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|--|---|---|
| <br><b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b><br>Office of Pesticide Programs<br>Registration Division (7504P)<br>1200 Pennsylvania Ave., N.W.<br>Washington, D.C. 20460-0001   | <b>EPA Reg. Number:</b><br><br><b>2596-161</b>  | <b>Date of Issuance:</b><br><br>MAR 29 2011 |
|  | <b>NOTICE OF PESTICIDE:</b><br><u>X</u> Registration<br><u>    </u> Reregistration<br>(under FIFRA, as amended)   |   |
|  | <b>Term of Issuance:</b><br><br>Conditional<br><br><b>Name of Pesticide Product:</b><br><br>Hartz® Reference #132 |   |
| <b>Name and Address of Registrant (include ZIP Code):</b><br><br>The Hartz Mountain Corporation<br>400 Plaza Drive<br>Secaucus, NJ 07094-3688  |   |   |
| <b>Note:</b> 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>On the basis of information furnished by the registrant, the above named pesticide is hereby registered under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA).</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 section 3(c)(7)(A) of FIFRA provided that you:</p> <ol style="list-style-type: none"><li>1. Submit and/or cite all data required for registration of your product under section 3(c)(5) of FIFRA when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of your product under section 4 of FIFRA.</li></ol> |   |   |
| (continued on page 2)  |   |   |
| <b>Signature of Approving Official:</b><br><br>Refer to Page #3.<br><br>Richard J. Gebken, Product Manager (10)<br>Insecticide Branch, Registration Division (7504P)   | <b>Date:</b><br><br>MAR 29 2011   |   |

2. Make the following change to the subject label:

- a. Change the product registration number to "EPA Reg. No. 2596-161"
- b. Make the following label revisions:

General Statement(s):

1. Delete all text throughout the label marked with "~~strike through~~."

Efficacy Review comment(s):

2. The cited tick data (MRID 42587308) were deemed acceptable by the Agency to support kills claims against ticks. However, because the cited study did not assess residual control on carpets, and is not adequate to support any residual claims for ticks. Only claims against killing those ticks that were contacted with this product at application are acceptable. The alternate label text claims must be modified to indicate this, or alternatively, further efficacy (product performance) data can be submitted or cited, for which the residual claims are supported based upon the indicated rates of product and its use directions.<sup>1</sup>

Precautionary Statements, Environmental Hazards section comment(s):

3. To facilitate inclusion of required language from the REDs for phenothrin and MGK 264 insecticide synergist, revise this section to read

"This product is highly toxic to aquatic organisms, including fish and invertebrates. Do not apply directly to water. Do not contaminate water when cleaning equipment or disposing of equipment wash-waters or rinsate. Drift and run-off may be hazardous to aquatic organisms in water adjacent to treated areas.

This product is highly toxic to bees exposed to direct treatment on blooming crops or weeds while bees are actively visiting the treatment area.

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product into sewer systems without previously notifying the sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA."

First Aid Statements section comment(s):

4. Within the "If in eyes:" subsection, revise the 3<sup>rd</sup> bulleted statement to read "Call a poison control center or doctor immediately for treatment advice."

Directions for Use section comment(s):

5. To facilitate inclusion of required language from the REDs for phenothrin and MGK 264 insecticide synergist, add the following new subsection immediately following the statement starting with "It is a violation of Federal law to ..." as follows:

**USE RESTRICTIONS**

- Apply this product only as specified on this label.
- Do not contaminate food or feedstuffs.
- FOR INDOOR USE ONLY.
- Direct applications to pets are prohibited.
- Aerial applications and applications with a power duster are prohibited.
- Remove or cover exposed food and drinking water before application. Remove or cover dishes, utensils, food processing equipment and food preparation surfaces, or wash them before use.
- Do not apply this product in a way that will contact adults, children or pets, either directly or through drift.
- Do not allow adults, children, or pets to enter the treated area until dusts have settled.
- Remove pets, birds and cover fish aquariums before application.
- Do not reapply this product more than once every 30 days.

<sup>1</sup> For more detailed information, please refer to page 2 of 2 of efficacy review #2 completed for this product.

