



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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

JUL 7 2008

H.R. McLane  
Agent for Bird Control International, Inc.  
7210 Red Road, suite 206A  
Miami, Florida 33143-5321

Subject: Label Notification(s) for Pesticide Registration Notices 2007-4

Dear Mr. McLane:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 2007-4 dated May 23, 2008 for:

**EPA Registration 8254-5**

**4 The Birds Bird Repellent**

The Registration Division (RD) has conducted a review of this request for applicability under PR Notices 2007-4 and finds that the label changes requested falls within the scope of PR Notices 2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Nicole Williams of my staff at 703-308-8893.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

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

2/5  
EPA

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NOTIFICATION TO COMPLY WITH PR NOTICE 2007-4 CONCERNING  
THE STORAGE AND DISPOSAL SECTION REVISED COPY

REGISTRANT  
BIRD CONTROL INTERNATIONAL, INC.  
1393 E HIGHLAND ROAD  
TWINSBURG, OH 44087

TO: DR. JOHN A. HEBERT PM-04

PRODUCT NAME  
R THE BIRDS BIRD REPELLENT  
EPA REG. NO. 8254-5

SUBJECT OF NOTIFICATION: PR NOTICE 2007-4

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1 COPY OF EPA FORM 8570-1 EPA REG. NO. 8254-5 ...	3
2 COPIES OF THE 1 PAGE DRAFT LABEL .....	4

PR NOTICE 2007-4 COPY FOUND AT THE BOTTOM OF  
LABEL'S LEFT HAND COLUMN.

RETURN POSTCARD FOR EPA SIGNATURE OF RECEIPT  
MAILING STICKERS FOR RETURN TO H. R. MCLANE, INC.

MAY 23 2008



# H. R. McLANE, INC.

7210 Red Road, Suite 206A - Miami, Florida 33143-5321 U.S.A.  
Phone 305 661 1706 - Fax 305 661 3036 - E-Mail hrmlaneinc@bellsouth.net  
Consulting In EPA Regulatory Affairs  
FIFRA Licensing & Registrations - Since 1948

MAY 23, 2008

DR. JOHN A. HEBERT PM-04  
DOCUMENT PROCESSING DESK (NOTIFICATION)  
OFFICE OF PESTICIDE PROGRAMS (7504 P)  
ENVIRONMENTAL PROTECTION AGENCY  
1200 PENNSYLVANIA, AVE. N.W.  
WASHINGTON, D. C. 20460-0001

PHONE 703-308-6249  
FAX 703-305-6920

Subject: NOTIFICATION TO COMPLY WITH REQUIREMENTS OF PR NOTICE 2007-4  
Registrant: BIRD CONTROL INTERNATIONAL EPA EST. NO. 8254  
P.O. BOX 472 - TWINSBURG, OH 44087

Product: "4 THE BIRDS BIRD REPELLENT EPA REG.NO.9254-5

DEAR DR. HEBERT:

THIS NOTIFICATION DEALS WITH THE STORAGE AND DISPOSAL  
REVISED LABEL COPY REQUIRED BY PR NOTICE 2007-4 FOUND AT  
THE BOTTOM OF THE LEFT HAND COLUMNN OF THE ENCLOSED  
DRAFT LABEL PAGENATED AS 4 OF 4 IN THIS DOSSIER.

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COVER LETTER to: DR. JOHN A. HEBERT... PM-04.....	2
1 COPY OF EPA FORM 8570-1 EPA REG. NO. 9354-5 ...	3
2 COPIES OF THE 1 PAGE DRAFT LABEL .....	4
PR NOTICE 2007-4 COPY FOUND AT THE BOTTOM OF THE LABEL'S LEFT HAND COLUMN.	

-----> CERTIFICATION FOR THIS NOTIFICATION .....

"This NOTIFICATION is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and the registered product labeling and A.I. and no other changes other than the INERT SOURCE have been made to the labeling or the confidential statement of formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand 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 I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA!"

Sincerely  
H. R. MCLANE, INC.

