 <p>U.S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Registration Division (7505C) Ariel Rm. Building 160 Pennsylvania Ave., N.E. Washington, D.C. 20460</p>	EPA Reg. Number:	Date of Issuance:
	2596-148	JUN - 3 2005
	Term of Issuance: conditional	
<p>AMENDED NOTICE OF PESTICIDE: <u> x </u> Registration <u> </u> Reregistration</p> <p>(under FIFRA, as amended)</p>		Name of Pesticide Product: Ref 117
<p>Name and Address of Registrant (include ZIP Code): Patricia Sheehy The Hartz Mountain Corporation 400 Plaza Drive Secaucus, NJ 07094-3688</p>		
<p>Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.</p>		
<p>On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.</p> <p>Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.</p> <p>This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A) and (B) provided that you:</p> <ol style="list-style-type: none"> 1. Submit and/or cite all data required for registration of your product under FIFRA sec. 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of your product under FIFRA section 4. 2. You make the label changes that are marked on the attached label. 3. You comply with the following terms and conditions of registration: <ul style="list-style-type: none"> • No later than June 27, 2005, all products released for shipment by Hartz Mountain from its own facilities will bear the new label referred to above. After August 1, 2005, Hartz Mountain will not sell or distribute from Hartz Mountain facilities Products bearing old labels. 		
<p>Signature of Approving Official:</p> <p><i>Ann Sebald</i> Richard Gebken Acting Product Manager 10 Insecticide Branch Registration Division (7505C)</p>		<p>Date:</p> <p>JUN - 3 2005</p>

2718

- Hartz Mountain submitted to the Agency an irrevocable request for voluntary cancellation of this registration conditioned upon the following:
 - The cancellation not becoming effective earlier than October 31, 2005;
 - EPA not prohibiting Hartz from selling or distributing cancelled product from its facilities earlier than December 31, 2005;
 - The Agency allowing existing stocks until March 31, 2006 down to the retail level.

- Hartz Mountain will cease production of this product no later than September 30, 2005.

- Commencing April 1, 2006, for a period of six months, Hartz Mountain will provide RD with monthly reports on the status of existing stocks of products of customers.

Submit two copies of the revised final printed label for the record.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

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

Attachments:

- Agreement between EPA and Hartz Mountain
- Label

Hartz[®] Ref. No. 117
EPA Reg. No.: 2596-148
DRAFT

ACCEPTED
with COMMENTS
In EPA Letter Dated:

3 8 18
4/18/05

JUN - 3 2005

Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, i.e. the pesticide
registered under EPA Reg. No.
2596-148

Hartz[®] Ref. No. 117

Alternate Brand Names

Hartz[®] Advanced Care[™] 4 in 1[®] Flea & Tick Drops Plus+ for Cats and Kittens Weighing 10 lbs. or Less
Hartz[®] Advanced Care[™] 4 in 1[®] Flea & Tick Drops Plus+ for Cats Weighing More than 10 lbs.

Hartz[®] Advanced Care[™] Brand[®] Flea and Tick Drops Plus+ for Cats and Kittens Weighing 10 lbs. or less
Hartz[®] Advanced Care[™] Brand[®] Flea and Tick Drops Plus+ for Cats Weighing More than 10 lbs.

ACTIVE INGREDIENTS:

Phenothrin (CAS # 26002-80-2).....85.7%

S-methoprene (CAS #65733-16-6).....2.9%

OTHER INGREDIENTS.....11.4%

(TOTAL).....100.0%)

Notes—CAS numbers may or may not appear on product label; Ingredient Statement – optional front or back panel

DO NOT USE ON CATS OR KITTENS WEIGHING ⁶ LBS. OR LESS (for use on the 10 lbs. or less package; mandatory front panel statement) *W/L/AR*

DO NOT USE ON CATS OR KITTENS WEIGHING 10 LBS. OR LESS (for use on the over-10 lb. package; mandatory front panel statement)

KEEP OUT OF REACH OF CHILDREN

CAUTION: See back panel for (ingredients and) additional precautionary statements

For use on cats and kittens weighing 10 lbs. or less -- Net Contents: Contains [number] tubes;
0.03 fl. oz. (1 cc) applicators. **OR**

For use on cats weighing more than 10 lbs. -- Net Contents: Contains [number] tubes;
0.04 fl. oz. (1.2 cc) applicators

Note – multiple packages containing from 1 tube to 150 tubes.

