

PM-14

Reg # 8254-3

SEP 25 1995

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Bird Control International Corp.
c/o J.T. Eaton & Co., Inc.
1393 East Highland Road
Twinsburg, Ohio 44087

Attention: Dr. M.E.R. Godfrey

Subject: "4 The Birds" Transparent Bird Liquid
EPA Registration No. 8254-3
Your amended application of March 13, 1995

The amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable provided that you make the following labeling changes and submit one (1) copy of final printed labeling.

1. The proposed addition of the claim for repelling ravens is conditionally acceptable at this time, but must be supported with efficacy data before this product can be reregistered.
2. While the proposed label's mentioning of two of J.T. Eaton's products as companions to this one is acceptable, these other products may not be sold or distributed in any package-deals with 8254-3 unless all labeling for all containers and bulletins involved has been reviewed and accepted by EPA.

This product's label may not make mention of any companion product that is to be applied over the repellent treatment, nor may any general claims about such products be made, unless and until you provide efficacy data which show that applying such a product over the repellent does not adversely affect efficacy against target birds or increase hazards to target or nontarget species.

3. Portions of the "APPLICATION DIRECTIONS:" (part of the "DIRECTIONS FOR USE") are too advisory in tone. Revise these directions to clearly required certain important procedures, as indicated below.
 - a. Change item "1." under "FOR INTERIOR USE" to read
"Prior to application, cover machinery, floors, and other important items and surfaces to prevent 4 THE BIRDS[®] TRANSPARENT BIRD REPELLENT LIQUID from falling on them.
 - b. Change item "4." under "FOR INTERIOR USE" to read
"Apply product using a paint brush to surfaces that are difficult to cover by spraying."

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- c. Change item "1." under "FOR EXTERIOR USE" to read

"Prior to application, cover walkways and other surfaces that should be kept clean of repellent which might fall on them."

- d. Change item "2." under "FOR EXTERIOR USE" to read

"Apply 4 THE BIRDS[®] TRANSPARENT BIRD REPELLENT LIQUID to the point of runoff to the top sides of all branches in the plants to be treated that are large enough to support a bird."

- e. Change the last sentence of item "4." under "FOR EXTERIOR USE" to read

"Do not apply this product from aircraft."

- f. In the text immediately following the "FOR EXTERIOR USE" subheading, change "Trees, bushes, etc." to "Trees, bushes, and vines."

4. Align the word "Active" to the same left margin as the word "Inert".

5. Add the heading "PHYSICAL HAZARD" to the sentence "Do not apply ... if wet." Place after the "ENVIRONMENTAL HAZARD" section.

Please note that you can only sell this product with the labeling approved by the Agency.

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

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

Sincerely yours,



Robert A. Forrest
Product Manager (14)
Insecticide-Rodenticide Branch
Registration Division (H7504C)

Enclosures: 1. Stamped label
2. A-79 Enclosure

Peacock WP#6:A:8254-3.:305-5407,-6600:9/25/95

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new label

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ACCEPTED
with COMMENTS
in EPA Letter Dated

(FRONT PANEL)

SEP 25 1965

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

8254-3

"4 THE BIRDS"^R

Transparent

BIRD REPELLENT

LIQUID

FOR PIGEONS, HOUSE SPARROWS, STARLINGS,
SEA GULLS (INCLUDING RING-BILLED, CALIFORNIA
AND HERRING), BLACKBIRDS (INCLUDING BREWER'S,
COWBIRDS AND GRACKLES), CROWS (COMMON), AND
RAVENS.

ACTIVE INGREDIENTS

POLYBUTENE	-	49%
INERT INGREDIENTS	-	<u>51%</u>
		100%

SHAKE WELL BEFORE USING

KEEP OUT OF REACH OF CHILDREN

CAUTION

See back panel for additional precautionary statements.

EPA REG. NO. 8254-3
EPA EST. NO. 8254-OH-1

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"DIRECTIONS FOR USE"

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

USE RESTRICTIONS:

This product may be used to discourage pigeons, house sparrows, starlings, ring-billed gulls, California gulls, herring gulls, Brewer's blackbirds, cowbirds, grackles, common crows, and common ravens from roosting or perching on treated surfaces. "4 THE BIRDS"^R is a transparent, sticky product that remains tacky at 15°F and will not run at temperatures up to 200°F. after initial application has set.

APPLICATION DIRECTIONS.

Surface Preparation: Clean surfaces to be treated to promote adhesion of repellent. Wipe or scrape all dust, dirt, droppings, and other loose debris from surfaces. Seal porous surfaces prior to treatment by brushing on one coat of 'EATON'S'^R Porous Surface Sealant, shellac or a 50% solution of white glue, and allow to dry.

