

1021-2626

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

AUG 13 2014

OFFICE OF  
CHEMICAL SAFETY  
AND POLLUTION PREVENTION

Mr. Steven K. Ditto  
McLaughlin Gormley King Company D/B/A MGK  
8810 10<sup>th</sup> Avenue N  
Minneapolis, MN 55427

Subject: Label Notification(s) for Pesticide Registration 98-10

Dear Mr. Ditto:

Subject: Notification to Make Label Changes  
EPA Registration Number: 1021-2626  
Date of Submission: May 15, 2014  
Decision: 491720

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated May 15, 2014 for the product Cyper-Active®2.14 EC. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The label submitted with the application has (have been stamped "Notification" and will be placed in our records.

If you have any questions, please contact Melody Banks on 703 305-5413 or via e-mail at [banks.melody@epa.gov](mailto:banks.melody@epa.gov).

Sincerely,

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

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





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05/15/2014

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: CYPER-ACTIVE® 2.14 EC  
EPA Registration No. 1021-2626  
NOTIFICATION to Denote some wording as optional text.**

Dear Sir or Madam,

By Notification we are changing the statement For Industrial/Institutional/Commercial Use Only by striking the word only and enclosing the phrase in brackets to denote that it is optional wording. This product is NOT classified as restricted use and the phrase "For Industrial/Institutional/Commercial Use Only" is unenforceable language that causes problems in certain states.

Application for Notification  
Two (2) copies of the revised label, one (1) copy with the 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

If there are any questions or you need anything further, please call me at 1-800-645-6466 or e-mail me at [steve.ditto@mgk.com](mailto:steve.ditto@mgk.com)

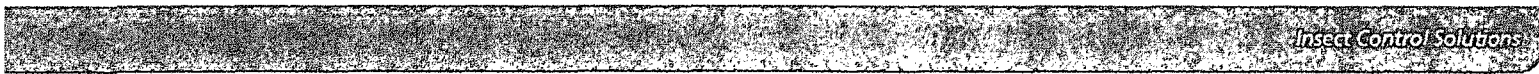
Sincerely,

McLAUGHLIN GORMLEY KING COMPANY

Steven K. Ditto  
U.S. Regulatory Affairs Manager  
Enclosures

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# CYPER-ACTIVE® 2.14 EC

[ ] Indicates optional wording.

- [*Recommended*] For Industrial/Institutional/Commercial Use Only
- [Kills on Contact & Keeps on Protecting
- Crack and Crevice, Spot Spray for Residual Cockroach Control
- For Residual and Contact Control of Cockroaches (Waterbugs), Crickets, Silverfish (Firebrats), Centipedes, Millipedes, Earwigs, Sowbugs (Pillbugs), Spiders, Ants, Flies, Mosquitoes, Gnats, Small Flying Moths, Wasps, Hornets, Yellow Jackets and Bees
- Cyper-Active Contains 2.14 Pounds Active Ingredient per Gallon
- Contains Cypermethrin
- Makes up to 2 Gallons (1 oz. bottle)
- Concentrate Strength]

## NOTIFICATION

AUG 13 2014

ACTIVE INGREDIENT:	
Cypermethrin* .....	26.0%
OTHER INGREDIENTS** .....	74.0%
	<u>100.0%</u>

\*Cis/trans ratio: 45/55 (+/-) 10.

\*\*Contains Xylene Range Aromatic Solvent.

Cyper-Active is a registered trademark of Sumitomo Chemical Co., Ltd.

**PRECAUCION AL CONSUMIDOR:** Si usted no lee ingles, no use este producto hasta que la etiqueta le haya sido explicada ampliamente. (TO THE USER: If you cannot read English, do not use this product until the label has been fully explained to you.)