H. R. McLane, Ph.D.... Agent for  
MR. BART BAKER - VICE PRESIDENT.  
HRM/nb/ encl: as above. cc/BB/CTXCENOL



United States  
Environmental Protection Agency  
Washington, DC 20460

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

<b>EPA</b> Registration No. <b>8254-5</b>
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**Application for Pesticide Section I** NOTIFICATION for PRN-2007-4 Date: May. 23, 2008

1. Company / Product Number: 8254-5		2. EPA Product Manager <b>Dr. John A. Hebert</b>		3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted	
4. Company Product Name: <b>4 THE BIRDS® BIRD REPELLENT</b>		PM Number - 04			
5. Name and address of Applicant: (Include Zip Code) <b>J.T. EATON &amp; COMPANY, INC.</b> <b>1393 E Highland Rd.</b> <b>TWINSBURG, OH 44087</b>		6. Expedite Review. In accordance with FIFRA Section 3(c)(3) (b)(i), My product is similar or identical in composition and labeling to: EPA Reg. No. N/A <b>NOTIFICATION</b> Product Name: N/A <b>JUL 07 2008</b>			
<input type="checkbox"/> Check if this is a new address					

**Section II**

<input type="checkbox"/> Amendment- Explain below	<input type="checkbox"/> Final Printed Labels in response to
<input type="checkbox"/> Resubmission in response to Agency letter dated: _____	Agency Letter Dated: _____
<input checked="" type="checkbox"/> Notification - Explain Below For PRN 2007-4	Me Too Applications, _____
	Other Explain below _____

**Explanation:** Use additional pages if necessary (For Section I and Section II) This is a **NOTIFICATION** that conforms to PR NOTICE 2007-4 concerning the **STORAGE AND DISPOSAL** requirements as found in that Section of our label based on this label's last EPA NOTIFICATION version dated NOV. 15, 2002, and found in that **STORAGE AND DISPOSAL** section of this 1 page draft label. The Certification for this **NOTIFICATION** is found in our cover letter page 2 of 4 in this submission.

**Section III**

1. Material This Product will be packed in:					
Child Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Unit Packaging <input checked="" type="checkbox"/> Yes (1, 2, 16 oz. BAIT BLOCKS®) <input type="checkbox"/> No		Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Certification must be submitted Date: _____		If "Yes" Unit Packaging Wgt. No. Per Container		If "Yes" Package Wgt. No. Per Container	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input checked="" type="checkbox"/> Container			4. Size(s) Retail Container <b>10 oz. tube container</b>		5. Location of label directions <input checked="" type="checkbox"/> On Label and 1# Box label accompanying product
6. Manner in which label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper Glued <input type="checkbox"/> Stenciled					
2. Type of Container <input type="checkbox"/> Metal (Lined) <input checked="" type="checkbox"/> Plastic (Shrink Wrap) <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input checked="" type="checkbox"/> Other (Chipboard Box)					

**Section IV**

Contact Point (Complete items below for Identification of individual to be contacted if necessary to process this application.)

Name: <b>H. R. McLane, Inc.</b> <b>7210 Red Rd. suite 206A miami, FL 33143</b>		Title: <b>Agent 305-661-1706</b> <b>J. T. Eaton &amp; Co. Inc.</b>	Telephone No. (Include Area code) <b>1-800-321-3421</b>
<p><b>Certification</b></p> <p>I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any false or misleading statement may be punishable by fine or imprisonment or both under applicable law.</p>			
2. Signature: By. <b>H. R. McLane</b>		3. Title <b>Agent</b>	
4. Typed Name of registrant <b>Mr. Bart Baker, Vice President</b> <b>J. T. Eaton &amp; Co. Inc.</b>		5. Date <b>05-23-08</b>	
6. Date Application received (Stamped)			