EPA Reg. No. 2596-148
EPA Est. No. 2596-NJ-1

{Made in (the) U.S.A. (by)}
The Hartz Mountain Corporation
Secaucus, NJ 07094 (U.S.A.)
(and St. Thomas, Ontario N5P 3W7 Canada)

Optional/alternate text is shown in parentheses or brackets

READ ENTIRE LABEL BEFORE EACH USE
DO NOT USE ON CATS OR KITTENS LESS THAN 5 MONTHS OF AGE

DO NOT USE ON CATS OR KITTENS WEIGHING ⁶ LBS OR LESS (for use on the 10 lbs. or less package) DR / CR

DO NOT USE ON CATS OR KITTENS WEIGHING 10 LBS OR LESS (for use on the over-10 lbs. package)

[SEE PACKAGE LABELING FOR FIRST AID, STORAGE AND DISPOSAL AND OTHER PRECAUTIONARY STATEMENTS]

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS

CAUTION: May cause eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling.

HAZARDS TO DOMESTIC ANIMALS

Do not use on cats less than 5 months of age. Do not use on cats or kittens weighing ⁶ lbs. or less. (for use on the 10 lbs. or less package) Do not use this product on debilitated, aged, medicated, pregnant or nursing animals or on animals known to be sensitive to pesticide products without first consulting a veterinarian. Do not use this product if your pet has an existing health condition or is over 13 years of age without first consulting a veterinarian. Signs of individual animal sensitivity which may occur after use of this product include skin irritation or hair loss at the application site, salivation, tremors (twitching of muscles), and in some circumstances, severe full body tremors. If this persists please contact your veterinarian and notify Hartz at 1-800-275-1414. Animals should be observed after application for any sign of sensitivity. Do not allow your cat to lick the product. If signs of sensitivity occur, bathe your pet with mild soap, rinse with large amounts of water, and consult a veterinarian immediately. Do not reapply for 30 days. DR / CR

ENVIRONMENTAL HAZARDS: This product is toxic to fish.

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 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 for advice or going for treatment.

DIRECTIONS FOR USE

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

Remove one applicator tube from the package and hold in an upright position (pointed away from your face). (Pull off cap. Turn the cap around and place on top of tube. Simply press cap down to break the seal of the tube. Remove cap carefully.) (Hold bottom of tube with one hand. With the other hand, snap cap off.).

Position the tip of the tube at the base of the cat's head. Use the tip of the tube to part the cat's hair so that the product will be applied at skin level. Begin squeezing out the contents of the tube to form a spot at the base of the cat's head. Do not allow your cat to lick the product. Application to the base of the cat's head will reduce the opportunity for the cat to lick the product. Avoid contact with the cat's eyes and mouth. Hold the animal for a few seconds to give the solution time to be absorbed into the animal's coat. Do not reapply for 30 days.

STORAGE AND DISPOSAL: Do not contaminate water, food or feed by storage and disposal. Store in a cool, dry place. 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 or 1-800-CLEANUP for disposal instructions. Never place unused product down any indoor or outdoor drain.

INDIVIDUAL TUBE TEXT

Advanced Care + for Cats \leq 10 lbs. *or*
Advanced Care + for Cats $>$ 10 lbs.

OR: Advanced Care 4 in 1 Drops for Cats \leq 10 lbs. *or*
Advanced Care 4 in 1 Drops for Cats $>$ 10 lbs.

