

2517-91

5/8/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

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

MAY 8 2009

SUBJECT: Applications for Pesticide Notification – Updated “Storage and Disposal” per PR
Notice 2007-4 and Warranty Sections PR Notice 98-10
MarketQuest One Drop Flea & Tick Control with Nylar® Insect Growth Regulator
EPA Reg. No. 2517-87
Application Dated April 8, 2009
Sergeant's® Insecticide Carpet Powder II with Nylar®
EPA Reg. No. 2517-91
Application Dated April 13, 2009

Dear Ms. Kane:

The Agency is in receipt of your Applications for Pesticide Notification under Pesticide Registration Notices (PRNs) 98-10 and 2007-4 for the above products. The Registration Division (RD) has conducted a review of these requests for their applicability under PRNs 98-10 and 2007-4 and finds that the actions requested fall within the scope of these PR Notices. The labels that were submitted with the applications have been dated-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 identify 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 call me directly at 703-305-6249 or Terri Stowe of my staff at 703-305-6117.

Sincerely,

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

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United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 2517-91	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Sergeant's Insecticide Carpet Powder II with Nylar	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 to _____ and labeling to: EPA Reg. No. _____ MAY 08 2009 Product Name _____	

Section - II

Amendment - Explain below. Final printed labels in response to Agency letter dated _____

Resubmission in response to Agency letter dated _____ "Me Too" Application.

Notification - Explain below. Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Update Warranty Statement and Update Storage & Disposal statement per 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."

Section - III

1. Material This Product Will Be Packaged In:

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	2. Type of Container <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
 Label Container

4. Size(s) Retail Container

5. Location of Label Directions

6. Manner in Which Label is Affixed to Product
 Lithograph Paper glued Stenciled 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
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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.

2. Signature 	3. Title Regulatory Specialist	6. Date Application Received (Stamped)
4. Typed Name Susan Kane	5. Date 13 April 2009	



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April 13, 2009

Registration Support Branch
Registration Division (7505P)
Office of Pesticide Programs (NOTF)
US Environmental Protection Agency
One Potomac Yard
2777 Crystal Drive
Arlington, VA 22202

SUBJECTS: Sergeant's Insecticide Carpet Powder II with Nylar, EPA Registration No. 2517-91
Notification to: Update Warranty Statement and Storage and Disposal Statement per
PR Notice 98-10

Dear Mr. Gebken,

Sergeant's Pet Care Products, Inc. submits the following administrative documents in support of the
Notification to update the Warranty Statement and Storage and Disposal Statement.

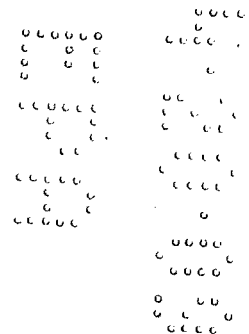
- Notification (EPA Form 8570-1)
- 2 copies of revised master label

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

3 April 2009 notif. Storage & disposal, warranty statement
Information in [] is optional.

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FRONT PANEL

[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® Insecticide Carpet Powder II with NyLar®

- {ABN} [SentryHome Flea & Tick Carpet Powder]
- {ABN} [Sergeant's Gold Flea & Tick Carpet Powder]
- {ABN} [Sergeant's Flea & Tick Carpet Powder]
- {ABN} {SentryHome Kills Flea Eggs Flea and Tick Carpet Powder}

[Kills [Fleas] [and] [Brown Dog Ticks] on [Carpet] & [Upholstered Furniture]]
 [For Carpet [&] [Upholstery]]
 [Kills Fleas]
 [Kills Brown Dog Ticks]
 [Kills Fleas & Brown Dog Ticks]
 [Kills Fleas [and] [flea larvae] in your [Carpet] [and] [or] Upholstery]
 [For] [use on] [Carpet] [&] [Upholstery]
 [Kills Fleas [&/and] [Brown Dog Ticks] in Carpets, [Rugs] [and/&] [Furnishings]]
 [Contains NyLar® [Insect Growth Regulator] [IGR]]
 [Plus IGR]]Kills Flea Eggs]
 [Kills Fleas – Adults, Larvae and Eggs]
 [Kills All Stages of the Flea [Adults, Eggs, Larvae and Pupae]]
 [Kills All Four [4] Stages of the Flea - Adults, Eggs, Larvae and Pupae]
 [Kill All Stages of the Flea Life Cycle[!]]
 [Prevents Flea Eggs from Hatching [Developing] into Biting [adult] Fleas]
 [Control Reinfestation for up to 7 months]
 [Breaks [the] Flea Life Cycle [Controls] [Protects Against] Reinfestation for up to 7 months [!]]
 [Breaks [the] Flea Life Cycle!]
 [Fresh] [Pleasant] [Fragrance] [Scent!] *[Note: Specific type of "Scent" or "Fragrance" may be identified]*
 [Potpourri Scent]
 [Treats] [Covers] up to 400 [Square Feet] [Sq. Ft.]
 [12 ozs] [Treats] [Covers] up to 300 [Square Feet] [Sq. Ft.]
 [1 lb.] [16 ozs] [Treats] [Covers] up to 400 [Square Feet] [Sq. Ft.]
 [1 lb 4 oz] [20 ozs] [Treats] [Covers] up to 500 [Square Feet] [Sq. Ft.]
 [12 Month Control]
 [Deodorizes & Freshens Carpets [, Rugs] [&] [Upholstery]]
 [Tested, Trusted, [&] Effective[!]]
 [Home Protection].
 [Protects Homes from [Flea] [and] [Brown Dog Tick] Infestation]
 [Controls [Fleas] [and] [Brown Dog Tick] Infestation in Homes]
 [Caring For Your Pets since 1868]