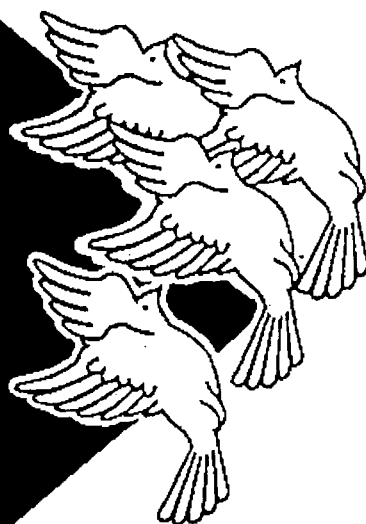
NOTIFICATION

JUL 07 2008



# BIRD REPELLENT

TO DISCOURAGE PIGEONS  
AND STARLINGS FROM  
BUILDINGS AND STRUCTURES



**ACTIVE INGREDIENT:**

Polybutene.....	93%
OTHER INGREDIENTS....	7%
<b>TOTAL .....</b>	<b>100%</b>

**KEEP OUT OF REACH OF CHILDREN  
WARNING**

See Additional PRECAUTIONARY STATEMENTS on back of label

EPA Reg. No. 8254-5

EPA Est. No. 8254-OH-1

4 THE BIRDS® is a Registered Trademark of  
**BIRD CONTROL INTERNATIONAL CORP.**

made and printed in U.S.A. © 2002

NET CONTENTS: 10 FL. OZ.

PR NOTICE 2007-4 NOTIFICATION VERSION

BAR CODE

PRODUCT BATCH CODE NO. \_\_\_\_\_

## FIRST AID

If on skin  
or clothing

- Have label with you when obtaining treatment advice.
- Take off contaminated clothing.
- Rinse skin immediately with plenty of water for 15-20 minutes.
- Call a poison control center, doctor or 1-800-664-9042 immediately for treatment advice.

If in eyes

- 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, doctor, or 1-800-664-9042 immediately for treatment advice.

## NOTE TO PHYSICIAN

Probable mucosal damage may contraindicate the use of gastric lavage.

## PRECAUTIONARY STATEMENTS

### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

**WARNING:** Causes substantial but temporary eye injury. Harmful if absorbed through the skin. Wear goggles or face shield. Avoid contact with skin. Wash thoroughly with soap and water after handling and before eating, drinking, or using tobacco. Remove contaminated clothing and wash before reuse.

### ENVIRONMENTAL HAZARDS

Small birds may become fatally entrapped by this tacky repellent. To reduce hazards to legally protected species, and to avoid noncompliance with the Federal Migratory Bird Treaty Act, follow all instructions in the Directions For Use.

### STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. **STORAGE:** Store only in original container, in a cool, dry place inaccessible to children and 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:** If Empty: Nonrefillable container Do not reuse or refill this container. Place in trash and offer for recycling if available. If Partially Filled: Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain. 05-19-08.


## 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 and starlings, from roosting or perching on treated ledges, sills, roofs, peaks, cornices, and similar parts of municipal, industrial and commercial buildings, homes, apartment and condominium complexes, bridges and overpasses and similar structures. **4 THE BIRDS®** is a transparent, sticky product that remains tacky at 15° F and will not run at temperatures up to 200° F. Do not apply on location where desirable species of birds might become entangled in the repellent.

## 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® Porous Surface Sealer, shellac or a 50% solution of white glue, and allow to dry.

**Product Application:** Use a caulking gun and/or a putty knife to apply this product. A properly applied bead of "4 THE BIRDS® BIRD REPELLENT" looks like this  in cross section. Press against surface to ensure good adhesion. To treat ledges or sills, apply beads of repellent no larger than 1/2" wide by 1/2" deep at the deepest part in strips no closer than 2" apart, beginning 1" in from the outer edge. To treat roofs, peaks, cornices, etc., apply a single bead of repellent along the highest point. A second treatment may be necessary if product becomes flattened by heavy bird traffic.

DO NOT APPLY IN BEADS WIDER OR DEEPER THAN THAT PRESCRIBED ABOVE. One 10 oz. tube of this product will treat 10 linear feet when product is applied in beads 1/2 inch wide and 1/2 inch high.

**Partially filled cartridges:** Replace cap on the tip of tube.

**Product Clean-up:** Use mineral spirits to remove product from treated surfaces, equipment, or other contaminated articles.

**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 the use and/or handling of this material when such use and/or labeling is contrary to label instructions.

EMERGENCY TELEPHONE NUMBER - 1800-664-9042. NON-EMERGENCY TELEPHONE NUMBER: 9 am to 5 P.M. EST 330-426-7801. STOCK #666 FNW 666100 JTF.