Keep Out of Reach of Children
Caution

Read entire label before use

Phenothrin.....85.7%
[S]-methoprene.....2.9%

0.03 fl. oz. [1 cc] *or* 0.04 fl. oz. [1.2 cc]

EPA Reg. No. 2596-148
The Hartz Mountain Corp.

OPTIONAL/ALTERNATE LABEL TEXT

3 Monthly Treatments
3 Months Supply
1st Dose, 2nd Dose, 3rd Dose
3 Months Protection
First Month, Second Month, Third Month
Triple Pack
1 Month Supply
6 Month Supply
12 Month Supply
Value Pack
Advanced Care
Advanced Flea and Tick [and Mosquito] Topical Treatment
4 in 1 protection: [this product] kills [controls] fleas, ticks, and mosquitoes plus flea eggs.
Kills (repels) fleas, ticks & mosquitoes plus flea eggs
Prevents flea eggs from hatching [1 month] [30 days] [4 weeks]
Kills flea eggs [and larvae]
Kills hatching eggs
Contains an insect growth regulator
Contains an adulticide
Contains an ovicide effective against flea eggs
Stops the tick and mosquito life cycle by killing the adult form of these pests
Stops the flea life cycle by killing adult fleas and flea eggs and larvae
Kills the Rocky Mountain Wood Tick which may carry Rocky Mountain spotted fever
Kills and Repels the Deer Tick which may carry Lyme disease
Controls [Kills] [Repels] [Lasts] [Works] [Protects] up to 30 days [1 month] [4 weeks]
Controls [Kills] [Repels] [Lasts] [Works] [Protects] [Fleas, Ticks], [and Mosquitoes] Round-the-
Clock for up to 30 days [1 month]
For use on cats (and kittens) only
Convenient, Easy to use Applicator
Easy [simple] to use [Handle] [Apply]
Spreads Naturally with Cat's Movement [Skin and Hair Oils]
Control [Kills] 95% of Fleas and 81% of Ticks in 24 Hours (1 Day)
Repels 96% of ticks within 1 day (24 Hours)
Repels 95% of fleas within 1 day (24 Hours)
Special Formula for Cats
Specially formulated for cats
For all cats and kittens over 12 weeks of age
For cats and kittens
Flea Egg and Larvae Treatment
Kills and prevents Flea Eggs and Larvae
Advanced Flea Egg and Larvae Topical Treatment That's Easy and Convenient to Use
Fast Acting
Long Lasting

Optional/alternate text is shown in parentheses or brackets

OPTIONAL/ALTERNATE LABEL TEXT, continued

(Gentle) Formula *(back panel only)*

Effective Flea & Tick Control

Controls flea and tick infestations

Controls [Kills] [Repeals] [Lasts] [Works] [Protects] up to 30 days [1 month] [4 weeks]

Flea Control for Cats with [PRECOR®] [vIGRen®] Insect Growth Regulator [IGR]

Hartz Ref. No 117 provides relief from the flea and tick infestation [from flea and tick populations] on cats and kittens by controlling and preventing adult ticks and fleas and flea eggs and larvae

No mess

Disposable Applicator

Apply to one spot for full body [Total Body] Flea and Tick [and Mosquito] Protection [Control]

Apply to one spot – spreads over the cat's complete body through the natural motion of the animal.

This product contains three monthly doses [one monthly dose], each ___ fl. oz [___ cc]

One tube gives 30 days protection

Flea Control for Cats with [PRECOR®] [vIGRen®] Insect Growth Regulator [IGR]

Satisfaction Guaranteed

Money-Back Guarantee

Guaranteed to Work* *

If not completely satisfied, return unused portion for a full refund

Guaranteed to work or your money back

[PRECOR®] [and] [vIGRen®] [is a] [are] registered trademark[s] of Wellmark Intl.

