

2517-79

02/17/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

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

FEB 17 2009

Subject: Label Notification(s) for Pesticide Registration Notices 2007-1 and 98-10
Warranty Statement Update and Other Changes

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-1 and 98-10 dated January 15, 2009 for:

EPA Registration 2517-79 SPI# 8325

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-1 and 98-10 and finds that the label change(s) requested falls within the scope of PRN-2007-1 and 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 me directly at 703-305-6249 or Banza Djapao of my staff at 703-305-7269.

Sincerely,

A handwritten signature in black ink, appearing to be "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

Application for Pesticide - Section I

1. Company/Product Number 2517-79	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) SPI #8325	PM# 13	
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)(i), my product is similar or identical in composition and labeling to: NOTIFICATION EPA Reg. No. _____ Product Name _____ FEB 17 2009	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input checked="" 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 of change to "Warranty & Disclaimer" section in accordance with the guidance documents entitled "Guidance on Warranty Statements" dated October 17, 2006. Notification of storage and disposal update according to PR Notice 2007-1. This notification is consistent with the guidance in PR Notice 2007-1 and the requirements of EPA's regulations at 40 CFR 156.10, and 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 guidance of PR Notice 2007-1 and the requirements of 40 CFR 156.10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA. SEE ATTACHED.

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 1	If "Yes" Package wgt	No. per container
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify) _____	
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 checked="" type="checkbox"/> Lithograph Paper glued 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 <i>Susan Kane</i>	3. Title Regulatory Specialist	
4. Typed Name Susan Kane	5. Date January 15, 2009	

PR Notice 98-10

"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 and penalties under sections 12 and 14 of FIFRA."

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January 15, 2009

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, D.C. 20460

**Re: Notification
SPI #8325
EPA Reg. No. 2517-79**

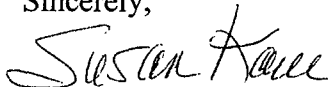
Notification Team,

Please find enclosed a notification to update storage and disposal in accordance with PR Notice 2007-1 and PR Notice ~~823~~⁸²⁵. A notification to update the warranty statement in accordance with the "Guidance on Warranty Statements" dated October 17, 2006. I've enclosed the following documents in support of these notifications.

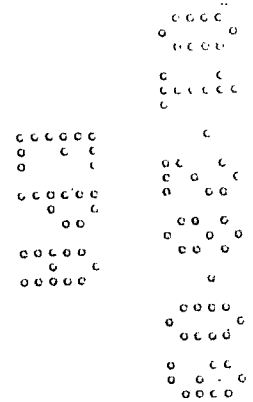
- Application form 8570-1
- Two copies of master label with highlighted changes.

Thank you for your assistance in this matter. Should you have any questions, please contact me by phone at 402-938-7065 or by e-mail at skane@sergeants.com

Sincerely,



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



Enclosures

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Sergeant's Master Label

Notification storage & disposal, warranty statement Jan 2009 EPA Reg. No. 2517-79

Information in [] is optional.

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FRONT PANEL

DOG SHAMPOO

Permethrin, Piperonyl butoxide technical, Pyriproxyfen

Editors Note: [Optional proposed text appears in brackets – the final label may include some or all of the optional text]

SPI #8325

{ABN} [Sergeant's Gold Flea and Tick Shampoo for Dogs and Puppies]

{ABN} [SentryPro Flea and Tick Shampoo for Dogs and Puppies]

- [Kills Adult Fleas & Ticks for up to 14 Days]
- [Kills Ticks for Up To 14 Days]
- [Sterilizes (All New) Fleas And Kills Their Eggs For 30 Days]
- [Breaks The Flea Life Cycle]
- [Kills The Ticks That May Carry Lyme Disease]
- [pH Balanced For Pet's Coat]
- [Cleans]
- [Deodorizes]
- [Conditions]
- [Contains Nylar[®] Insect Growth Regulator (IGR)]
- [Kills Flea Eggs For 30 Days]
- [Baby Powder Scent]
- [Kills Fleas & [and] Ticks]
- [For Dogs]
- [Do Not Use on Cats]
- [Cleans, Deodorizes and Conditions]
- [One Step Hassle Free Protection!]
- [Complete Protection Against All Stages of the Flea Life Cycle]
- [Prevents Reinfestation for up to 30 Days]
- [Kills Fleas, Ticks & Flea Eggs While Grooming Your Pet]
- [Specially Formulated for Dogs and Puppies]
- [Caring For Your Pets since 1868]
- [The Only Flea and Tick Protection You Need For Your Dog!]

