

2217-826

08/17/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

James Kunstman
PBI/Gordon Corporation
Post Office Box 014090
Kansas City, Missouri 64101

AUG 17 2009

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

Dear Mr. Kunstman:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated July 6, 2009 for:

EPA Registration 2217-826

Gordon's Home Pest Killer

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 Nicole Williams of my staff at 703-308-5551.


Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

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

Please read instructions on reverse before completing form

Form Approved OMB No. 2070-0060 Approval Expires 2-28-95

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

1. Company/Product Number 2217-826	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> Non <input type="checkbox"/> Restricted
4. Company/Product (Name) Gordon's Home Pest Killer	PM# Product Manager—Team 10	
5. Name and Address of Applicant (Include ZIP Code) PBI/Gordon Corporation Post Office Box 014090 Kansas City, Missouri 64101 <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: EPA Reg. No. _____ NOTIFICATION Product Name _____ AUG 17 2009	

Section - II

<input type="checkbox"/> Amendment - Explain below.	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.)

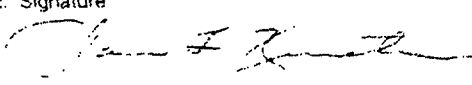
NOTIFICATION:

Labeling notification per Pesticide Registration Notice (PRN 2007-4), Labeling Revisions Required by the Final Rule "Pesticide Management and Disposal: Standards for Pesticide Containers and Containment"

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	If "Yes" Unit Packaging wgt. No. per container		<input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted		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 1 gallon		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 type="checkbox"/> Lithograph <input type="checkbox"/> Other <input checked="" 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 James L. Kunstman, Ph.D.	Title Director of Regulatory Services	Telephone No. (Include Area Code) 816-460-6287
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 Director of Regulatory Services	
4. Typed Name James L. Kunstman, Ph.D.	5. Date July 17, 2009	

AUG 17 2009

GORDON'S PEST KILLER

- ◆ *For Domestic Use Both Indoors and Outdoors.*
- ◆ *A Ready-To-Use PERMANONE® Stable Emulsion Insecticide.*
- ◆ *For Control of Fleas, Brown Dog Ticks and Lice on Premises and on Dogs.*
- ◆ *Controls Fleas and Ticks on Dogs for 14 Days.*
- ◆ *For Control of Pests on Livestock.*
- ◆ *With Country Fresh Fragrance.*
- ◆ *Provides 60-Day (Two Months) Control of Cockroaches.*
- ◆ *Provides 60-Day (Two Months) Control of Fleas.*
- ◆ *Provides 60-Day (Two Months) Control of Stored Product Pests.*

ACTIVE INGREDIENT:

Permethrin.....	0.25%
OTHER INGREDIENTS:.....	<u>99.75%</u>
TOTAL	100.00%

(3-phenoxyphenyl) methyl (+/-) cis/trans 3-(2,2-dichloroethenyl)-2,2-dimethylcyclopropanecarboxylate. Cis/trans ratio: min. 35% (+/-) cis and max. 65% (+/-) trans.

PERMANONE® - Registered Trademark of Bayer Environmental Science.

KEEP OUT OF REACH OF CHILDREN

CAUTION

See side panel for additional Precautionary Statements and First Aid.

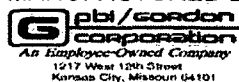
NET CONTENTS: 1 Pint, 1 Quart, or 1 Gallon

788/AP070609

EPA REG NO 2217-826

EPA EST NO 2217-KS-1

MANUFACTURED BY:



Telephone: 1-800-821-7925



1217 WEST 12TH STREET • P.O. BOX 014090
KANSAS CITY, MISSOURI 64101-0090
816-421-4070 • 1-800-821-7925
FAX: 816-474-0462

July 6, 2009

Document Processing Desk (PRN)
Office of Pesticide Programs (7504P)
US Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501
Attn: Mr. Richard Gebken, Product Manager (10)

Dear Mr. Gebken:

Subject: Response to Pesticide Registration Notice (PRN 2007-4), Labeling Revisions Required by the Final Rule "Pesticide Management and Disposal: Standards for Pesticide Containers and Containment". Gordon's Home Pest Killer (EPA Reg. No. 2217-826)

I. Labeling notification per Pesticide Registration Notice (PRN) 2007-4:

1. We ask to revise the disposal instructions and to adopt the exact language of Pesticide Registration Notice (PRN 2007-4), Labeling Revisions Required by the Final Rule "Pesticide Management and Disposal: Standards for Pesticide Containers and Containment." One (1) copy of the annotated labeling is enclosed for your review.

2. Certification: This notification is consistent with the guidance 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 of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to the EPA. I further understand that if this amended labeling is not consistent with the terms 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 Section 12 and 14 of FIFRA.

II. Enclosures:

1. Application for Pesticide Amendment (EPA Form 8570-1)
2. One (1) copy of the draft labeling

If you have any questions, please call me at 816-460-6292 or contact me at jkunstman@pbigordon.com.

Sincerely,



James L. Kunstman, Ph.D.