[Why use Hartz Ref. No. 117 (alternate brand name)?] Hartz Ref. No. 117 (alternate brand name) contains two [2] special [active] ingredients. The first [active] ingredient, phenothrin, is specifically designed to kill adult fleas, ticks, and [repel] mosquitoes. The second [active] ingredient, [S]-methoprene, is designed to kill flea eggs and larvae. This combination provides your pet with complete protection. Why is it important to kill flea eggs and larvae? Fleas spend virtually all their life on your pet and they produce a vast number of eggs, which drop off the pet and develop in the environment. Once you see fleas on your pet there is already an infestation of pre-adult flea stages in your home. Hartz Ref. No. 117 (alternate brand name) is specifically designed to kill adult fleas, flea eggs, and larvae, thereby breaking the flea lifecycle and making your pet flea free.

Hartz Control Pet Care System (alternate brand name) products are designed to complement each other in an integrated program for flea & tick management. To assure proper treatment, we recommend use on only Hartz Control Pet Care System (alternate brand name) products.

After application, the treated area may appear wet or oily for up to 24 hours.

OPTIONAL/ALTERNATE LABEL TEXT, continued

Hartz Ref. No 117 (alternate brand name) with vIGRen[®] - Insect Growth Regulator, is the monthly treatment that effectively controls flea & tick infestations. This gentle formula kills and prevents adult fleas and ticks plus flea eggs and larvae [Note: This phrase will appear only on the rear label of the package]. [It also repels and kills mosquitoes].

As with all flea and tick products, [they are] [Hartz Ref. 117 (alternate brand name) is] most effective when used as part of a total program aimed at reducing fleas and ticks [and mosquitoes] in the cat's environment.

Be sure to treat the animal's bedding and surroundings with products registered for these uses, such as the Hartz Control Pet Care System (alternate brand name) line

Hartz Ref. 117 (alternate brand name) contains [an insecticide to kill adult fleas and ticks] [and mosquitoes] and an insect growth regulator [IGR] to kill flea eggs before they hatch.] [a powerful, effective insecticide which kills adult fleas and ticks [and mosquitoes]], and a long lasting insect growth regulator which prevents flea eggs and larvae from maturing into adults.

[Adult fleas spend virtually all of their time on your pet but they produce vast number of eggs which drop off the pet and develop in the environment] [Once fleas are apparent on your pet, there is already an infestation of their pre-adult stages in your home] [Hartz Ref. 117 (alternate brand name) is designed to kill the adult flea [and adult mosquito] and flea eggs and larvae, thereby breaking the [pest] [insect] [flea] [and mosquito] life cycle]. [The repellent will also break the tick life cycle by killing adult ticks, including the Deer Ticks which may carry Lyme Disease and the Rocky Mountain Wood Tick which may carry Rocky Mountain Spotted Fever]

Hartz Ref. 117 (alternate brand name) provides relief from flea infestations for one month by controlling and preventing adult fleas on your cat and kitten. Adult fleas can live on your pet while also producing vast numbers of eggs, which drop off your pet and develop in the surrounding environment. Hartz Ref. 117 (alternate brand name) kills the adult flea, its eggs and larvae, thereby breaking the flea life cycle. Hartz Ref. 117 (alternate brand name) breaks the tick life cycle by killing ticks, including the Rocky Mountain Wood Tick and Deer Tick [which may carry Lyme disease]. Hartz Ref. 117 (alternate brand name) also kills and repels mosquitoes, [which may carry canine heartworms]

After application, through its natural movement, your pet's skin and hair oils carry Hartz Ref. 117 over the pet's body for protection against fleas and ticks, [mosquitoes], flea eggs and larvae. Initially, to kill existing adult flea populations, you may need to treat the home, pet's bed and yard with traditional flea products such as home sprays, foggers and/or yard & kennel spray. Hartz Ref. 117 can be used in conjunction with the entire [brand name] product line.

OPTIONAL/ALTERNATE LABEL TEXT, continued

To help remind you when you last applied treatment, simply write in the date when each dose is applied.

