

9444 -137

2/18/2010

1/6



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

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

February 18, 2010

Ms. Cynthia L. Rohner,  
Registration Specialist  
Waterbury Companies, Inc.  
129 Calhoun Street, P.O. Box 640  
Independence, LA 70443-2735

**Subject: Amended Labeling, Review of Efficacy Data to Support Flies, Mosquitoes and Gnats  
CB® Time-Mist Metered Insecticide, EPA Reg. No. 9444-137  
Your Submission Dated September 16, 2009**

Dear Ms. Rohner:

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 Comments:

1. Delete all text throughout the label marked with "strikethrough."
2. Revise the "CB®" logo that appears by itself on the existing front panel to read "CB® Time-Mist Metered Insecticide."
3. Throughout this label, delete all repellency claims, since pyrethrins is not considered a repellent and repellence claims are not supported by any of the submitted or cited data.
4. Throughout this label, replace all instances of the word "control" with the word "kill."

Efficacy Review comment(s): In response to EPA's review of the efficacy (product performance) data that you submitted on September 16, 2009, the submitted data support kills claims for houseflies and mosquitoes. Data is not required for true gnats and flying moths at this time. As a result, make the following revisions to this label:

5. Optional marketing claim #1, which reads "Lasts 30 Days," is unacceptable. This statement implies a duration of 'control,' which is not acceptable for pyrethrins products and is not supported by the submitted data. Either revise optional marketing claim #1 to read "Dispenser Contains Enough Product to Work for 30 Days." or delete.

Efficacy Review comment(s), continued:

- 6. For optional marketing claim #2, which reads "Contains 3000 Shots," acceptability depends upon the metered release amount and rate of time-released sprays. Either add a **bolded** asterisk (\*) immediately following this claim and add a qualifying statement in the form of a footnote on the front panel that reads "Based on the dispenser releasing a minimum of 5 g of product per spray on a 15 minute interval." or delete.
- 7. For optional marketing claim #3, delete "[& Repels]" and insert the word "House" immediately preceding the word "[Flies]," since the data do not support a general claim against all flies.
- 8. For optional marketing claim #4, insert the word "House" immediately preceding the word "Flies," since the data do not support a general claim against all flies.

Ingredient Statement comment(s):

- 9. On the 4<sup>th</sup> line of this section, replace the word "Inert" with the word "Other."

First Aid section comment(s):

- 10. Revise the "**HOT LINE NUMBER**" subsection by replacing the existing 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> sentences with: "For additional information on this product (including health concerns, medical emergencies or pesticide incidents), you may call (985) 878-6751, Monday through Friday, 8 a.m. to 4:30 p.m. CST. After 4:30 p.m. CST, call your poison control center. For product information, you may call (203) 597-1812, Monday through Friday, 8 a.m. to 5:00 p.m. EST."

Directions for Use, OUTDOORS subsection comment(s):

- 11. Within the newly inserted 6<sup>th</sup> sentence in this subsection, insert the word "House" immediately preceding the word "Flies," since the data do not support a general claim against all flies.

Storage & Disposal section comment(s):

- 12. Revise the subsection title currently labeled as "**STORAGE:**" to read: "**PESTICIDE STORAGE:**"
- 13. To facilitate inclusion of language from PR Notice 2007-4, replace the "**DISPOSAL:**" subsection with: "**CONTAINER DISPOSAL:** Do Not Puncture or Incinerate! **If empty:** Offer for recycling, if available. **If partially filled:** Call your local solid waste agency for disposal instructions."


Should Waterbury Companies, Inc. 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, Waterbury Companies, Inc. may refer consumers to the company's phone number or e-mail address.

3/6

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 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 (7505P)

*Enclosures: Copy of label stamped "Accepted with Comments"*  
*Copy of efficacy review, dated February 18, 2010*

009444-00137 D420984

"PROPOSED"



[For Reviewer: Optional - Country Vet logo]

ACCEPTED  
With COMMENTS  
In EPA Letter Dated:  
*February 18, 2010*  
Under the Federal Insecticide, Fungicide  
and Rodenticide Act, As amended, for the  
pesticide Registered under EPA Reg. No:

9444-137

CB<sup>®</sup> [For Reviewer: Optional - CB<sup>®</sup> logo]

**Lasts 30 Days**

**Contains 3000 Shots**

**Kills ~~[8 Species]~~ [Flies] Mosquitoes, [including Culex species] [which may carry] [the West Nile Virus], Gnats and Small Flying Moths.**

**Kills: Flies, Mosquitoes, Gnats and Small Flying Moths.**

**Active Ingredients:**

Pyrethrins .....	1.76%
*Piperonyl Butoxide, technical .....	5.00%
Inert Ingredients .....	<u>93.24%</u>
	100.00%

\*Equivalent to 4.00% (butylcarbityl) (6-propylpiperonyl) ether and 1.0% of related compounds.

