

8119-8

2/23/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

FEB 23 2009

Rebecca M Horton, Agent for
Matson. LLC
Registration by Design, Inc.
118 ½ East Main Street. Suite 1
Salem, VA 24153—3805

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request Optional Marketing Statement "Ready to Use" and Additional Brand
Name "Ready-to-Use Hinder Deer & Rabbit Repellent"
EPA Reg. No. 8119-8
Application Dated October 21 2008

Dear Ms. Horton:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 10/2108 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

Rachel C. Holloman
for

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



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0080. Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 8119-8	2. EPA Product Manager Hebert	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Ready-to-Use Hinder Deer & Rabbit Repellent	PM# Team 7	
5. Name and Address of Applicant (Include ZIP Code) Matson, LLC P.O. Box 1820 North Bend, WA 98045 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(ii), my product is similar or identical in composition and labeling to: EPA Reg. No. NOTIFICATION Product Name FEB 23 2005	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

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

NOTIFICATION: of optional marketing statement "Ready To Use."

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. Matson, LLC understands that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA, and further understands 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 Matson, LLC 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:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
* Certification must be submitted	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 24 fl. oz.		5. Location of Label Directions <input checked="" type="checkbox"/> on label	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)			
Name Rebecca M. Horton	Title Consultant/Agent for Matson, LLC	Telephone No. (Include Area Code) (540) 375-8320	
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.			6. Date Application Received (Stamped)
2. Signature 	3. Title Consultant/Agent for Matson, LLC		
4. Typed Name Rebecca M. Horton	5. Date Oct. 21, 2008		

READY-TO-USE Hinder® DEER & RABBIT REPELLENT

[Additional Brand Name: Ready-to-Use Hinder® Plus Deer & Rabbit Repellent]

- FOR HOMEOWNER USE ONLY
- Protects plants by forming a mild odor barrier that is inoffensive to humans.
- For use on vegetable, fruit, flower, ornamental, vine plants and shrubs.
- This Product Now Contains Denatonium Benzoate
- Ready To Use

NOTIFICATION

NOTIFICATION

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Keep out of reach of children

CAUTION / CUIDADO

Read Precautions, directions and First Aid in and on back panel.

Active Ingredient (% by weight)

Ammonium Soaps of Higher Fatty Acids.....	0.66%
Other Ingredients.....	99.34%
Total.....	100.0%

NET CONTENTS 24 FL. OZ. (0.71 Liters)

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. READ THE ENTIRE LABEL BEFORE USING THIS PRODUCT. USE ONLY ACCORDING TO THE FOLLOWING DIRECTIONS AND OBSERVE ALL PRECAUTIONS.

Ready-To-Use Hinder® [Plus] Deer and Rabbit Repellent creates a mild odor barrier that is inoffensive to humans once applied. It is most effective when applied *before* animals develop their feeding habits and damage has occurred. Because this product works on an odor principle, it repels deer and rabbits before they eat treated plants and helps to protect new growth as it begins to emerge. The objective in using this product is to divert animals to alternative food sources and away from valuable plants. When animal feeding pressure is extraordinary (as in drought conditions) no product can be 100% effective; animals will feed even on treated plants rather than starve.

USE RESTRICTIONS

This product may be used to limit browsing by white tail deer (*odocoileus virginianus*) and black tail or mule deer (*o. hemionus*) on ornamental trees and shrubs, annual and perennial flowers, apple and pear trees, and carrots.

This product may also be used to discourage feeding by cottontail rabbits (*sylvilagus floridanus*) and blacktail jack rabbits (*lepus californicus*) on home gardens and on the trunks of ornamental trees.

Do not reenter treated areas until after the spray has dried.

When considering use of this product during cold weather, note that a temperature of at least 40°F for a four hour period is needed to allow proper drying time. Do not apply this product with sprayers previously used for herbicides. Do not spray this product on wilted plants. Do not allow spray to drift from the application site and contact people, structures people occupy at any time and the associated property, parks and recreation areas, nontarget crops, aquatic and wetland areas, woodlands, pastures, rangelands or animals. Apply only when wind speed is not more than 10 mph. For sprays, apply largest size droplets possible. Check relevant sections of application directions for information on phytotoxicity and other specific limitations on treatments.

APPLICATION DIRECTIONS

READY-TO-USE HINDER® [PLUS] DEER AND RABBIT REPELLENT works on an odor principle. The minor ammonia odor emanating from treated plants may divert deer and rabbits to other food sources.