First dose _____
Second dose _____
Third dose _____

To see a (visual) demonstration of this application [ask our online experts] [visit our website at www.hartz.com]
Hartz—Every Pet's (Best) Friend

If not completely satisfied with this product, return [unused portion] [it to place of purchase with your receipt] for a full refund

[For more information about [Brand Name] products call 1-800-275-1414 weekdays from 9 a.m. to 5 p.m. EST.

For more information or [in case of an emergency] [help during any step], call our flea and tick experts at [telephone number], [time].

Be sure to read full directions and precautions on the label of each product you use.

Hartz recommends that you visit your veterinarian twice a year.

Protect Your Pet

Important information: The A B C's of Flea and Tick Management

- A Treat Your Pet to kill fleas and tick living on your pet.
- B Protect Your Pet to keep fleas and ticks from re-infesting your pet.
- C Treat Your Home both indoors and outdoors to protect your entire home and guard against re- infestation.

Be sure to read to full directions and precautions on the label of each product you use.

Step A - Treat Your Pet with one of the Control Pet Care System (alternate brand name) on-animal products, such as Conditioning Shampoo, Dip, Powder, Spray or Spot-On to kill fleas and ticks living on your pet. Use a Hartz Control Pet Care System (alternate brand name) product containing vIGRen®, an insect Growth Regulator (IGR), to also stop hatching flea eggs from developing into biting adults

OPTIONAL/ALTERNATE LABEL TEXT, continued

Step B - Protect Your Pet with a Hartz Control Pet Care System (alternate brand name) repellent or flea and tick collar to keep fleas and ticks from re-infesting your pet. The Hartz Control Pet Care System (alternate brand name) Ultimate Flea Collar with vIGRen[®] and Rabon[®] will also prevent flea eggs from hatching.

Step C - Treat Your Home both indoors and outdoors, with Hartz Control Pet Care System (alternate brand name) Home Flea and Tick Killer or Fogger with vIGRen and Hartz Control Pet Care System (alternate brand name) Yard and Kennel Spray to protect your entire home and guard against reinfestation. The Hartz Control Pet Care System (alternate brand name) Flea Trap will also serve to help break the flea life cycle killing in hard- to- reach areas of your home.

Rabon[®] is a registered trademark for tetrachlorvinphos
vIGRen[®] is a registered trademark of Wellmark Intl.

11 8 18

3 Monthly Treatments



Hartz ADVANCED CARE

4 in 1 Flea & Tick Drops Plus+

Black Text

BR/08

Hartz ADVANCED CARE

4 in 1[®] Flea & Tick Drops Plus+

For Cats Weighing More Than 10lbs

Kills Fleas, Ticks and Mosquitoes Plus Flea Eggs

SAFE FOR EACH OF YOUR CHILDREN



FAST ACTING LONG LASTING

Hartz ADVANCED CARE

4 in 1 Flea & Tick Drops Plus+ For Cats Weighing More Than 10lbs



0 32700 98428 1

Hartz ADVANCED CARE

4 in 1 Flea & Tick Drops Plus+ For Cats Weighing More Than 10lbs

102893



CAUTION: This product contains 2 separate ingredients. The first ingredient, permethrin, is a potent insecticide and may be toxic to humans if it is absorbed through the skin or inhaled. The second ingredient, pyrethrins, is a natural insecticide derived from chrysanthemum flowers and is generally considered safe for humans. However, some individuals may be allergic to pyrethrins. If you experience any allergic reactions, such as hives, difficulty breathing, or swelling of the face, lips, tongue, or throat, stop using this product immediately and seek medical attention.

PRECAUTIONARY STATEMENT - HAZARDOUS TO HUMANS -

Caution - May cause an allergic reaction. Avoid contact with your face, eyes, nose, mouth, and skin. Wash your hands thoroughly with soap and water after using this product.

KEEP OUT OF REACH OF CHILDREN.

DO NOT USE ON CATS OR KITTENS LESS THAN 5 MONTHS OF AGE.

READ ENTIRE LABEL BEFORE EACH USE. DO NOT USE ON CATS OR KITTENS LESS THAN 5 MONTHS OF AGE.