Directions for Use section comment(s), continued:

6. To facilitate inclusion of required language from the RED for MGK 264 insecticide synergist, revise the 3<sup>rd</sup> enumerated use direction located at the bottom of page 2 of 3 to read "Shake powder lightly over area of carpet to be treated. Do not use this product on wet spots. Do not apply as a broad carpet treatment. Only spots less than 3 feet by 3 feet per room may be applied with this product."

Conditional Data Requirements:

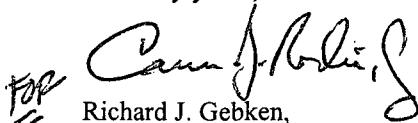
7. Data deficiencies were identified for storage stability and corrosion characteristics in the product chemistry review for this product. Therefore, The Hartz Mountain Company is obligated to submit a One-Year Storage Stability (830.6317) study and a Corrosion Characteristics (830.6320) study on this product in support of this registration within one (1) year from the date of this registration.<sup>2</sup>
3. Submit two (2) copies of the final printed labeling, incorporating the above changes, before releasing the product for shipment.

Should The Hartz Mountain Corporation wish to add/retain a reference to the company's website on your label, please be aware that the website becomes labeling under FIFRA and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under section 12(a)(1)(E) of FIFRA. 40 CFR §156.10(a)(5) lists examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not be substantially differ from those claims approved through the registration process. Therefore, should the Agency find, or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA-approved registration, the website will be referred to EPA's Office of Enforcement and Compliance Assurance (OECA). As an alternative, you may refer consumers to the company's phone number or e-mail address.

If the above conditions are not complied with, the registration will be subject to cancellation in accordance with section 6(e) of FIFRA. Your release for shipment of the product bearing amended labeling constitutes accepting of these conditions.

A copy of your label stamped "Accepted with Comments" is enclosed for your records along with hard copies of the acute toxicity, product chemistry and efficacy reviews completed for this product. If you have any questions about this label review, please contact Mr. Carmen J. Rodia, Jr. at (703) 306-0327 or via e-mail at [Rodia.Carmen@epa.gov](mailto:Rodia.Carmen@epa.gov).

Sincerely yours,

  
 Richard J. Gebken,  
 Product Manager (10)  
 Insecticide Branch,  
 Registration Division (7504P)

Enclosures:

*Label stamped "Accepted with Comments"*  
*Acute Toxicity Review, dated February 28, 2011*  
*Product Chemistry Review, dated March 17, 2011*  
*Efficacy Review #1, dated March 21, 2011*  
*Efficacy Review #2, dated March 25, 2011*

002596-00161 D439959

<sup>2</sup> For more detailed information, please refer to page 6 of 6 of the product chemistry review completed for this product.

## Hartz® Reference #132

### Alternate Brand Names

- Hartz® UltraGuard Plus™ Flea & Tick Carpet Powder
- Hartz® UltraGuard Plus™ Fresh Scent Flea & Tick Carpet Powder
- Hartz® UltraGuard Plus™ Carpet Powder
- Hartz® InControl™ Flea & Tick Carpet Powder
- Hartz® InControl™ Fresh Scent Flea & Tick Carpet Powder
- Hartz® InControl™ Carpet Powder

**ACCEPTED**  
**With COMMENTS**  
**In EPA Letter Dated:**  
*March 29, 2011*  
Under the Federal Insecticide, Fungicide  
and Rodenticide Act, As amended, for the  
pesticide Registered under EPA Reg. No:  
**2596-161**

### ACTIVE INGREDIENTS:

|   |                |
|---|----------------|
| Phenothrin.....                           | 0.50%          |
| Pyriproxyfen.....                         | 0.02%          |
| N-octyl bicycloheptene dicarboximide..... | 1.18%          |
| <b>OTHER INGREDIENTS .....</b>            | <b>98.30%</b>  |
| <b>TOTAL .....</b>                        | <b>100.00%</b> |

**KEEP OUT OF REACH OF CHILDREN**

### CAUTION

See back panel for (additional) precautionary statements.

**FOR INSECTICIDAL USE ONLY**

Net Wt. \_\_\_\_\_ oz. ( \_\_\_\_\_ g)

EPA Reg. No. 2596-RAU 161  
EPA Est. No.

Made in (the) U.S.A. (by)

©The Hartz Mountain Corporation  
Secaucus, NJ 07094 (U.S.A.)

