1021-2725

8/13/2014



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

AUG 1 3 2014

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

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

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

Dear Mr. Ditto:

Subject: Notification to Make Label Changes EPA Registration Number: 1021-2725 Date of Submission: June 4, 2014 Decision: 492164

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated June 4, 2014 for the product Cyper Active Technical. 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 <u>banks.melody@epa.gov</u>.

Sincerely, Cerbl

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

Please read instructions before com	pleting form	· ·	•		Form ved.	OMB No. 2070-00	60. Approval expires 05-31-98	
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≎ EPA	Environmental	Protection Ag	gency		Amendme	nt		
	Washingt	on, DC 20460	- 1	Х	Other			
		Application 1	for Pesticid	e - Sectior	1			
1. Company/Product Numb	ber		2. EPA Produ	uct Manager		3. Proposed	Classification	
1021-2725			Richard G	ebken -				
4. Company/Product (Nam	e)					None	. Restricted	
Cyper Active Technic			1	10				
5. Name and Address of A	· · · · · · · · · · · · · · · · · · ·	6. Expedited Review. In accordance with FIFRA			th FIFRA Sec	tion 3(c)(3)(b)(i), my		
			product is sin	nilar or identic	al in composit	ion and labeli	ng to:	
MCLAUGHLIN GORMLEY KING COMPANY D/B/		3/A MGK	N			NOTIFIC	NOTIFICATION	
8810 10TH AVE N	•		EPA Reg. N	la.				
MINNEPOLIS, MN 55	5427					AUG 1	3 6414	
· · ·			Product Na	me				
Check if this	is a new address							
			Section - II					
Amendment	- Explain below.				Final printed	labels in resp	onse to	
					Agency letter	dated		
Resubmissio	on in response to Agency let	tter dated			"Me Too" App	olication.		
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	Explain below.				Other - Expla	in below.		
Explanation: Use addition	nal page(s) if necessary. (F	For section I and	Section II.)					
			Castien III	······································				
			Section - III					
1. Material This Product W								
Child-Resistant Packaging			Water Solubl			2. Type of C	ontainer	
Yes*				Yes		Metal		
✓ No	If "Yes" ·	No por	✓ If "Yes"	No	No. nor	Plastic		
*Certification must	Unit Packaging wgt.	No. per container	Package wgt		No. per container	Glass		
be submitted	Onit Fackaging wgt.		Fackage wgt.			Other (Specify)	
3. Location of Net Contents	information	4. Size(s) Reta	I Container		5. Location of			
	Container	4. 0126(3) 11612	an Container			On Label		
	Container	1 lb to 100 l	bs.				accompanying product	
6. Manner in Which Label i	s Affixed to Product	Lithograph		 []	Other	Childboling	accompanying product	
		Paper glued						
		Stenciled		-			<u>ιςςς</u>	
			Section - IV				0.000	
1. Contact Point (Complete	e items directly below for ide				ecessary, to pr	rocess this ap	plication.)	
1. Contact Point <i>(Complete</i> Name	items directly below for ide				ecessary, to pi			
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Name	e items directly below for ide	entification of inc	dividual to be c	ontacted, if ne	ecessary, to pr	Telephone N	o. (Include Area Coၛၟ é)՝ (` (034,1՝ · · · `)	
Name Steven K. Ditto	e items directly below for ide	entification of ind Title U.S. Regula Certification	dividual to be c	ontacted, if ne Manager		Telephone N (763) 544-	o. (Include Area Coûé) (() 0341 () () () () () () () () () (
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EPA Form 8570-1 (Rev. 8-94) Previous editions are obsolete.



June 4, 2014

Via Courier

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

Subject: Cyper Active Technical EPA Reg. No. 1021-2725 Notification Per PR-Notice 2007-4

Dear Sir or Madam:

By Notification we are adding a statement that provides cleaning instructions prior to container disposal in order 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. Also enclosed is an e-mail from Nancy Fitz explaining that detailed rinsing instructions only apply to dilutable pesticides.

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 U.S. Regulatory Affairs Manager

Enclosure

8810 Tenth Avenue North Minneapolis, MN 55427 TOLL FREE 800.645.6466 TEL 763.544.0341 FAX 763.544.6437 WWW.MGK.COM

Insect Control Solutions

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Cyper Active Technical

For Manufacturing Use Only

ACTIVE INGREDIENT:	
Cypermethrin*	95.0%
OTHER INGREDIENTS:	
	100.0%

*cis/trans ratio: 45/55 +/- 10

KEEP OUT OF REACH OF CHILDREN WARNING/AVISO

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

See back/side panel for additional precautionary statements

	FIRST AID
IF SWALLOWED:	Call poison control center or doctor immediately for treatment advice.
	Have person sip glass of water if able to swallow.
	Do not induce vomiting unless told to do so by the poison control center or doctor.
	 Do not give anything by mouth to an unconscious person.
IF IN EYES:	Hold eye open and rinse slowly and gently with water for 15-20 minutes.
	Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.
	Call a poison control center or doctor for treatment advice.
IF ON SKIN OR CLOTHING:	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.
IF INHALED:	Move person to fresh air.
	 If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth- to-mouth, if possible.
	Call a poison control center or doctor for further treatment advice.
	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

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.