DIRECTIONS FOR USE: IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN A MANNER INCONSISTENT WITH ITS LABELING.

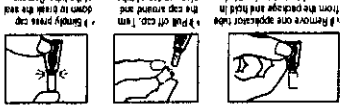
Apply to the back of the neck, between the shoulder blades, where the cat cannot reach. Part the fur and apply to the skin. Do not use on the face, ears, or other sensitive areas. Do not use on cats that are pregnant or nursing, or on cats that have been treated with other flea or tick treatments within the last 4 weeks. Do not use on cats that are ill or stressed.

Apply to the back of the neck, between the shoulder blades, where the cat cannot reach. Part the fur and apply to the skin. Do not use on the face, ears, or other sensitive areas. Do not use on cats that are pregnant or nursing, or on cats that have been treated with other flea or tick treatments within the last 4 weeks. Do not use on cats that are ill or stressed.

1) Rub the cream on the top of the neck at the base of the skull. The cream will spread to the rest of the body. Do not use on the face, ears, or other sensitive areas. Do not use on cats that are pregnant or nursing, or on cats that have been treated with other flea or tick treatments within the last 4 weeks. Do not use on cats that are ill or stressed.

2) Rub the cream on the back of the neck, between the shoulder blades. Do not use on the face, ears, or other sensitive areas. Do not use on cats that are pregnant or nursing, or on cats that have been treated with other flea or tick treatments within the last 4 weeks. Do not use on cats that are ill or stressed.

3) Rub the cream on the back of the neck, between the shoulder blades. Do not use on the face, ears, or other sensitive areas. Do not use on cats that are pregnant or nursing, or on cats that have been treated with other flea or tick treatments within the last 4 weeks. Do not use on cats that are ill or stressed.



Hartz ADVANCED CARE

4 in 1 Flea & Tick Drops Plus+

All refer to 8 lbs change to 10 lbs except names prod. + BR/08

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**Agreement Between
The United States Environmental Protection Agency
and The Hartz Mountain Corporation
EPA Registration Nos. 2596-148; 2596-151 (for cats)
("Products")**

This Agreement, between the United States Environmental Protection Agency ("EPA" or "Agency") and The Hartz Mountain Corporation ("HM"), is effective the date that the last party signs this Agreement.

1. Risk Mitigation Labeling: The parties acknowledge and agree that upon the date this Agreement is signed by both parties, EPA Registration Division (RD) will approve HM's April 19, 2005, application to amend the labels of EPA Registration Nos. 2596-148 and 2596-151 to incorporate agreed-upon risk mitigation labeling including restriction against use on cats 6 pounds or less. No later than June 27, 2005, all Products released for shipment by HM from its own facilities will bear the new label. After August 1, 2005, HM will not sell or distribute from HM facilities Products bearing old labels.
2. Submission of Applications for Registration of Replacement Products: HM intends to submit to RD complete applications to register replacement topical Products for cats. If such applications are submitted, RD will use its best efforts to issue a determination on the applications no later than 45 days from receipt of a complete application after HM submits a complete application. EPA will determine completeness of HM application. To assist in expediting the decision-making of state registrations, RD will facilitate concurrent reviews for state registrations.
3. Voluntary Cancellation and Amendment: Attachment I to this Agreement is HM's signed irrevocable request for voluntary cancellation of EPA Registration No. 2596-148 and HM's signed amendment of EPA Registration No. 2596-151 to delete the product's uses on cats. Attachment I is effective only upon EPA signing this Agreement.
4. Production: HM will cease production of EPA Registration No. 2596-148 Product no later than September 30, 2005. HM will cease production of EPA Registration No. 2596-151 Product with labels containing directions for use on cats no later than September 30, 2005.
5. Release for Shipment: After October 31, 2005, HM will not release for shipment from its facilities EPA Registration No. 2596-148. After October 31, 2005, HM will not release for shipment from its facilities EPA Registration No. 2596-151 products that are labeled for use on cats.
6. HM Letter to Customers: No later than June 17, 2005, HM will send to each customer (distributors and retailers of Products) Attachment II to this Agreement.
7. Existing Stocks: EPA intends to issue a cancellation order in response to HM's voluntary request to cancel EPA Registration No. 2596-148 and amendment of Registration No. 2596-151, as set forth in Attachment I. In any cancellation order or amended registration issued, the order