Product Application:

FOR INTERIOR USE: Beams, girders, struts, supports, and other places where birds can sit and roost.

1. Machinery, floors, etc. should be covered to prevent "4 THE BIRDS"^R Bird Repellent Liquid from falling on them during application.
2. Do not dilute "4 THE BIRDS"^R Bird Repellent Liquid with water or other solvents. Use as is.
3. Spray to the point of runoff. Spray in such a way that the top surfaces of beams, girders, etc. are coated. This would necessitate the operator to be level with or above the surfaces during application. Apply with any hand or pressure spray gun which has a discharge pressure of more than 40 and less than 150 p.s.i.
4. Surfaces difficult to cover by spraying, should be treated by applying the repellent with a paint brush.

FOR EXTERIOR USE: Trees, bushes, vines, etc. (Do not apply to the exterior of buildings or structures).

1. Any surfaces below or near the area to be treated that you do not want coated with this sticky repellent should be covered to prevent the bird repellent liquid from falling on them during application.

2. "4 THE BIRDS"^R Bird Repellent Liquid should be applied to the point of runoff to the top side of all branches large enough to support a bird.

3. Do not dilute "4 THE BIRDS"^R Bird Repellent Liquid with water or other solvents. Use as is.

4. Applications can only be made with hand or pressure spray guns which can generate sufficient pressure, up to 150 p.s.i., to move the material to the desired treatment site. Keep material agitated. Not for aerial application.

5. It is recommended that treatment to trees, bushes, and shrubs be made in the fall or early spring when limbs are bare and easily accessible. When used as directed, "4 THE BIRDS"^R Bird Repellent Liquid will neither harm trees and other vegetation nor cause phytotoxicity to foliage.

6. Spraying should be done when temperatures are 40°F or above. Drift can be minimized or eliminated by applying during calm conditions.

7. The amount of coverage you can expect is dependent on type of tree, bush or shrub you are treating, spray equipment, and number of and size of branches treated.

Generally, one gallon of "4 THE BIRDS"^R Bird Repellent Liquid is sufficient to treat an average tree with a 5" diameter trunk, after foliage has fallen, or approximately six (6) three-foot high shrubs. These coverage approximations should be used only as a guideline.

Product Clean-up: Repellent can be removed from interior surfaces, such as metal beams, wood, laminates and painted surfaces, with "EATON'S"[®] Bird Repellent Remover or with mineral spirits. Repellent can be removed from sealed concrete, tile or stone surfaces by hosing with water if this is done within a very short time after the area was coated. Application equipment should be cleaned with "EATON'S"[®] Bird Repellent Remover or mineral spirits after each use.

CAUTION: Do not apply repellent to trees or vines that are in bloom or bearing fruit.

NOTE: Do not spray directly on birds.
Do not apply at locations where the user has concern that desirable birds may become entangled in the repellent.
Avoid contamination of food or livestock feed.

IMPORTANT NOTICE. Seller makes no warranty, expressed or implied, concerning the use of this product other than as indicated on the label. Buyer assumes all risk of use and/or handling of this material when such use and/or handling is contrary to label instructions.

(BACK PANEL)

PRECAUTIONARY STATEMENTS.

Harmful if swallowed. Avoid contact with skin, eyes, or clothing. In case of contact, immediately flush eyes or skin with plenty of water. Get medical attention if irritation persists.

DO NOT APPLY TO ANY SURFACES WHERE WORKERS, OR OTHERS, MAY STEP ON THE MATERIAL, AS IT MAY BE SLIPPERY, ESPECIALLY IF WET.

ENVIRONMENTAL HAZARD.

DO NOT APPLY TO SURFACES WHERE SMALL PROTECTED SPECIES MAY BECOME ENTRAPPED BY THIS TACKY REPELLENT. Use only in conformity with Federal Migratory Bird Treaty Act and regulations.

STORAGE AND DISPOSAL.

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

Storage. Store only in original container, in a dry place inaccessible to children or pets.

Pesticide Disposal. Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal. Do not reuse empty container. Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by burning, if allowed by state and local authorities. If burned, stay out of smoke.

Mfg. by
BIRD CONTROL INTERNATIONAL CORP.
MACEDONIA, OHIO 44056

Made and printed in U.S.A.

"4 The Birds"[®] is a registered trademark of
BIRD CONTROL INTERNATIONAL CORP.

and "EATON'S"[®] is a registered trademark of
J. T. EATON & CO., INC.