READ THE ENTIRE LABEL BEFORE EACH USE. OBSERVE ALL PRECAUTIONS AND FOLLOW DIRECTIONS CAREFULLY.

PET USE APPLIES TO USE ONLY ON DOGS

PRECAUTIONARY STATEMENTS

Hazards to Humans & Domestic Animals

CAUTION: Harmful if absorbed through skin. Avoid contact with skin, eyes or clothing. Wash thoroughly after handling and before smoking or eating. Avoid contamination of feed and foodstuffs. Remove pets and birds and cover fish aquaria before surface applications. Do not use on humans. Do not allow children or pets to contact treated areas until surfaces are dry.

First Aid	
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.
If in eyes:	<ul style="list-style-type: none"> • 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 swallowed:	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
Have the product container or label with you when calling a poison control center or doctor or going for treatment. For additional information in case of emergency, call toll free 1-877-800-5556.	

ENVIRONMENTAL HAZARDS:

This product is extremely toxic to fish. Do not apply directly to water. Do not contaminate water when disposing of equipment washwater.

DIRECTIONS FOR USE

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

(Containers one gallon or less)

This product is a ready-to-use formulation intended for premise treatments and direct animal treatments to pets and purchased by household consumers. These instructions are suitable for these brand names: Gordon's Pest Killer, GroundWork Ready to Spray Roach, Ant & Flea Killer

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

PESTICIDE STORAGE: Store upright at room temperature. Avoid exposure to extreme temperatures.

CONTAINER DISPOSAL: **If Empty:** Do not reuse this container. Place in trash or offer for recycling if available. **If partially filled:** Call your local solid waste agency or toll free number (1-800-CLEANUP) for disposal instructions. Never place unused product down any indoor or outdoor drain.

CONTAINER HANDLING: 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 or www.website.com for disposal instructions. Never place unused product down any indoor or outdoor drain.

~~(Containers larger than one gallon)~~

~~[This product is a ready-to-use formulation intended for premise treatments and direct animal treatments to livestock or large farm animals. Currently, this product is not marketed for these specific use patterns.]~~

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store upright at room temperature. Avoid exposure to extreme temperatures.

PESTICIDE DISPOSAL: Pesticide or rinse water that cannot be used according to label instructions must be disposed of on site or at or by an approved waste disposal facility.

~~**CONTAINER DISPOSAL:** For Metal Containers Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. For Plastic Containers Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by incineration, or if allowed by State and local authorities, by burning. If burned, stay out of smoke.~~

~~**CONTAINER HANDLING:** Nonrefillable container. Do not reuse or refill this container. Clean the container promptly after emptying. Then offer for recycling if available or dispose of in a sanitary landfill, or by incineration or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.~~

Affix trigger or pump sprayer to container for application. Do not transfer to another container.

SHAKE WELL BEFORE USING

INDOOR APPLICATION

Not for use in Commercial Food/Feed Handling Establishments, Restaurants or Other Commercial Facilities. Not for use in Institutions. In the home all food processing surfaces and utensils should be covered during treatment or thoroughly washed before use. Exposed food/feed should be covered or removed.

For spot application only. Do not use as a space spray indoors.

SURFACE SPRAYING:

For 60-Day (Two Months) Control Of Cockroaches, Waterbugs, Palmetto Bugs, Scorpions, Millipedes, Centipedes, Sowbugs, Pillbugs, Ants, Silverfish, Firebrats, Spiders, Crickets, Clover Mites, Cheese Mites, Granary Weevils, Rice Weevils, Confused Flour Beetles, Rust Red Flour Beetles, Drugstore Beetles, Meal Worms, Grain Mites, and Cadelles: Direct the spray into hiding places, cracks and crevices, and behind shelves and drawers. For silverfish, spray bookcases. For ants, spray trails, nests and points of entry.

To Control Carpet Beetles: Spray edges of carpeting and under carpeting and rugs. Make localized application to floor and baseboards. Spray directly into cracks, crevices and infested areas of shelving.

To Control Bedbugs: Spray mattresses lightly, particularly around tufts and seams. Take beds apart and spray in all joints. Treat baseboards, moldings and floors.

To Control Fleas (Adults and Larvae) and Ticks (Adults and Larvae): Thoroughly spray infested areas, pet beds, resting quarters, nearby cracks and crevices, along and behind baseboards, moldings, window and door frames, and entire areas of floor and floor covering. Fresh bedding should be placed in animal quarters following treatment. Allow to dry thoroughly before allowing pets to contact treated areas.

To Control Clothes Moths: Remove any infested articles from storage, brush thoroughly, and air for several hours in sunlight, if possible. Apply spray liberally to empty chests, closets, bureaus and other storages directing the spray into cracks, joints and crevices. After airing, infested articles may be treated lightly, keeping nozzle at least three feet from fabric to avoid staining.

To Kill Lice and Louse Eggs: Spray in an inconspicuous area to test for possible staining or discoloration. Inspect again after drying, then proceed to spray entire area to be treated. Spray from a distance of 8 to 10 inches. Treat only those garments and parts of bedding, including mattresses and furniture that cannot be either laundered or dry cleaned. Allow all treated articles to dry thoroughly before use.