or registration can not have a prohibition date for the use of existing stocks earlier than March 31, 2006. After the existing stocks date, Products may not be distributed unless for the purpose of proper disposal or export. Any Products released for shipment by HM as of October 31, 2005 may not be sold or distributed by HM after December 31, 2005. Commencing April 1, 2006, for a period of six months, HM will provide RD with monthly reports on the status of existing stocks of Products of customers of HM.

8. Amendment of Registrations to Incorporate Agreement: The parties acknowledge and agree that this Agreement shall constitute HM's request to amend EPA Registrations 2596-148 and 2596-151 to incorporate this Agreement.

9. Amendments: This Agreement may not be amended except solely in a writing signed by both parties hereto.

10. Legal Notices: Notices under this Agreement shall be sent by any means but shall not be effective until actually received by the addressee as follows: if to EPA: Michele Knorr, 2333A, USEPA Headquarters, Ariel Rios Building, 1200 Pennsylvania Avenue, Washington, DC 20460, 202-564-5631, knorr.michele@epa.gov and if to HM: Max C. Marx, Esq., Corporate General Counsel & Regulatory Affairs, The Hartz Mountain Corporation, 400 Plaza Drive, Secaucus, New Jersey 07094, maxmarx@hartz.com. The parties agree, however, that all registration documents from HM shall be sent to RD.

IN WITNESS WHEREOF, the parties have entered into this Agreement effective the date that the last party signs this Agreement.

For the United States Environmental Protection Agency: <u>Lois A. Rossi</u> Date: <u>June 3, 2005</u>	For The Hartz Mountain Corporation: <u>Max C. Marx</u> Max C. Marx Corporate General Counsel & Regulatory Affairs Date: June 3, 2005
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15 3 18

Attachment I

To

Agreement between EPA
And the Hartz Mountain Corporation

On

EPA Registration Nos. 2596-148; 2596-151 (for cats)

Ms. Ann Sibold
PM Team 10
Registration Division
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
Room 226A, Crystal Mall 2
Arlington, VA 22202-4501

Re: EPA Registrations EPA Registration Nos. 2596-148; 2596-151 (for cats)

Dear Ms. Sibold:

In accordance with section 6(f)(1) of the Federal Insecticide, Fungicide and Rodenticide Act ("FIFRA"), as amended, The Hartz Mountain Corporation ("Hartz" or "Registrant") submits this voluntary request that EPA, effective no earlier than October 31, 2005: 1) cancel EPA Registration 2596-148 and 2) amend Registration No. 2596-151 by deleting its use on cats (collectively referred to as "Products"). Registrant requests EPA to waive the 180-day Federal Register comment period pursuant to FIFRA § 6(f)(1).

Hartz' request is subject to the following terms and conditions:

1. Effective date of cancellation and amendment: The final Agency cancellation order (for EPA Registration No. 2596-148) and the final Agency approval of amendment (of EPA Registration 2596-151) shall provide that the cancellation of EPA Registration No. 2596-148 and the final approval of amendment of EPA Registration No. 2596-151 will not become effective before October 31, 2005.
2. Existing Stocks: The final cancellation order (for EPA Registration No. 2596-148) and the final Agency approval of amendment (of EPA Registration 2596-151) shall provide that Products in the United States which have been packaged, labeled, and released for shipment prior to the effective date of the cancellation and amendment may be sold or distributed by Hartz from its facilities until December 31, 2005 and may be sold or distributed by persons other than Registrant until March 31, 2006.

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Should you have any questions or comments concerning this matter, please do not hesitate to contact me at 201-271-4800 ext. 7577.