## KEEP OUT OF REACH OF CHILDREN WARNING

See Side Panel For Additional Precautionary Statements

FIRST AID	
IF IN EYES:	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</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>
IF SWALLOWED:	<ul style="list-style-type: none"> <li>• Immediately call a poison control center or doctor.</li> <li>• Do not induce vomiting unless told to do so by the 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 INHALED:	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. In case of Medical emergencies or health and safety inquiries or in case of fire, leaking or damaged containers, information may be obtained by calling 1-888-740-8712.	
NOTE TO PHYSICIAN	
Contains petroleum distillate. May pose an aspiration pneumonia hazard. Inducing vomiting as first aid for this substance may result in increased risk of pneumonia or pulmonary edema caused by aspiration of the hydrocarbon solvent. Vomiting should be induced only under professional supervision.	

Distributed by:



8810 Tenth Avenue North  
Minneapolis, MN 55427

EPA Reg. No. 1021-2626

EPA Est. No. 1021-MN-2

**NET CONTENTS:**

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

**WARNING**

Causes substantial but temporary eye injury. Causes skin irritation. Do not get in eyes, on skin or on clothing. Wear goggles, face shield or safety glasses. Harmful if swallowed, inhaled, or absorbed through skin. Avoid breathing spray mist.

**PERSONAL PROTECTIVE EQUIPMENT (PPE)**

Some materials that are chemical-resistant to this product are Barrier Laminate, or Viton. If you want more options follow the instructions for category F or G on an EPA chemical-resistance category selection chart.

Mixers, loaders, applicators and other handlers must wear the following:

- Coveralls over short-sleeved shirt and short pants,
- Chemical-resistant footwear plus socks,
- Goggles or face shield and
- Chemical-resistant gloves made of barrier laminate or viton, section category G

Follow manufacturer's instructions for cleaning/maintaining PPE. If there are no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

**User Safety Recommendations:**

- Users should wash hands with plenty of soap and water before eating, drinking, chewing gum, using tobacco or using the toilet.
- Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

**ENVIRONMENTAL HAZARDS**

This product is extremely toxic to fish and 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. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.

This product is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds while bees are actively visiting the treatment area.

**PHYSICAL OR CHEMICAL HAZARDS**

**Combustible.** Do not use or store near heat or open flame. Flashpoint 140°F Min. Do not apply this diluted product in conduits, motor housings, junction and switch boxes or other electrical equipment because of possible shock hazard. Do not use on surfaces that can be harmed or stained by water.

**DIRECTIONS FOR USE**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Please read entire label before using this product.

**Use Restrictions:**

- Do not allow adults, children or pets to enter the treated area or contact treated surfaces until sprays have dried.
- Do not apply this product in a way that will contact any person, pet, either directly or through drift. Keep people and pets out of the area during application. Exit area immediately and remain outside the treated area until sprays have dried.

FOR RESIDUAL PEST CONTROL IN AND ON buildings and structures and their immediate surroundings and on modes of transport.

PERMITTED AREAS OF USE INCLUDE industrial buildings, houses, apartment buildings, laboratories, greenhouses, and the non-food/feed areas of stores, warehouses, vessels, railcars, trucks, trailers, schools, nurseries, day camps, lath houses, seed houses, food handling establishments, packaging and processing plants, commercial, industrial, office, institutional and storage rooms, egg processing plants, supermarkets, restaurants, bottling plants, canneries, flour and feed mills, bakeries, laboratories and hospitals. Non-food areas are areas such as garbage rooms, lavatories, entries and vestibules, offices, locker rooms, machine rooms, basements, boiler rooms, garages, mop closets and storage rooms (after canning and bottling).

IN HOSPITALS: patients should be removed prior to treatment. Also for use in campers, mobile homes, buses, automobiles, and boxcars. Also for use in dog kennels and horse stables. IN HORSE STABLES: not for application if horses will be used for food.

Cyper-Active insecticide is intended for dilution with water for spray application.

Fill sprayer with the desired volume of water and add Cyper-Active insecticide. Close and shake before use in order to insure proper mixing. Shake or re-agitate sprayer before use if spraying is interrupted. Make up only as required.

