

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



OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

January 6, 2005

Dec. # 352525

5-772702 305

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The Hartz Mountain Corporation
400 Plaza Drive
Secaucus, NJ 07094

Attention: Ms. Margaret Dickson

**Subject: Hartz Indoor and Outdoor No
EPA Reg. No. 2596-28
Your E-Mail of January 5, 2005**

Purpose The purpose of this submission is to revise the precautionary text of your label, under section 3 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

Background In July 1995, the Agency issued the Methyl Nonyl Ketone (MNK) Re-registration Eligibility Decision (RED) Document (List C, Case 3094) for the active ingredient in this product. Hartz satisfied the requirement for an eye irritation study for this product by citing a study for another product, an option that the RED allowed. The cited study indicated that Toxicity Category 4 was the proper category for this route of exposure. Such a category required no precautionary text for this route of exposure.

In 1997 the company submitted an eye irritation study (MRID No. 444554-01) that was conducted on the product, itself. At the time, the EPA did not review the study.

Recently, the State of California requested a study on the product, itself, prompting a need to review the study. We have now reviewed the study, which showed that Toxicity Category 3, instead of Category 4, was the more accurate category for this route of exposure. We then supplied you with a copy of our toxicity review.

Label The labeling submitted with the above letter, is acceptable, provided you submit one (1) copy of final printed labeling, with the following changes, to us before you ship your product.

1. Use Enclosure 2 as a guide to formatting the "FIRST AID" section of your label.

A copy of the stamped label is enclosed for your records.

Existing stocks Stocks of products with existing labels may be used for eighteen (18) months.

Consequence for non-compliance If this condition is not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of this condition.

Questions If you have questions about this letter, please contact me at 703-305-5407 (by phone), 703-305-6596 (by fax), or peacock.dan@epa.gov (by E-Mail).

Sincerely yours,



Daniel B. Peacock, Biologist
Insecticide-Rodenticide Branch
Registration Division (7504C)

1. Stamped Label
2. Guide to "FIRST AID" text for EPA Reg. No. 2596-28
3. Minimum Type Sizes for Final Printed Labels

Letter location Dan Peacock, USB Flash Drive 1, E:\Dan's Office Work\A Flash Drive 1\Methyl Nonyl Ketone\2596-28, revised label, 1-6-2005.wpd

Enclosure 2. Guide to "FIRST AID" text for EPA Reg. No. 2596-28

FIRST AID	
Have label with you when obtaining 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, doctor, or 1-800-222-1222 [or 1-800-858-7378] immediately for treatment advice.

Hartz® Indoor and Outdoor No

Alternate Brand Names

Hartz® Living™ Stay Off Training Aid™
Hartz® Help! Stay Off Training Aid™

ACTIVE INGREDIENTS:

Methyl nonyl ketone (CAS# 112-12-9).....	1.9%
Related compounds.....	0.1%
OTHER INGREDIENTS	98.0%
(TOTAL	100.0%)

Note: CAS numbers may or may not be included in ingredient statement

ACCEPTED
with **COMMENTS**
in EPA Letter Dated:

KEEP OUT OF REACH OF CHILDREN

JAN 6 2005

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
2596-28

CAUTION

See back panel for (additional) precautionary statements.

14 oz (397 g)

EPA Reg. No. 2596-28
EPA Est. No. 11715-TN-1

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(and St. Thomas, Ontario N5P 3W7 Canada)

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS—CAUTION

~~Wash hands thoroughly with soap and water after handling.~~

Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet.

FIRST AID: If in eyes: • 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. • Have the product container or label with you when calling a poison control center or doctor or going for treatment.

ENVIRONMENTAL HAZARDS: Do not apply directly to water.

PHYSICAL OR CHEMICAL HAZARDS: Contents under pressure. Do not use or store near heat or open flame. Do not puncture or incinerate container. Exposure to temperatures above 130 °F may cause bursting.

NO CFCs

CONTAINS NO CFCs OR OZONE DEPLETING SUBSTANCES

Federal regulations prohibit CFC propellants in aerosols.

DIRECTIONS FOR USE

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

USE RESTRICTIONS:

Do not use in commercial food processing or preparation areas. In the home, cover all exposed food, food processing surfaces, and utensils during treatment. Do not spray food or feed crops.

For both indoor and outdoor situations, use training whenever possible, including positive (praise) and negative (sharply spoken word backed up with disciplinary action) reinforcement.

This product repels dogs and cats for up to 24 hours when applied daily. Keeps pets away from furniture, carpets, trees, shrubs, garbage cans/bags, and other “forbidden areas”.

INDOOR USE: SHAKE WELL BEFORE USE.

Use indoors to break your pet of undesirable habits such as sleeping on furniture and rugs or to keep out of forbidden areas. Always use with consistent training. Praise your pet

for good behavior and scold for bad behavior.

Pre-treatment Directions: Before spraying large areas of rugs, fabrics or plastics, test the effect of this product by treating a small, inconspicuous area. This product may stain or soften some fabrics or plastics. To avoid possible damage, spray a piece of cloth lightly and place it on the object of area to be protected.

Application Directions: Spray the object lightly with this product until slightly moistened.

Re-treatment Directions: Repeat daily, or as necessary, until undesirable habit is broken.

OUTDOOR USE: SHAKE WELL BEFORE USE.

Use outdoors to prevent dogs and cats from disturbing flower beds, areas of lawn, trees, shrubbery, fences, patio furniture, and garbage cans/bags.

NOTE: This product is not likely to break the established urination patterns of dogs unless it is used as a training aid.

Pre-treatment Directions: Stray animals are frequently attracted to areas where pets have soiled with feces or urine. To discourage repeat visits, remove any droppings and clean with water.

Application Directions: Do not apply directly to foliage of shrubs or to ornamental, soft-bodied plants. Do not apply to food or feed crops. Lightly spray surrounding soil or apply to a piece of cloth and affix near area to be protected every day.

Re-treatment Directions: Repeat daily, or as necessary, until undesirable habit is broken.

STORAGE AND DISPOSAL:

Storage: Store in a cool, dry area away from heat or open flame and inaccessible to heat or open flame. **Disposal: 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 or 1-800-CLEANUP for disposal instructions.

OPTIONAL/ALTERNATE LABEL TEXT

Helps keep pets away from select areas inside and outside your home

Made and printed in the U.S.A.

VISIT OUR WEBSITE
www.hartz.com

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