4822-563

01-18-2011



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460-0001

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

January 18, 2011

Mr. E. David Lewis, Authorized Agent for S.C. Johnson & Son, Inc. c/o Lewis & Harrison 122 C Street, N.W., Suite 740 Washington, DC 20001-2109

Subject: Revised Labeling; Response to Rejection of Notification for PR Notice 98-10 PC-GI-08, EPA Registration No. 4822-563 Your Submission Dated July 26, 2010

Dear Mr. Lewis:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable with the following label revision provision(s):

General Statement(s):

- 1. Delete all text throughout the subject label marked with "strikethrough."
- 2. Throughout the subject label, revise all instances of the word "control" or "controls" to read "kill" or "kills."
- 3. Please note that the promotional hang tag is being approved for S.C. Johnson & Son, Inc. only, as a promotional hang tag for a period not to exceed one (1) year from the date of this acceptance letter. That is, after January 18, 2012, the promotional hang tags can no longer be used as a promotional item for the referenced product.

Optional Marketing Claims section comment(s):

- 4. To incorporate missing comments that were included within the original Notice of Registration for this product, you must:
 - (a) Delete the word "New" which is listed as the 5th optional marketing claim. This claim was time-limited at the time of the original registration for this product (December 3, 2008), and was to be used for a time period not to exceed six (6) months following the date of registration for this product.
 - (b) Delete the 10th optional marketing claim since it is an implied safety claim.
 - (c) Within the 12th optional marketing claim, revise the word "Controls" to read "Kills."
 - (d) Delete the 15th and 16th optional marketing claims since they are vague and misleading.
 - (e) Within the 18th optional marketing claim, revise the word "control" to read "kill."

Directions for Use section comment(s):

- 5. Revise the subsection heading "GENERAL PRECAUTIONS & USE RESTRICTIONS" to read "USE RESTRICTIONS."
- 6. Revise the section header "House Flies, Flying Moths:" to read "House Flies and Flying Moths:"
- 7. Revise the beginning of the section header starting with "<u>For Control of Ants, Aphids, Armyworms,</u> ..." to read "<u>To Kill Ants, Aphids, Armyworms,</u> ..."

Should you 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.

A copy of your label stamped "Accepted with Comments" is enclosed for your records. Please submit two (2) copies of the final printed labeling, incorporating the above changes, before releasing the product for shipment. If these 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.

If you have any questions about this label review, please contact Mr. Carmen Rodia at (703) 306-0327 or via e-mail at <u>Rodia.Carmen@epa.gov</u>.

Can J. Koler, J. Richard J. Gebken,

Sincerely yours

Product Manager (10) Insecticide Branch, Registration Division (7504P)

Enclosures: Copy of label stamped "Accepted with Comments" Copy of Notification Denial dated November 2, 2010 004822-00563 D438465 & D441669 PC-GI-08

Earth Options by Raid House & Garden Insect Killer (ABN, February 24, 2009)

Raid Earth Options House & Garden Insect Killer (ABN, July 8, 2010)

ACTIVE INGREDIENTS:

Pyrethrins	0.02%
Piperonyl butoxide, Technical *	0.20%
OTHER INGREDIENTS	<u>99.78%</u>
	100.00%

*Equivalent to 0.16% (butylcarbityl)(6-propylpiperonyl) ether and 0.04% related compounds

Net Contents

KEEP OUT OF REACH OF CHILDREN CAUTION See additional Precautionary Statements on (back)(side)(bottom)(label)

Fast acting Ready to use No mixing No measuring

-New-

Water-based insect killer formula Kills German Cockroaches on contact Use indoors or outdoors ACCEPTED With COMMENTS In EPA Letter Dated: January 18, 2011 Under the Federal Insecticide, Fungicide and Rodenticide Act, As amended, for the pesticide Registered under EPA Reg. No:

4822-563

May be used on vegetables up to day of harvest

-Controls "last minute" vegetable garden pests before harvest.

Contains pyrethrins, derived from a Chrysanthemum flower

Controls listed flying and crawling pests in the home and garden (home green houses)

Indoors

Outdoors

-Flying-insecte-

-Crawling-pests

For use on roses, flowers, trees, shrubs, and vines

Use to control rose and ornamental pests as listed

PC-GI-08 may be used indoors or outdoors as a contact spray for flying and crawling pests commonly found in and around the home. PC-GI-08 contains pyrethrins, derived from a Chrysanthemum flower, to give fast and effective kill of German Cockroaches on contact. Pyrethrins also will "flush" hiding German Cockroaches, which then allows you to spray them for immediate contact kill.

DIRECTIONS FOR USE

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

-GENERAL PRECAUTIONS & USE RESTRICTIONS

Apply this product only as specified on this label.

Do not contaminate food or feedstuffs

Shake well before using

(Adjust spray nozzle to give a coarse, wet spray.)

(Do not spray outdoors in heat of the day.)

