, PhD of my staff at (703) 305-7071 or via e-mail at [pilitt.dana@epa.gov](mailto:pilitt.dana@epa.gov).

Sincerely,

A handwritten signature in cursive script, appearing to read "Richard Gebken".

Richard Gebken  
Product Manager 10  
Insecticide Branch  
Registration Division (7505P)



United States  
Environmental Protection Agency  
Washington, DC 20460

Reregistration  
Amendment  
Other **x**

OPP Identifier Number

### Application for Pesticide Reregistration - Section I

|  |  |  |
|--|--|--|
| 1. Company/Product Number<br>1021-1852 | 2. EPA Product Manager<br>Richard Gebken | 3. Proposed Classification<br><input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted |
|--|--|--|

|  |           |
|--|-----------|
| 4. Company/Product (Name)<br>EVERCIDE® Wasp & Hornet Spray 26012 | PM#<br>10 |
|--|-----------|

|  |  |
|--|--|
| 5. Name and Address of Applicant (Include Zip Code)<br>McLAUGHLIN GORMLEY KING COMPANY<br>8810 TENTH AVENUE NORTH<br>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:<br><br>EPA Reg. No. <b>NOTIFICATION</b><br>Product Name <b>APR 28 2011</b> |
|--|--|

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.  |

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification pursuant PR Notice 98-10

### Section - III

|   |  |   |   |  |   |  |
|---|--|---|---|--|---|--|
| 1. Material This Product Will Be Packaged In:   |  |   |   |  | 2. Type of Container                      |  |
| Child-Resistant Packaging<br><input type="checkbox"/> Yes*<br><input checked="" type="checkbox"/> No                    | Unit Packaging<br><input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | Water Soluble Packaging<br><input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | If "Yes" No. per container  |  | <input checked="" type="checkbox"/> Metal | <input type="checkbox"/> Plastic<br><input type="checkbox"/> Glass<br><input type="checkbox"/> Paper<br><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<br><input checked="" type="checkbox"/> Label <input type="checkbox"/> Container |  | 4. Size(s) Retail Container<br>6-24oz   |   | 5. Location of Label Directions<br><input checked="" type="checkbox"/> On Label<br><input type="checkbox"/> On Labeling accompanying product |   |  |
| 6. Manner in Which Label is Affixed to Product  |  |   | <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Other<br><input type="checkbox"/> Paper glued<br><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<br>Alex D. Tschida   | Title<br>Regulatory Affairs Specialist | Telephone No. (Include Area Code)<br>(763) 544-0341 |
| 2. Signature<br><i>Alex D. Tschida</i>  |  | 6. Date Application Received<br><br>(Stamped)       |
| 3. Title<br>Regulatory Affairs Specialist   |  |   |
| 4. Typed Name<br>Alex D. Tschida  |  |   |
| 5. Date<br>3/16/2011  |  |   |



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 16, 2011

Document Processing Desk (NOTIF)  
Richard Gebken, Project Manager 10  
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 98-10

Dear Sir or Madam:

By Notification we are adding some optional marketing language to the label.

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

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of 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 this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, 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.

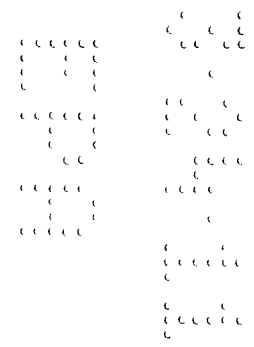
If there are any questions or you need anything further, please contact this office.

Best Regards,

McLAUGHLIN GORMLEY KING COMPANY

Alex Tschida  
*Alex D. Tschida*  
Regulatory Affairs Specialist

Enclosure



4095

# NOTIFICATION

APR 28 2011

26012\_1021-1852\_0311



McLAUGHLIN  
GORMLEY  
KING COMPANY

EVERCIDE® Wasp & Hornet Spray 26012

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
- [America's 1<sup>st</sup> Name in Pest Control Since 1833]

### 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%  
 100.000%

\* 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"> <li>Immediately call poison control center or doctor.</li> <li>Do not induce vomiting unless told to do so by poison control center or doctor.</li> <li>Do not give any liquid to the person.</li> <li>Do not give anything by mouth to an unconscious person.</li> </ul> |
| IF ON SKIN OR CLOTHING:  | <ul style="list-style-type: none"> <li>Take off contaminated clothing.</li> <li>Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>  |
| 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**

Do not water the treated area to the point of run-off.  
Do not make applications during the rain.

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

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.