NOTIFICATION

FEB 17 2009

ACTIVE INGREDIENTS:

Permethrin*:CAS # 52645-53-1).....	0.10%	
Piperonyl butoxide, technical**.....	0.50%	c c c c c
Pyriproxyfen: (CAS #95737-68-1***.....	0.01%	c c c c c

OTHER INGREDIENTS:	99.39%	
TOTAL	100.00%	c c c c c

*cis/trans isomers ratio: min. 35%(+/-) cis and max. 65% (+/-)trans

**equivalent to 0.4% of (butylcarbityl)(6-propylpiperonyl) ether and 0.1% related compounds

*** Nylar[®] Insect Growth Regulator Nylar[®] is a registered trademark of McLaughlin Gormanley King Co.

KEEP OUT OF REACH OF CHILDREN

CAUTION

See [Back][or][Side] Label Panel[s] for Additional Precautionary Statements

Net Contents: XX fl oz (XX mL)

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Sergeant's Master Label

Notification storage & disposal, warranty statement Jan 2009 EPA Reg. No. 2517-79

Information in [] is optional.

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{END - BACK / SIDE PANEL}

DOG SHAMPOO

Permethrin, Piperonyl butoxide technical, Pyriproxyfen

[[**Product Name**] [This product] kills fleas and ticks while it cleans and deodorizes in one easy and convenient step.] [This rich, conditioning, non-staining formula contains a highly effective flea and tick killing ingredient combined with an insect growth regulator (IGR) that sterilizes new fleas and kills their eggs for 30 days.]

{Product Name}

READ ENTIRE LABEL BEFORE EACH USE.

USE ONLY ON DOGS

[**Symbol/Graphic: Do Not Use on Cats**] or [**Text: Do Not Use on Cats**]

[IMPORTANT CONSUMER INFORMATION]

[**PURPOSE: [Product Name]** [This product] kills fleas and ticks while it cleans and deodorizes in one easy and convenient step. This rich conditioning, non-staining formula contains a highly effective flea and tick killing ingredient combined with an excellent pH balanced shampoo.]

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

HAZARDS TO HUMANS: Harmful if inhaled. Avoid breathing vapors. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wear protective rubber gloves when applying this product. Wash thoroughly with soap and water after handling.

HAZARDS TO DOMESTIC ANIMALS: Do not use on dogs under 6 months of ages. Consult a veterinarian before using this product on debilitated, aged, medicated, 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.

FIRST AID	
If inhaled	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferable by mouth-to-mouth, if possible. • 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 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.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may contact 1-800-781-4738 for emergency medical treatment information.	

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Sergeant's Master Label

Notification storage & disposal, warranty statement Jan 2009 EPA Reg. No. 2517-79

Information in [] is optional.

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{END - BACK / SIDE PANEL}

DOG SHAMPOO

Permethrin, Piperonyl butoxide technical, Pyriproxyfen

DIRECTIONS FOR USE

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

Wet dogs coat thoroughly. Pour [Product Name] [this product] into the cup of your hand. Starting at the head and working back, work up a lather with this quick lathering formula, being sure that the lather is worked thoroughly into dogs coat down to the skin. Allow lather to stand five minutes, then rinse completely and towel dry. It should not be necessary to repeat the shampoo application unless the animal is excessively dirty. Kills fleas fast and begins to kill ticks within 1 or 2 days; reaching maximum effectiveness in 7 to 10 days. Reapply every 30 days as needed.

STORAGE AND DISPOSAL

PESTICIDE STORAGE: Store only in original container in a cool, dry area inaccessible to children and pets.

PESTICIDE DISPOSAL: **If empty:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. **If partly filled:** Call your local solid waste agency or 1-800-CLEANUP 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.]

[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)

[For more information] [Visit us at:] www.sergeants.com
Made in USA

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

EPA Reg. No. 2517-79
EPA Est. No. XXXXXXXX
[lot,date & label code][UPC CODE]

{END - BACK / SIDE PANEL}