Sincerely,

Douglas A. Rupp
Sr. Director Regulatory Affairs

17 8 18

Attachment II

To
Agreement between EPA
And the Hartz Mountain Corporation
On
EPA Registration Nos. 2596-148; 2596-151 (for cats)

Letter to Hartz customers re: flea and tick drops for cats

**RE: Changes to Advanced Care® Flea & Tick Drops Plus 4 in 1 for Cats
(3270098195, 3270098428) and Advanced Care® Flea & Tick Drops 3 in 1
For Cats (3270098451, 3270098429)**

Dear Customer:

I am writing to inform you that later this year The Hartz Mountain Corporation is planning to discontinue our Advanced Care® Flea & Tick Drops for Cats. Both the Advanced Care® Flea & Tick Drops Plus 4 in 1 for Cats and Advanced Care® Flea & Tick Drops 3 in 1 for Cats are involved in this change. It is our intention to launch a patented replacement cat product for the 2006 season.

Our Advanced Care 3 in 1 and 4 in 1 dog products will remain unchanged, and we will continue to market the leading OTC topical flea and tick treatment for dogs.

These changes are being undertaken following a number of discussions with the Environmental Protection Agency ("EPA") which regulates topical insecticides. Hartz will voluntarily cancel registrations for Advanced Care® Flea & Tick Drops Plus 4 in 1 for Cats and Advanced Care® Flea & Tick Drops 3 in 1 for Cats with an effective date of October 31st, 2005.

EPA intends to allow the continued sale of Advanced Care® Flea & Tick Drops Plus 4 in 1 for Cats and Advanced Care® Flea & Tick Drops 3 in 1 for Cats through March 31st, 2006.

To allow for an orderly transition to the new replacement cat product, the following are the critical dates that you need to be aware of:

- October 31st, 2005: Hartz will not accept orders after this date for the Advanced Care® Flea & Tick Drops Plus 4 in 1 for Cats and Advanced Care® Flea & Tick Drops 3 in 1 for Cats. Given that we intend to have a new replacement cat product for the 2006 season, we recommend that you only order your product needs through December 31st, 2005.
- March 31st, 2006: It is our understanding that the EPA will allow Advanced Care® Flea & Tick Drops Plus 4 in 1 for Cats and Advanced Care® Flea & Tick Drops 3 in 1 for Cats to continue to be sold until this date. In order to have all of this product removed from warehouses and retail shelves by March 31st, 2006, as required by the EPA, Hartz

will be working with you. This will allow an orderly transition to the new replacement cat product.

Additionally, Hartz is making three enhancements to the existing label language for the Advanced Care® Flea & Tick Drops Plus 4 in 1 for Cats and Advanced Care® Flea & Tick Drops 3 in 1 for Cats. These label changes will provide more specific directions to pet owners on appropriate use of the product. Those enhancements are as follows:

Current label:	Do not use on aged cats
Revised Label:	Do not use on cats older than 13 years of age
Current label:	Do not use on kitten less than 12 weeks old
Revised Label:	Do not use on cats or kittens less than 5 months of age (20 weeks)
Current label:	No weight restriction
Revised Label:	Do not use on cats or kittens 6 pounds or less

All Advanced Care® Flea & Tick Drops Plus 4 in 1 for Cats and Advanced Care® Flea & Tick Drops 3 in 1 for Cats shipped starting June 27th, 2005 will have the new labels.

In summary, Hartz will be requesting that the current and revised Advanced Care® Flea & Tick Drops Plus 4 in 1 for Cats and Advanced Care® Flea & Tick Drops 3 in 1 for Cats products be canceled conditioned upon the EPA authorizing continued sale through March 31st, 2006. Final orders for these products must be placed by October 31st, 2005. Hartz will be working with you to ensure all products are removed from distribution by March 31st, 2006. This will allow an orderly transition to our new replacement product.

Your Hartz sales representative will be contacting you to discuss the details of the transition.

We continue to appreciate your support of Hartz products.