8810 Tenth Avenue North Minneapolis, MN 55427

EPA Reg. No. 1021-2725

EPA Est. No. 1021-MN-2

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NOTIFICATION

AUG 1 3 2014

NET CONTENTS:

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PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS & DOMESTIC ANIMALS

WARNING

May be fatal if swallowed. Harmful if absorbed through skin. Harmful if inhaled. Causes moderate eye irritation. Avoid breathing vapor or spray mist. Avoid contact with skin, eyes or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wear goggles or face shield as protection against splashes. Wear protective gloves to reduce skin contact. Wash thoroughly after handling.

ENVIRONMENTAL HAZARDS

This product is extremely toxic to fish and other aquatic invertebrates. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product into sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product

in a manner inconsistent with its labeling.

This product must not be formulated into end-use products that contain directions for use on sod farms, agricultural uncultivated areas, fencerows, hedgerows, or rights-of-way. These use sites must be removed from all end-use product labels and any special need registration must be canceled.

This product must not be formulated into wettable powder end use formulation unless they are packaged in water soluble bags.

This product must not be formulated into end-use products that contain directions for use on both agricultural crops and for other uses, such as in and around residential, commercial and industrial sites or on farm animals. This product may only be formulated into end-use products that with directions for use for agricultural crops (WPS) uses only or end-use products with directions for use for non-agricultural-crop (Non-WPS) uses only.

Only for formulation into an insecticide for the following uses(s):

TERRESTRIAL NON-FOOD/NON-FEED, DOMESTIC OUTDOOR, INDOOR 1.

- Do not use in warehouses where raw or cured tobacco is stored.
- Do not use in warehouses while raw agricultural commodities for food or feed are stored.

Do not use in greenhouses where crops for food or feed are grown. Trailers (empty) (non-feed/non-food) Dog Kennels (enclosed & open premise treatment) Horse Stables (enclosed & open premise treatment) Lath Houses Seed Houses (indoor & outdoor) Greenhouses (indoor & outdoor) Domestic Dwellings (indoor & outdoor) Hotels/Motels/Tourist Courts (non-feed/non-food) (indoor & outdoor) **Building Foundations (foliar treatment)** Buses (non-feed/non-food) (residual general treatment) Boats/Ships (non-feed/non-food) (residual general treatment) Trucks (trailers) (non-feed/non-food) (residual general treatment) сссс Aircraft (cargo areas only) (non-feed/non-food) (residual general treatment) cccc Transportation Vehicles (non-feed/non-food) (residual general treatment) Food/Meat, Poultry and Egg Processing Plants (non-feed/non-food) (indoor & outdoor inedible) Eating Establishments/Restaurants/Hospitals (non-feed/non-food) (indoor & outdoor) Food Marketing/Storage/Distribution Facilities (non-feed/non-food) (indoor inedible) C, Commercial/Institutional/Industrial Buildings (non-feed/non-food) (indoor & outdoor) cici Garbage Rooms LLLL Ant Hills Ant Dens/Hills/Mounds (all or unspecified) **Ornamental Lawns** Shipholds (non-feed/non-food) (residual general treatment) Laboratory Premises Ornamental Lawns (soil treatment) **Ornamental Trees (bark treatment)** Terrestrial Structures (soil contact non-fumigation treatment) Wood Structures (soil contact non-fumigation treatment) Wood Fence Posts (soil contact non-fumigation treatment) Wood Poles/Posts (soil contact non-fumigation treatment) Building Foundations (soil treatment) Poles (utility) (soil treatment) R419240 1021-2725 06140811

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Dumps (garbage/refuse) (outdoor)

2. This product may be used to formulate products for any additional use(s) not listed on the MP label if the formulator, user group, or grower has complied with U.S. EPA data submission requirements regarding the support of such uses.

3. Uses for experimental purposes that are in compliance with US EPA requirements.

STORAGE AND DISPOSAL

Prohibitions: Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited. Do not reuse empty container. Storage: 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 toxic. 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 Handling and Disposal: Non-refillable container. Do not reuse or refill this container. <u>Triple rinse (or equivalent)</u>; then oOffer for recycling if available, or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill or by other procedures approved by state and local authorities.

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.]

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