Pests		Concentration of Active Ingredient	Dilution Rate
Ants	Flies	0.1%	½ fl. oz. per 1 gal. water
Carpenter Ants	Millipedes		
Centipedes	Pillbugs		
Cockroaches	Silverfish		
(Maintenance)	Sowbugs		
Crickets	Gnats		
Firebrats	Mosquitoes		
Earwigs	Ticks		

Bees	Hornets	0.2%	1 fl. oz. per 1 gal. water
Cockroaches (Clean-out)	Yellow Jackets		
Fleas	Wasps		
Spiders	Small Flying Moths		

**INDOORS**  
**Restrictions for Indoor Uses**

- Do not use water-based sprays in conduits, motor housing, junction boxes, switch boxes, or other electrical because of possible shock hazards.
- During any indoor surface application, do not allow dripping or runoff to occur. During any application to ceilings of a structure, cover surface below with plastic shielding or similar materials.
- Do not apply this product in any room being used as a living, eating, or recovery area by patients the elderly, or the infirm when they are in the room.
- Do not apply to classrooms when in use.
- Do not apply to areas of institutions (including libraries, sport facilities, etc.) when occupants are present in the immediate treatment area.
- Do not use as a space spray.
- Use only in well-ventilated areas.
- Do not use concentrate or emulsion in fogging equipment.
- Do not use in food areas of food handling establishments which includes areas for receiving, serving, storage (dry, cold, frozen, raw), packaging (canning bottling, wrapping, boxing), preparing (cleaning, slicing, cooking, grinding), edible waste storage, enclosed processing systems (mills, dairies, edible oils, syrups). In the home, all food processing surfaces and utensils should be covered during treatment or thoroughly washed before use. Exposed food should be covered or removed.
- Do not use in warehouses while raw agricultural commodities for food or feed, and/or raw or cured tobacco are being stored.
- Do not use in greenhouses where crops for food or feed are grown.
- Do not apply to pets. Remove birds and other pets before application. Cover any water inhabited by fish (such as aquariums and ornamental fish ponds) during treatment, and turn aquarium systems off.
- Do not apply to aircraft cabins.

**Cockroaches, Spiders, Crickets, Silverfish and Firebrats:** Apply as a coarse, low pressure spray to areas where these pests hide, such as baseboards, corners, storage areas, closets, around water pipes, doors and windows, attics and eaves, behind and under refrigerators, cabinets, sinks, furnaces, and stoves, the underside of shelves, drawers and similar areas. Pay particular attention to cracks and crevices.

**Ants:** To kill ants within buildings and homes, spray trails, nests and points of entry. Spray directly on ants where possible.

**Carpenter Ants:** Make spot applications as a spray to any trails, around doors and windows, wall voids, crawl spaces, and other places where ants enter premises. Where possible, treat ant nest or infested wood directly.

**Wasps, Hornets, Yellow Jackets, Bees:** Application should be made in the late evening when insects are at rest. Spray liberally into hiding and breeding places, especially under attic rafters, contacting as many insects as possible.

**Sowbugs, Pillbugs, Millipedes, Earwigs, and Centipedes:** Apply around doors and windows and other places where these pests may be found or where they may enter premises. Spray baseboards, storage areas and other locations. Refer to barrier treatment directions to prevent infestation.

**Flies, Mosquitoes, Gnats, Small Flying Moths:** Apply directly to walls, ceilings, window screens, and other flying insect resting areas as a residual surface treatment. May be used inside residential buildings as well as in and around carports, garages, and storage sheds.

**TO CONTROL Fleas and Ticks:** 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. Old bedding of pets should be removed and replaced with clean, fresh bedding after treatment. **Do not treat pets with this product.**

**OUTDOORS**  
**Restrictions for Outdoor Uses**

All outdoor applications must be limited to spot or crack-and-crevice treatments only, except for the following permitted uses:

- Treatment to soil or vegetation around structures;
- Applications to lawns, turf, and other vegetation;
- Applications to building foundations up to a maximum height of 3 feet;
- Broadcast application to building foundations.
- Do not apply this product to edible crops.

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 treatments or crack-and-crevice applications, only.