SHAKE CONTAINER WELL BEFORE APPLYING ITS CONTENTS. This product may be applied by a tank type or power sprayer, and is already diluted for use. Under reasonably dry conditions, this product should be reapplied every 7 – 14 days for as long as plant protection is needed and the treatments appear to be effective. Rains may wash this product off treated vegetation. Treatment should be repeated after heavy rains. Do not apply this product when rain is expected within the next 24 hours. For best results, apply this product before the animals start feeding on the plants to be protected. Under conditions of severe hunger, treated plants may be damaged substantially. In some cases, protection of plants from deer damage may be enhanced by providing a secondary food source such as baled hay just outside the treated area at the time of treatment. In other cases, permanent fencing or temporary enclosures may be needed. Consult specific directions (below) for the target species and type of treatment involved in your control situation

DEER

Apple and pear trees: Treat outer vegetation on all lower branches up to 6-8 feet above the ground surface. Apply coarse spray until all vegetation to be protected has been made wet. Do not apply during bloom period as treatments may damage plants (phytotoxicity) especially new growth. Applications made between petal fall and harvest on fruit bearing apple and pear trees may cause cosmetic injury (spotting) to the fruit.

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Ornamental trees and shrubs: Apply as a full coverage coarse spray. For ornamentals, also treat a 2 – 3 foot radius of the lawn around the plants to be protected. Do not water or irrigate from overhead for at least 24 hours after treatment.

Annual and perennial flowers: Apply as a full coverage coarse spray. Treat a 2 – 3 foot wide band around isolated beds. Do not water or irrigate from overhead for at least 24 hours after treatment. **Note:** a preliminary trial is recommended to determine plant tolerance. Open flowers (petunias, impatiens, begonias) may show spotting and petal fall after treatment. Foliage on some sensitive plants (e.g. impatiens, zinnia, bleeding heart, roses, and columbine) can show minor marginal burning. New foliage growth and flower buds that open after treatment usually will be unaffected (except for salvia, and possibly some other types).

Carrots: Apply enough coarse spray to lightly cover all plants

RABBITS

Home gardens: Apply as a thorough coverage coarse spray to plants susceptible to rabbits.

Trunks of ornamental trees: Apply this product by brush to trunks of plants to be protected. Apply to just above the height that rabbits might reach.

STORAGE AND DISPOSAL

PESTICIDE STORAGE: Keep this product only in its original container. Do not put Ready-To-Use product or dilute in food or drink containers. Store in a cool, dry locked location and not accessible to children or pets. Avoid contamination of feed or foodstuffs.

PESTICIDE DISPOSAL: If partly filled: Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

CONTAINER DISPOSAL: If empty: Nonrefillable container. Do not reuse or refill this container. Place in trash or offer for recycling if available.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if inhaled. Avoid breathing spray mist. Remove contaminated clothing and wash clothing before reuse.

CUIDADO: Peligrosa si se respira. Si usted no lee ingles, no use este producto hasta que alguien se le explique ampliamente la etiqueta.

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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.
IF SWALLOWED	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have a person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
IF INHALED	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
IF ON SKIN OR CLOTHING	<ul style="list-style-type: none"> • 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.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For information on this pesticide product (including health concerns, medical emergencies, or pesticide incidents), call the National Pesticide Information Center (NPIC) at 1-800-858-7378.	
NOTE TO PHYSICIAN	
Probable mucosal damage may contraindicate the use of gastric lavage.	
ENVIRONMENTAL HAZARDS:	
This product may be hazardous to aquatic invertebrates. Do not apply directly to water, areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water by cleaning equipment or disposal of water.	

NOTIFICATION CAUTION: See inside label for Directions for Use, Additional Precautions, Environmental Hazards Storage & Disposal Information and First Aid.

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NOTE: Seller warrants that this product complies with the specifications expressed in this label. To the extent consistent with applicable law, Seller makes no other warranties, and disclaims all other warranties, express or implied, including but not limited to warranties of merchantability and fitness for the intended purpose. To the extent consistent with applicable law, Seller's liability or default, breach or failure under this label shall be limited to the amount of the purchase price. To the extent consistent with applicable law, Seller shall have no liability for consequential damages.

[Lot no. to be added at production.]

Mfd. for **MATSON, LLC ©**
P.O. BOX 1820
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www.protectyourgarden.com

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