

1021-1862

4/28/2011

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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
MGK 29091
EPA Reg. No. 1021-1862
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.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Gebken".

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

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

1. Company/Product Number 1021-1862	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) MGK® 29091	PM# 10	
5. Name and Address of Applicant (Include Zip Code) McLAUGHLIN GORMLEY KING COMPANY 8810 TENTH AVENUE NORTH 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: <p style="text-align: center;">NOTIFICATION APR 28 2011</p>

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 <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
3. Location of Net Contents information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 6-24oz		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"/> 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 Alex D. Tschida	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 Alex D. Tschida	5. Date 3/16/2011	

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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

Via Courier

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

Subject: MGK® 29091
EPA Reg. No. 1021-1862
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.

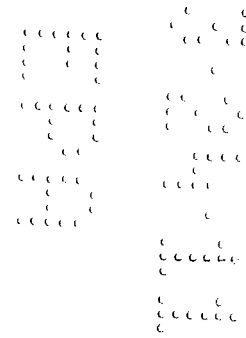
Best Regards,

McLAUGHLIN GORMLEY KING COMPANY

Alex Tschida

Alex D. Tschida
Regulatory Affairs Specialist

Enclosure



NOTIFICATION

MGK® 29091



McLAUGHLIN
GORMLEY
KING COMPANY

APR 28 2011

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

[] Indicates alternate or optional wording

[Twist Lock Cap] [Twist left to spray, right to lock]
 [Guaranteed To Work Or Your Money Back
 Fresh Scent Pine Scent(Fragrance) Fresh Flower(s)
 Scent (Fragrance)
 Fresh Outdoor Scent. No Fragrance Added. Fragrance
 Free
 Kills on Contact!
 Kills in seconds
 Stop bugs[flying insects] in seconds
 Stop bugs [flying insects] in their tracks
 Starts killing instantly
 Kills as you spray
 Kills mosquitoes, Biting Flies, gnats, moths and other
 biting insects
 Effective Control!
 Kills mosquitoes
 Kills flies, mosquitoes, gnats, and small flying moths
 Kills Houseflies, Mosquitoes, and Other Listed Insects
 For Indoor and [or] Outdoor Use
 Waterbased Formula
 Treats Your Patio 4X** 20 ft x 25 ft
 Kills Mosquitoes Which May Transmit West Nile Virus
 Use Before Parties

Continues to kill mosquitoes that land on treated
 surfaces for up to eight (8) hours
 Up to 8 hours residual control on treated surfaces
 Up to 8 hours residual mosquito control
 Gives long lasting control for mosquitoes
 No oily film
 For use throughout the house including kitchens,
 bathrooms, laundry rooms, and basements
 For use in kitchens
 For use on decks, patios, in sun rooms, garages and
 around garbage cans
 Up to eight (8) hours control against mosquitoes that
 may transmit West Nile virus
 Fog your yard [patio] for up to eight (8) hours of residual
 protection against mosquitoes that may transmit West
 Nile Virus
 Kills mosquitoes Which May Carry [Transmit] West Nile
 Virus, St. Louis Encephalitis, and Dog Heartworms
 Value pack
 [Optional Marketing Graphics]
 [Place Intended Graphics Here]
 [America's 1st Name in Pest Control Since 1833]

For Residential Use Only

ACTIVE INGREDIENT:

Tetramethrin	0.10%
3-Phenoxybenzyl-(1RS, 3RS; 1RS, 3SR)-2,2-dimethyl-3-(2-methylprop-1-enyl) cyclopropanecarboxylate	0.10%

OTHER INGREDIENTS	99.80%
	100.00%

MGK® - Registered trademark of McLaughlin Gormley King Company

KEEP OUT OF REACH OF CHILDREN

CAUTION PRECAUCIÓN

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
 (If you do not understand the label, find someone to explain it to you in detail).

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.
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.	

5096

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

EPA Reg. No. 1021-1862

EPA Est. No. 1021-MN-2

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if absorbed through skin. Do not get on skin, in eyes, or on 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.

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

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.

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. HOLD CONTAINER UPRIGHT. APPLY IN SHORT BURSTS.

For Residential Use Only

General Precautions and Use Restrictions:

Cover or remove exposed food, all food processing surfaces and utensils before treatment or thoroughly wash before use following treatment. Remove pets and birds and cover fish aquariums before spraying.

Do not use in indoor metered spray systems.

Do not use in automatic misting systems.

Kills many flying insects including: Flies, houseflies, cluster flies, face flies, vinegar flies, fruit flies, and other biting flies, mosquitoes, gnats, and small flying moths.

INDOORS:

Close doors and windows. Direct spray upward to center of room, using slow, sweeping motion. Direct spray to all parts of the room, especially near light sources. In kitchens, treat areas that attract insects such as window screens and around windows, sinks, garbage cans. Keep spray away from walls, drapes, and furniture. Spray 5-10 seconds for average room. Do not remain in treated area. Keep room closed for 15 minutes. Ventilate thoroughly before re-entry.

OUTDOORS:

Remove all exposed food and cooking utensils. Cover all food-handling surfaces or wash thoroughly after treatment and before use following treatment. Do not use on edible crops.

00912

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

Do not make applications during rain.

All out door 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, except as directed by this label.

To kill [reduce annoyance] of these insects, spray when air is calm using slow, sweeping motion. If a slight breeze is present, spray with the wind. Allow fog to drift over treated area. Spray around porches, patios, screens, doors, window frames and screens, and garbage cans. If spraying around growing plants, keep spray at least 24 inches from foliage to avoid plant injury. Allow spray to dissipate before occupying the treated area.

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.



Federal Regulations Prohibit CFC Propellants in Aerosols