ON LIVESTOCK

To Protect Cattle (Beef and Dairy), Goats, Sheep, Hogs and Horses From Horn Flies, Face Flies, House Flies, Mosquitoes and Gnats: Apply a light mist sufficient to wet the surface of the hair. For face flies, spray face and head, but do not spray into eyes.

To Control Stable Flies, Horse Flies and Deer Flies: Apply 2 fluid ounces per adult animal, sufficient to wet the hair thoroughly. Repeat treatment daily.

To Control Blood-Sucking Lice: Apply to the infested areas of the animal, using a stiff brush to get the spray to the base of the hair. Repeat every 3 weeks if required.

To Control Poultry Lice: Spray roosts, walls and nests or cages thoroughly. This should be followed by spraying over the birds with a fine mist.

To Control Bedbugs and Mites In Poultry Houses: Spray crevices of roost poles, cracks in walls, and cracks in nests where the bedbugs and mites hide.

ON DOGS

To Control Fleas, Ticks, and Lice: Start spraying at the tail, moving the dispenser rapidly and making sure that the animal's entire body is covered, including the legs and underbody. While spraying, fluff the hair so that the spray will penetrate to the skin. Make sure spray wets thoroughly, but do not saturate animal. Do not spray into eyes or face. Avoid contact with genitalia. Repeat application every two weeks if necessary. **DO NOT USE ON CATS OR KITTENS.**

Do not use on dogs under twelve (12) weeks old. Consult a veterinarian before using this product on medicated, debilitated, aged, pregnant or nursing animals. Sensitivities may occur after using ANY pesticide product for pets. If signs of sensitivity occur bathe your pet with mild soap and rinse with large amounts of water. If signs continue, consult a veterinarian immediately.

SPECIAL ANIMALS:
Consult a veterinarian or call this Animal Poison Control Hotline, 1-800-345-4735 before using this product on debilitated, aged, pregnant, nursing, or medicated animals.

ADVERSE REACTION INFORMATION:
Sensitivities may occur after using ANY pesticide product for pets. If signs of sensitivity occur, bathe your pet with mild soap and rinse with large amounts of water. If signs continue, consult a veterinarian immediately, or call this Animal Poison Control Hotline, 1-800-345-4735.

OUTDOOR APPLICATION

To Help Control Ticks In Outdoor Activity Areas: Treat a band of vegetation and leaf litter 6 - 10 feet wide and adjacent to activity areas, especially where dense vegetation occurs.

FOR CONTROL OF GARDEN INSECTS:

For use on roses, dahlias, asters and other ornamentals to kill *Japanese Beetles* hit by spray as well as *Whiteflies*, *Aphids*, *Exposed Thrips*, *Spiders*, *Red Mites* and *Leafminers*. May be used on plants as a multi-purpose spray in small gardens and for spot treatments of incipient insect infestations to prevent spreading in large garden areas.

May also be used on other plants such as African violets, asters, azaleas, begonias, camellias, carnations, chrysanthemums, dahlias, delphiniums, dogwoods, English Ivy, eunonymus, fuschia, geraniums, crassula, grape vines, Kentia palms, laurels, marigolds, rhododendrons, roses, rubber plants, snapdragons, stocks, wandering Jews and zinnias.

Effective when used as directed against *Whiteflies*, *Aphids*, *Spider and Red Mites*, *Exposed Thrips*, *Lace Bugs*, *Japanese Beetles*, *Pavement Ants*, *Clover Mites* and *Armyworms*.

When spraying plants, do not operate closer than 18 inches. Use sweeping motion. Be cautious about wetting tender foliage, young plants and new growth. Do not spray plants when temperatures exceed 90°F. Contact insects directly whenever possible.

LIMITED WARRANTY AND DISCLAIMER.

The manufacturer warrants only that the chemical composition of this product conforms to the ingredient statement given on the label, and that the product is reasonably suited for the labeled use when applied according to the Directions for Use.

THE MANUFACTURER NEITHER MAKES NOR INTENDS ANY OTHER EXPRESS OR IMPLIED WARRANTIES, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHICH ARE EXPRESSLY DISCLAIMED. This limited warranty does not extend to the use of the product inconsistent with label instructions, warnings or cautions, or to use of the product under abnormal conditions such as drought, excessive rainfall, tornadoes, hurricanes, etc. These factors are beyond the control of the manufacturer or the seller. Any damages arising from a breach of the manufacturer's warranty shall be limited to direct damages, and shall not include indirect or consequential damages such as loss of profits or values, except as otherwise provided by law.

The terms of this Limited Warranty and Disclaimer cannot be varied by any written or verbal statements or agreements. No employee or agent of the seller is authorized to vary or exceed the terms of this Limited Warranty and Disclaimer in any manner.

APPENDIX:

Advertising claims which may be presented on the container labeling:

- For indoor and outdoor use.
- Also provides control of spiders, silverfish and many other insects for up to two months.
- Country fresh fragrance.