

2517-70

04-09-2010

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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

APR 9 2010

Ms. Susan Kane
Sergeant's Pet Care Products, Inc.
2625 South 158th Plaza
Omaha, NE 68130-1770

Subject: Application for Pesticide Notification (PRN 2007-4)
and updating the Warranty & Disclaimer section

Dear Ms. Kane:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice PRN 2007-4 dated March 15, 2010 for the following product(s):

Sergeant's Residual Flea & Tick Spray (EPA Reg. No. 2517-70)

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 98-10. 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 Regina Foushee'-Smith at 703-605-0780.

Sincerely,

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

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



United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 2517-70	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Sergeant's Residual Flea & Tick Spray	PM# 10	
5. Name and Address of Applicant (Include ZIP Code) Sergeant's Pet Care Products, Inc. 2625 South 158th Plaza Omaha NE 68130-1770 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(ii), my product is NOTIFICATION in composition and labeling to: EPA Reg. No. <u>APR - 9 2010</u> 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 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 of label change per PRN 2007-4. This notification is consistent with the provisions of PR Notice 2007-4 and EPA regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156., 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 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.
 "Warranty & Disclaimer" section in accordance with the guidance document entitled "Guidance on Warranty Statements" dated Oct. 17, 2006.

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 <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* 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 type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/> On label	
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 Susan Kane	Title Regulatory Specialist	Telephone No. (Include Area Code) 402-938-7065
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 Specialist	
4. Typed Name Susan Kane	5. Date March 15, 2010	

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Sergeant's Pet Care Products, Inc.

2625 South 158th Plaza • Omaha, NE 68130-1770 • Telephone 402.938.7000 • Fax 402.938.7099 • www.sergeants.com

September 2, 2010

Document Processing Desk (NOTIF)
Registration Support Branch
Office of Pesticide Programs (7504P)
US Environmental Protection Agency
Room S-4900
One Potomac Yard
2777 Crystal Drive
Arlington, VA 22202

SUBJECT: Sergeant's Residual Flea & Tick Spray / EPA Reg. No. 2517-70
EPA letter dated August 24, 2010/request for correction to master label

Dear Mr. Gebken:

Sergeant's Pet Care Products, Inc. submits a copy of the revised master label as requested in your letter dated August 24, 2010 (attached).

Should you have any questions about this submission, please contact me via phone at 402/938-7065 or email at skane@sergeants.com.

Sincerely,

Susan Kane
Regulatory Specialist
Sergeant's Pet Care Products, Inc.

Enclosures

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Sergeant's Master Label

2 September 2010
Information in [] is optional.

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EPA Reg. No. 2517-70
EPA SAL 3 September 2002

FRONT PANEL

Cat Spray
Pyrethrins & Permethrin

[Optional text appears in brackets – the final label may include some or all of the optional text on front, back or side label panels]

SERGEANT'S RESIDUAL FLEA & TICK SPRAY

{ABN: Sergeant's® Flea & Tick Spray for Cats}

- Kills Fleas and Ticks On Your Pet**
- Kills Fleas for up to 14 days**
- Kills ticks for 4 days on dogs**
- Kills ticks for 9 days on cats**
- Kills the ticks that may carry lyme disease**
- [Sprays at any angle-even upside down]**
- [Quiet application-will not frighten pet]**

NOTIFICATION

OCT 28 2010

{Ingredient Statement may be on front or back label}

ACTIVE INGREDIENTS:

Pyrethrins.....	0.056%
Permethrin*:[*3-phenoxyphenyl)methyl(+/-)cis-trans-3-(2,2-dichloroethenylcyclopropanecarboxylate].....	0.050%
Related reaction products.....	0.004%
OTHER INGREDIENTS:	99.89%
[TOTAL	100.00%]

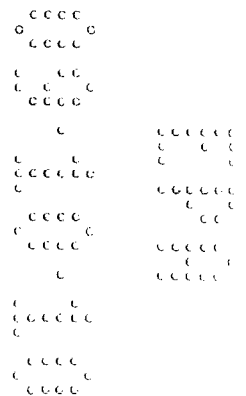
* cis-trans isomers ratio: Max. 55%(+/-) cis and Min. 45%(+/-) trans