Do not apply directly to or near water, storm drains, gutters, sewers, or drainage ditches. Do not apply when windy. Do not water the treated area(s) to the point of run-off or apply when raining or when rain is expected that day. Rinse application equipment over treated area only.

**Ants, Bees, Centipedes, Cockroaches, Crickets, Firebrats, Millipedes, Silverfish, Sowbugs, Spiders, Flies, Mosquitoes, Gnats, Small Flying Moths, Wasps, Hornets, Yellow Jackets.** Apply as a residual spray to surfaces of buildings, porches, screens, window frames, eaves, patios, lawns, refuse dumps, garages in either hand or power sprayer. Treat other areas where these pests are found.

**TO CONTROL Fleas and Ticks:** Apply Cyper-Active to areas where fleas and ticks are most likely to be found, such as, but not limited to, dog houses, kennels runways, cracks-and-crevices in sidewalks, paths or patios where pests may rest.

**BARRIER TREATMENT:** To help prevent infestation of buildings, apply to a band of soil and vegetation 6 to 10 feet wide around and adjacent to the building. Also, treat the building foundation to a height of 2 to 3 feet where pests are active and may find entrance. Apply as a coarse spray to thoroughly and uniformly wet the band area, using 77.5 ounces of 0.2% spray mix (155 ounces of 0.1% spray mix) per 1000 square feet.

**APPLICATIONS TO LAWNS AND OTHER TURF GRASS SITES**

When applying to lawns, gardens, ornamentals, and other landscape sites, apply at a maximum rate of 77.5 ounces of 0.2% diluted product per 1000 sq. ft. (0.44 lbs a.i. A (0.0101 lbs a.i.1000 ft<sup>2</sup>) or 155 ounces of 0.1% diluted product per 1000 sq. ft.

**APPLICATIONS NEAR SWIMMING POOLS**

This product may be applied as a broadcast treatment to lawns and other vegetated areas around swimming pools, or as a spot treatment or crack-and-crevice treatment to impermeable surfaces (such as tiled walkways) around pools. Do not apply directly to swimming pools or swimming pool systems.

**APPLICATIONS IN AND ON BOATS**

Do not apply to boat surfaces which contact water. Broadcast applications to exterior surfaces of boats are prohibited. Spot treatments may be made to exterior surfaces that do not contact water. Use inside boats, ships, and other vessels is permitted. Do not allow product to drain or wash off into water bodies or other aquatic habitat.

**STORAGE AND DISPOSAL**

Do not contaminate water, food or feed by storage or disposal.

**Storage:** Store product in original container and keep container closed when not in use. Do not store near food or feed. Protect from freezing. In case of spill or leak on floor or paved surfaces, soak up with sand, earth or synthetic absorbent. Remove to chemical waste area.

**Pesticide Disposal:**

Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative of the nearest EPA Regional Office for Guidance.

**Container Disposal:**

Non-refillable container. Do not reuse or refill this container. Offer for recycling if available. Triple rinse container (or equivalent) promptly after emptying.

[5 gallons or less]

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

[Greater than 5 gallons/50 lbs.]

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least on complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat these procedures two more times.

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**IMPORTANT: READ BEFORE USE**

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following conditions, disclaimer of warranties and limitations of liability.

**CONDITIONS:** The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of MGK. All such risks shall be assumed by the user or buyer.

**DISCLAIMER OF WARRANTIES:** TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, MGK MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of MGK is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. To the extent consistent with applicable law, MGK disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

**LIMITATIONS OF LIABILITY:** TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT MGK'S ELECTION, THE REPLACEMENT OF PRODUCT.

[Alternate warranty statement]

[Note user: Seller warrants that this product complies with the specifications expressed in this label. To the extent consistent with applicable law, Seller makes no other warranties, and disclaims all other warranties, express or implied, including but not limited to warranties of merchantability and fitness for the intended purpose. To the extent consistent with applicable law, seller's liability or default, breach or failure under this label shall be limited to the amount of the purchase price. To the extent consistent with applicable law, seller shall have no liability for consequential damages.]