Do not allow adults, children, or pets to enter the treated area until sprays have dried or until vapors and mists have dispersed, and the area has been thoroughly ventilated. Do not apply this product in a way that will contact adults, children, or pets, either directly or through drift. Do not remain in treated area. Exit area immediately and remain outside the treated area until vapors or mists have dispersed. Remove pets, birds, and cover fish aquariums before spraying. Do not wet plants to point of runoff or drip. Do not wet articles to point of runoff or drip. Do not use treated article until spray has dried. 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 directly to or near water, storm drains, or drainage ditches. Do not apply when windy. To prevent product run-off, do not over water the treated areas or apply prior to heavy rainfall. For home garden use, do not apply more than 10 times per season. Do not reapply within 3 days except under extreme pest pressure. In case of extreme pest pressure do not reapply within 24 hours. For outdoor ornamentals, do not apply more than 1 time per day. Not for use in outdoor residential misting systems.

INDOORS:

<u>House Flies, Flying Moths</u>: As a room spray to control these pests, close doors and windows and pump spray, aiming the nozzle into the upper corners of the room and filling the room with a fine mist. Keep room closed for at least 15 minutes and then thoroughly ventilate the treated area before reoccupying. Before spraying in kitchen or dining areas, cover or remove food and utensils.

Ants (excluding Fire, Pharaoh and Harvetser Ants), Carpenter Ants, German Cockroaches, Sowbugs, Pillbugs, Crickets, Silverfish, Firebrats, Fleas, Ticks-Brown Dog Ticks, Ticks (including ticks that may cause Lyme Disease), and Spiders (excluding Brown Recluse Spiders), including Black Widows: Spray into cracks and crevices, along baseboards, behind and beneath cabinets, cupboards, pantry, other food storage areas, under stoves, sinks, refrigerators, and in and around, waste containers and other areas where these pests are seen or suspected of hiding. Spray as many pests as possible, especially as they are being flushed from hiding. Spray ant trails and places where they are entering the house.

<u>Fleas, Brown Dog Ticks and Ticks (including ticks that may transmit Lyme</u> <u>disease)</u>: Where fleas, Brown Dog Ticks, and ticks (including ticks that may transmit Lyme disease) are associated with household pets, remove and launder or replace the pet's bedding and spray the surrounding area. Pay particular attention to cracks and crevices, along baseboards, carpeted areas, area rugs, and fabric covered furniture where these pests may be found. Replace pet bedding when spray is dry. Concurrent treatment of the pets and their yard areas is recommended with a product labeled for those sites and pests.

<u>Carpet Beetles</u>: Apply as a spot treatment along baseboards and edges of carpet and rugs. Also spray under carpets and area rugs after vacuuming area to remove debris. Spray carpet in corners of rooms, under furniture, in closets, on shelving and other areas where these pests are seen or suspected.

<u>Saw-toothed Grain Beetles, Indian Meal Moths, Rice Weevils, Confused Flour</u> <u>Beetles</u>: To kill the exposed forms of these pests, find and destroy infested packages of food products in cabinets and pantry. Remove shelf paper. Clean inside cabinets thoroughly. Remove packaged goods and spray shelves and cracks and crevices. Replace shelf paper with new paper and return packaged goods when spray is dry.

OUTDOORS

<u>Vegetables (including in home greenhouses)</u>: Arrugula, Beets, Broccoli, Brussels Sprouts, Cabbage, Carrots, Chinese Cabbage (Bok Choy), Chinese Mustard Cabbage (Gai Choy), Cabbage (Napa), Cauliflower, Cucumbers, Collards, Cilantro, Celery, Eggplant, Edible Gourds, Endive, Japanese Radish (Daikon), Lettuce (Head and Leafy), Okra, Melons (including hybrids – Cantaloupe, Casaba, Crenshaw, Honeydew, Muskmelon), Parsley, Parsnips, Potato, Peppers (including Bell, Chili, Cooking, Pimentos, Sweet), Pumpkins, Rhubarb, Rutabaga, Radishes, Swiss Chard, Squash (Winter and Summer), Spinach, Tomatillo, Tomatoes, Watermelons and Zucchini.

<u>Small Fruits and Berries</u>: Blackberries, Blueberries, Currants, Dewberries, Elderberries, Gooseberries, Grapes, Huckleberries, Olallie Berries, Raspberries (Black and Red), Strawberries and Youngberries.

<u>Fruits</u>: Apples, Apricots, Crabapples, Cherries (Sweet and Sour), Citrus Hybrids, Grapefruit, Loquat, Lemons, Limes, Nectarines, Oranges (Sweet and Sour), Oriental Pears, Pears, Pummelos, Peaches, Plums, Prunes, and Quince.