KEEP OUT OF REACH OF CHILDREN

CAUTION

See Back Panel for Directions and Precautions

NET [WEIGHT] [CONTENTS] XXX oz (XXX mL)



Sergeant's Master Label

2 September 2010
Information in [] is optional.

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EPA Reg. No. 2517-70
EPA SAL 3 September 2002

BACK PANEL

Cat Spray
Pyrethrins & Permethrin

**READ ENTIRE LABEL BEFORE EACH USE
USE ONLY ON DOGS/CATS**

IMPORTANT CONSUMER INFORMATION

PURPOSE: Sergeant's flea & Tick spray is specially formulated to kill fleas on your pet for up to 14 days, and will kill ticks for 4 days (dogs) (9 days(cats)). [The product may be sprayed from any angle for ease of application – even upside down! It is also quieter than normal aerosol sprays and, therefore, less frightening to your pet].**

DIRECTION FOR USE

It is a violation of Federal law to use this product in a manner that is inconsistent with its labeling. SHAKE WELL. Remove cap; from a distance of approximately 8-12 inches spray pet against the lay of the coat, fluffing long hair so mist reaches pet's skin (include the legs and underbody but avoid the face, eyes, and genitalia). The spray should wet ticks thoroughly. [For cats] Apply at a rate of 1 second per pound of body weight. [For Dogs] Apply at a rate of 2 seconds per pound of body weight for thin or short-haired dogs and up to 8 seconds per pound of body weight for heavy or long-haired dogs. Reapply every week.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Causes moderate eye irritation. Avoid contact with eyes or clothing. Harmful if absorbed through skin. Wash thoroughly with soap and water after handling. Do not spray pet's face, eyes, or genitalia. Do not use on nursing kittens or animals under 12 weeks. Consult a veterinarian before using this product on debilitated, aged, pregnant, medicated 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.

ENVIRONMENTAL HAZARDS

This product is toxic to fish and other aquatic invertebrates. Do not apply directly to water. Do not contaminate water by cleaning of equipment or disposal of wastes.

PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame.

FIRST AID	
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 further treatment advice.
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.
HOT LINE NUMBER	
Have the product container with you when calling a poison control center or doctor or going for treatment. You may also contact 1-800-781-4738 for emergency medical treatment information.	

Sergeant's Master Label

2 September 2010
Information in [] is optional.

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BACK PANEL

Cat Spray
Pyrethrins & Permethrin

STORAGE AND DISPOSAL

PESTICIDE STORAGE: Store this product in original container in a cool dry area away from heat or open flame inaccessible to children and pets.

PESTICIDE DISPOSAL AND CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. Do not Puncture or Incinerate! **If empty:** Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

[WARRANTY

Read the entire Directions for Use and Warranty before using this Product. By using this product, user or buyer accepts the following warranty. [[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 inherently associated with the use of this product. Unintended consequences may result because of such factors as weather conditions, presence or absence of other materials, or the manner of application, all of which are beyond the control of Sergeant's.]] Sergeant's is committed to providing high quality products. To the extent consistent with applicable law, Sergeant's makes no warranties, express or implied, of merchantability or of fitness for a particular purpose or otherwise, that extend beyond statements on this label. To the extent consistent with applicable law, Sergeant's, the manufacturer, or the Seller disclaims any liability whatsoever for special, incidental, or consequential damages resulting from the use of this product. To the extent consistent with applicable law, the exclusive remedy of the user or buyer shall not exceed the purchase price paid.]

Sergeant's is committed to providing high quality products. [If you have questions or comments about this product, please write: Sergeant's Consumer Response, P.O. Box 540399, Omaha, NE 68154-0399.]

In Case of Emergency, call: 1-800-781-4738
Non-Emergency call: 1-800-224-PETS (7387) [Made in USA]

Distributed by:
Sergeant's Pet Care Products, Inc.
PO Box 540399
Omaha, NE 68154-0399

EPA Reg. No. 2517-70
EPA Est. No. XXXXX-XX-XX
[lot, date & label code] [UPC CODE]

{END - BACK / SIDE PANEL}

