

2217-861

8/13/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. James L. Kunstman, Ph.D
PBI/Gordon Corporation
Post Office Box 014090
Kansas City, Missouri 64101

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

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated July 1, 2009 for:

EPA Registration 2217-861 EI 792 Insecticide

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 Banza Djapao of my staff at 703-305-7269.


Sincerely,

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

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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	OPP Identifier Number
		<input type="checkbox"/> Amendment	
	<input checked="" type="checkbox"/> Other		

Application for Pesticide - Section I

1. Company/Product Number 2217-861	2. EPA Product Manager Richard Gebken	3. Proposed Classification
4. Company/Product (Name) EI 792 Insecticide	PM# Product Manager—Team 10	<input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
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. _____ Product Name _____	

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.)

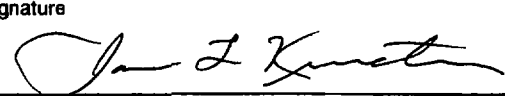
NOTIFICATION: Labeling notification per Pesticide Registration Notice (PRN 2007-4), Labeling Revisions Required by the Final Rule "Pesticide Management and Disposal: Standards for Pesticide Containers and Containment"

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 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 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 Section 12 and 14 of FIFRA.

Section - III

1. Material This Product Will Be Packaged In:						2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic	
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input 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"/> Paper glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____				

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) 816-460-6292			
2. Signature 						3. Title Director of Regulatory Services	
4. Typed Name James L. Kunstman, Ph.D.				5. Date July 1, 2009			
6. Date Application Received (Stamped)							

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1217 WEST 12th STREET
P.O. BOX 014090
KANSAS CITY, MISSOURI 64101-0090

816-460-6232 • FAX: 816-421-2731

July 1, 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".

Re: EI 792 Insecticide (EPA Reg. No. 2217-861)

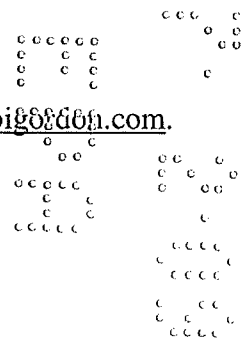
I. Labeling notification per Pesticide Registration Notice (PRN) 2007-4:

This product is a ready-to-use formulation intended for direct animal treatments and purchased by household consumers. 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.

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 contact me at 816.460.6292 or email: jkunstman@pbi&gordon.com.

Sincerely,

James L. Kunstman, Ph.D.
Director, Regulatory Services

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NOTIFICATION

AUG 13 2009

EI-792 Insecticide

For use on Beef Cattle, Dairy Cattle, Calves, Sheep and Swine.
For Reduction of Flies, Mosquitoes, Ticks and Lice.

Active Ingredient:

Permethrin*	0.25%
Inert Ingredients*	99.75%
TOTAL	100.00%

*Contains petroleum distillates.

**cis/trans ratio: Min. 35% (±) cis and max. 65% (±) trans

KEEP OUT OF REACH OF CHILDREN

CAUTION

See back panel for additional Precautionary Statements and First Aid.

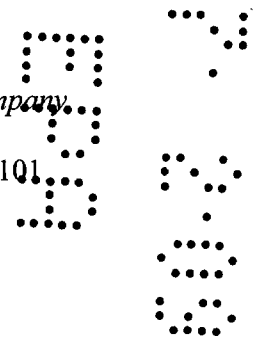
Net Contents: 2 ½ U.S. Gallons (9.46 liters)

AP070109

EPA Reg. No. 2217-861

EPA Est. No. 2217-KS-1

Manufactured by:
PBI/Gordon Corporation
An Employee Owned Company
1217 West 12th Street
Kansas City, Missouri 64101



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STOP! Read the entire label first. Observe all precautions and follow directions carefully.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Harmful if absorbed through skin. Avoid contact with skin, eyes, and clothing.

First Aid Statement	
If swallowed:	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:	- 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:	- Hold eyelid 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.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	
Note to Physician: Contains petroleum distillate – vomiting may cause aspiration pneumonia.	

Environmental Hazards

This pesticide is extremely toxic to fish. Do not apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters.

Physical or Chemical Hazards

Do not use or store near heat or open flame.

DIRECTIONS FOR USE

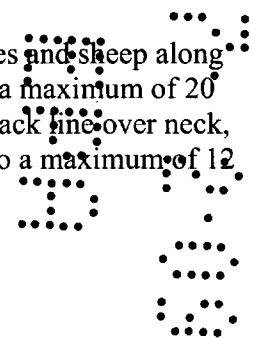
It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

FOR APPLICATION TO BEEF CATTLE, DAIRY CATTLE, CALVES, SHEEP AND SWINE:

To reduce annoyance from flies, mosquitoes, lice, keds (sheep-tick and louse fly), and ticks by the following application methods.

BACKRUBBER METHOD: Fill reservoir or saturate applicator. Recharge as needed to maintain effective results. Locate mechanism to give animals free access.

POUR ON TECHNIQUE: Apply undiluted to beef cattle, dairy cattle, calves and sheep along back and down face at 1/2 to 2 fl. oz. per 100 lbs. body weight of animal up to a maximum of 20 fl. oz. per animal. For Keds (sheep-tick and louse fly) on sheep, pour along back line over neck, shoulders and rump, applying 1 fl. oz. per 50 lbs. body weight of animal, up to a maximum of 12



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fl. oz. for any one animal. Use as needed but not more than once every 2 weeks. Treat lactating dairy cows after milking is completed.

NOTE: This product is not effective for grub control on cattle.

FOR APPLICATION TO SWINE: Use ½ fl. oz. per 100 lbs. of body weight of animal up to a maximum of 4.0 fl. oz. per animal. Use as needed but not more than once every 2 weeks. Do not slaughter swine within 5 days of last treatment.

[This product is a ready-to-use formulation intended for direct animal treatments and purchase by household consumers. These instructions are suitable for this brand name: Gordon's Livestock Backrubber & Pour-On]

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a cool, dry, and secure area. Store in original sealed container away from food or feed.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or 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. **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.

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 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. 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.