NOTIFICATION

MAY 08 2009

ACTIVE INGREDIENTS:

Pyriproxyfen [(CAS# 95737-68-1)]0.02%
 Pyrethrins [(CAS# 8003-34-7)]0.10%
 MGK 264 [(CAS# 113-48-4)]0.50%

OTHER INGREDIENTS:99.38%

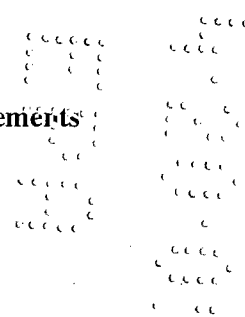
TOTAL 100.00%

KEEP OUT OF REACH OF CHILDREN

CAUTION

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

NET WEIGHT XXX oz (XXX g)



Sergeant's Master Label

3 April 2009 notif. Storage & disposal, warranty statement
Information in [] is optional.

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BACK PANEL

{Product Name}

READ ENTIRE LABEL BEFORE EACH USE.

DIRECTIONS FOR USE

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

Shake Container Well Before Using

{12 oz canister}

[One 12 ounce canister contains enough powder to treat 1 to 2 rooms (150-300 square feet). When using this product at a lower rate, allow the powder to remain in place for 24 hours before vacuuming. Apply powder more heavily to areas of flooring or furniture on which pets spend most of their time.]

OR

{16 oz canister}

[One 16 ounce canister contains enough powder to treat 1 to 2 rooms (200-400 square feet). When using this product at a lower rate, allow the powder to remain in place for 24 hours before vacuuming. Apply powder more heavily to areas of flooring or furniture on which pets spend most of their time.]

OR

{20 oz canister}

[One 20 ounce canister contains enough powder to treat 2 to 3 rooms (250-500 square feet). When using this product at a lower rate, allow the powder to remain in place for 24 hours before vacuuming. Apply powder more heavily to areas of flooring or furniture on which pets spend most of their time.]

Apply to dry surfaces only. Do not wet powder.

Carpets: Shake [Apply] powder evenly across surface. Brush lightly with broom to force powder deep into carpet where fleas and their larvae exist. Wait at least 60 minutes before (lightly) vacuuming to remove visible surface powder. For maximum efficacy [effectiveness], delay vacuuming for up to 24 hours.

Upholstery [& Furnishing]: Remove loose cushions. Sprinkle along creases and into corners. Use a brush to lightly work powder into folds and creases. Vacuum to remove visible powder on surfaces. Do not use on exposed fabric without first testing on a hidden surface for effects on color (staining) or texture. If powder adheres to a spot, brush out and remove with a vacuum immediately.

When emptying vacuum bag after use, wrap contents or disposable bag in several layers of newspaper and discard in trash.

Treat pets with a registered flea and tick control product prior to re-entry.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Causes moderate eye irritation. Avoid contact with eyes, skin and clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Do not contaminate feed, water or foodstuffs. Do not apply to food processing surfaces or use in food processing areas where food is exposed. Cover fish aquariums before use. Keep children and pets off treated carpet and upholstered furniture during treatment and while powder is still visible on their surfaces.

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Sergeant's Master Label

3 April 2009 notif. Storage & disposal, warranty statement
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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 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. You may also contact 1-800-781-4738 for emergency medical treatment information.	

NOTIFICATION
MAY 08 2009

STORAGE AND DISPOSAL
<p>PESTICIDE STORAGE: Store in a cool, dry area inaccessible to children and pets.</p> <p>PESTICIDE DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Offer for recycling or reconditioning, if available and appropriate. If empty: Do not reuse this container. 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.</p>

[This container is sold by weight, not by volume. You can be assured of proper weight even though some settling of contents normally occurs during transportation and handling.]

[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 [For more information] [Visit us at:] [www.sergeants.com]
Non-Emergency call 1-800-224-PETS (7387) [Made in USA]

[Nylar® is a registered trademark of McLaughlin Gormley King Company.]

Distributed by:
Sergeant's Pet Care Products, Inc.
P.O. Box 540399
Omaha, NE 68154-0399
{END - BACK / SIDE PANEL}

EPA Reg. No. 2517-91

EPA Est. No. XXXXX-XX-XX
[date &/or label code] [UPC CODE]