<u>For Use on All Ornamental Plants</u>: (such as Roses, Hyacinth, Gladiolus, Freesia). All Annuals (such as Cosmos, Celosia, Ageratum, Impatients). All Perennials (such as Gazania, Cineraria, Chrysanthemum, Zinnia). All Shrubs (such as Mountain Laurel, Juniper, Privet, Mock Orange). All Shade Trees (such as oak, London Plane, Maple, Sycamore, Mulberry). And All Vines (such as Trumpet Creeper, Creeping Lantana, Wisteria, Honeysuckle). -Fer Control of Ants, Aphids, Armyworms, Asparagus Beetles, Blister Beetles, Cabbage Loopers, 12-Spotted Cucumber Beetles, Colorado Potato Beetles, Corn Earworms, Crickets, Cross-striped cabbageworms, Diamondback Moth Larvae, Fireworms, Flea Beetles, Fruit Worms, Fruit Tree Leafrollers, Grape Leafhoppers, Gypsy Moths (larvae and adult), Harlequin Bugs, Tomato Hornworms, Imported Cabbageworms, Leafhoppers, Leafrollers, Leaftier, Mexican Bean Beetles, Potato Leafhoppers, Psyllids, Stink Bugs, Thrips, Vinegar Flies, and Webworms: Water plant thoroughly. Turn spray nozzle to the on position, and hold spray nozzle about 12" from the plants. Spray (lightly)(thoroughly) covering, contacting insects on upper and lower leaf surfaces until surfaces are slightly wet. Do not wet plants to the point of run-off or drip. Spray when insects or their damage first appears. Do not wait until plants are heavily infested. Spray may be applied up to and including day of harvest.

STORAGE AND DISPOSAL

Storage: Store in a cool, dry, preferably locked storage area. Store in the original container in an upright position only. Store with spray nozzle securely closed. Do not store with spray nozzle below level of product in container. Container Disposal: If empty: Nonrefillable container. Do not use or refill this container. Offer for recycling, if available. If partly filled: Call your local solid waste agency or 1-800-529-3394 for disposal instructions. Never place unused product down any indoor or outdoor drain.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Harmful if swallowed or absorbed through the skin. Avoid contact with, skin, eyes, or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse. Remove pets and birds and cover fish aquariums before spraying.

FIRST AID:

IF SWALLOWED: Call a poison control center or doctor immediately for treatment advice. Do not give **any** liquid to the person. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person. **IF ON SKIN OR CLOTHING**: 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, doctor, or going for treatment. **For additional information on this product (including health concerns, medical emergencies, or pesticide incidents) you may call 1-800-xxx-xxxx.**

ENVIRONMENTAL HAZARDS

This product is toxic to aquatic organisms, including fish and invertebrates. Drift and run-off may be hazardous to aquatic organisms in water adjacent to treated areas. This product may contaminate water through run-off. This product has a potential for run-off for several weeks after application. Poorly draining soils and soils with shallow water tables are more prone to produce run-off that contains this product.

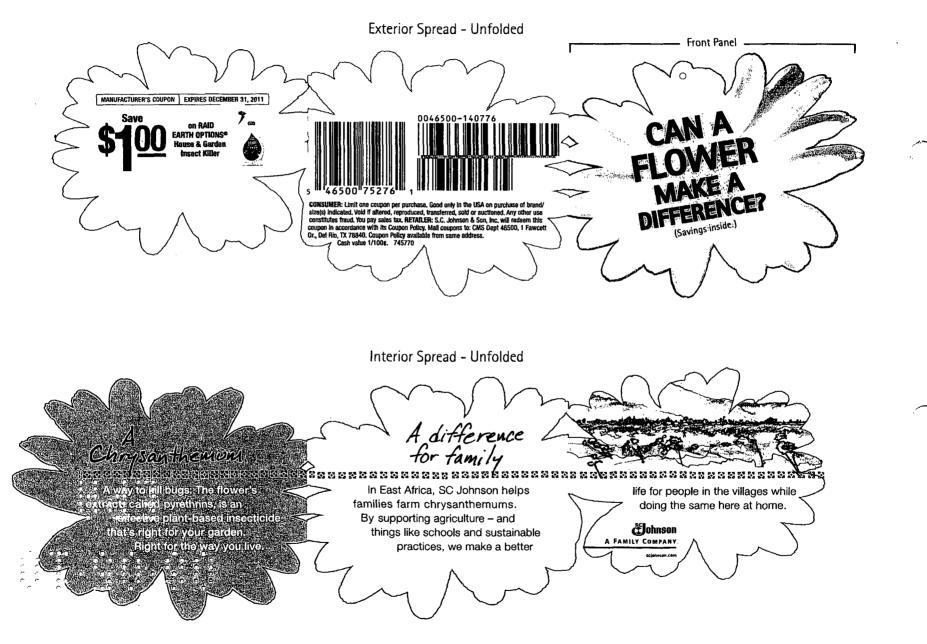
This product is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds while bees are actively visiting the treatment area.

To protect the environment, do not allow pesticide to enter or run-off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather, when rain is not predicted for the next 24 hours, will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. See Directions for Use for additional precautions and restrictions.

PHYSICAL OR CHEMICAL HAZARDS Do not use this product in or on electrical equipment because of shock hazard.

Questions? Comments? Call 800-558-5252 or write Helen Johnson. Sold by: ©2008 S.C. Johnson & Son, Inc. Racine, WI 53403-2236 U.S.A. All Rights Reserved

EPA Reg. No. 4822-563 EPA Est. No.



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