Optional/alternate text in parentheses or brackets; new text highlighted

## PRECAUTIONARY STATEMENTS

**HAZARDS TO HUMANS AND DOMESTIC ANIMALS**-- Causes moderate eye irritation. Avoid contact with eyes or clothing. ~~Harmful if inhaled. Avoid breathing powder.~~ Remove and wash contaminated clothing before reuse. Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet.

## ENVIRONMENTAL HAZARDS

This product is highly toxic to fish and aquatic invertebrates. Do not apply directly to water. Do not contaminate water when cleaning equipment wash-waters or disposing of equipment washwaters or rinsate. Drift and run-off may be hazardous to aquatic organisms in water adjacent to treated areas.

| FIRST AID  |  |
|--|--|
| If in eyes:  | ·Hold eye open and rinse slowly and gently with water for 15-20 minutes.<br>·Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.<br>·Call a poison control center, doctor, <del>or 1-800-222-1222</del> immediately for treatment advice.               |
| <del>If inhaled:</del>   | <del>·Move person to fresh air.</del><br><del>·If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth to mouth if possible.</del><br><del>·Call a poison control center, doctor, or 1-800-222-1222 immediately for treatment advice.</del> |
| Have the product container or label with you when calling a poison control center, doctor or veterinarian, or going for treatment. For additional information on this pesticide product (including health concerns, medical emergencies or pesticide incidents), you may call 1-800-275-1414, twenty-four (24) hours a day, seven (7) days a week. |  |

## DIRECTIONS FOR USE

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

## READ ENTIRE LABEL BEFORE EACH USE

~~Do not apply this product in a way that will contact adults, children, or pets, either directly or through drift.~~

~~Remove or cover exposed food and drinking water before application. Remove or cover dishes, utensils, food processing equipment and food preparation surfaces, or wash them before use. Applications to pets are prohibited. Keep children and pets out of room. Do not use on wet spots.~~

1. Press out plastic seal in top.
2. Turn top to directed opening.
3. Shake powder lightly over entire carpet or area to be treated. Product is to be applied at a rate of [16 oz. covering a 9' by 12' (108 square foot) area of carpet] [20 oz. covering a 9' by 15' (135 square foot) area of carpet].
4. Leave on for two hours, then thoroughly vacuum to remove all insecticidal product.

Optional/alternate text in parentheses or brackets; new text highlighted

5. Remove vacuum bag after use and discard in trash.
6. Do not reapply this product within 30 days.

### **STORAGE AND DISPOSAL:**

Do not contaminate water, food or feed by storage and disposal.

**Pesticide Storage:** Store in a cool, dry place that is inaccessible to children.

**Container 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 for disposal instructions. Never place unused product down any indoor or outdoor drain.

[For more information (about flea and tick problems and how to solve them) (or in an emergency) call (our (flea and tick) experts at) 1-800-275-1414 weekdays, 9am-5pm (E.S.T.) (Eastern Time)]

### **ALTERNATE LABEL TEXT**

Kills fleas ~~(and ticks)~~ in your carpet (and upholstery) (and car) for up to 30 days

(Plus) Kills flea eggs and flea larvae for up to 1 year

Kills fleas, ~~ticks~~, flea eggs (and larvae) (for 30 days) (for 1 month) (for 4 weeks)

Kills fleas (that may transmit tapeworm) (for 30 days) (for 1 month) (for 4 weeks)

Kills Ticks ~~(for 30 days) (for 1 month) (for 4 weeks)~~

Kills all biting stages of ticks

Kills Flea Eggs (and Flea Larvae) (for up to 1 year)

Prevents Flea Eggs from hatching

Kills flea eggs and flea larvae to help prevent future re-infestations

Kills all stages of the flea life cycle

Breaks the flea life cycle

Controls flea and tick infestations

Prevents flea eggs from developing into biting adults (for up to 1 year)

Prevents re-infestation

Prevents and controls re-infestation(s)

### **NON-PESTICIDE RELATED CLAIMS AND OTHER OPTIONAL TEXT**

Use with a vacuum cleaner

Can be used on carpets (and upholstery)

Clean (fresh) scent

Potpourri scent

Hartz® and other trademarks are trademarks of The Hartz Mountain Corporation.