**Contains Petroleum Distillates**

**Contains no CFCs or Other Ozone Depleting Substances.  
Federal regulations prohibit CFC propellants in aerosols.**

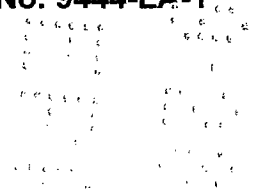
**KEEP OUT OF REACH OF CHILDREN  
CAUTION**

**See Back Panel for Additional Precautionary Statements.**

EPA Reg. No. 9444-137

EPA Est. No. 9444-LA-1

**NET WEIGHT 6.9 oz./196 g**



5/6

**PRECAUTIONARY STATEMENTS**  
**Hazards To Humans & Domestic Animals**  
**CAUTION**

Do not use in nurseries or rooms where infants, ill or aged persons are confined. Use 12 feet or more from exposed food or food handling or dispensing surfaces.

[For Reviewer: Boxed and "bulleted" format will be used if label space permits; otherwise a paragraph format will be used.]

**FIRST AID**

**If Swallowed:** Immediately call a poison control center or doctor. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give any liquid to the person. Do not give anything by mouth to an unconscious person.

**If Inhaled:** Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice

**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.

**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 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 emergency information, call (985) 878-6751, Monday through Friday, 8:00 am to 4:30 pm CST. After 4:30pm call your poison control center. For product information call (203) 597-1812, Monday-Friday, 8:00 am to 5:00 pm EST.

**NOTE TO PHYSICIAN-** Contains petroleum distillate - vomiting may cause aspiration pneumonia.

[For Reviewer: Note to Physician- will be used for formulations containing ≥10% petroleum distillates]

**PHYSICAL OR CHEMICAL HAZARDS**

Contents under pressure. Do not use or store near heat or open flame. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting.

**DIRECTIONS FOR USE**

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

**FOR USE IN** Food service and preparation areas, food processing plants, restaurants, clubs, stores, supermarkets, bottling plants, warehouses, buildings, factories, offices, laboratories, lavatories, ships, planes (cargo areas), hotels, motels, hospitals, nursing homes, schools, day-care centers, funeral homes, kennels, farms, barns, stables, dairies, homes, milk and egg handling areas of dairies and chicken houses.

This product is engineered for use in automatic metered dispensers. The dispenser automatically activates the special metered valve every 15 and/or 30 and/or 45 minutes. Within 24 hours the area is relatively free of flies, mosquitoes, gnats, and small flying moths and with continued use reduces annoyance from them. Effectiveness of this product will be noticeable within one hour after the Dispenser is activated. Recommended use is for 24 hours: but if less than 24 hour use is required, the Dispenser should be set to start one hour before control is desired and run one hour after control is no longer needed. Factors such as airflow rate, size of space treated, humidity and room temperature affect insect activity and control. Therefore, one unit per 6,000 cubic feet of unobstructed space should be considered as an average with adjustments made depending on specific conditions at usage site. As with any method of insect control, best results are achieved when sanitation and other positive insect prevention practices are followed.

Do not use in aircraft cabins. It is suggested that the container be changed once a month.

**OPERATION:** Remove protective cap from top of can and insert can in dispenser. Suspend dispenser 7 feet from the floor and at a point where wind flow will carry the particles throughout the room.

**OUTDOORS:** This product can be used to treat dog kennels, dog runs, side yards, patios, decks & [and] residential landscapes. Set the dispenser to treat at dawn & [and] dusk & [and] use when humans are not in the area. When heavy pest infestations are present the dispenser may be set to treat at [15], [30], [45] [15 - 45] minute intervals. Place the dispensers out of the reach of pets & [and] children & [and] use the prevailing wind to assist in carrying the spray throughout the area to be treated. This product can be used to kill Mosquitoes, [including the Culex species] [which may carry] [the West Nile Virus]. [This product can be used to kill Flies, Mosquitoes, Gnats & Small Flying Moths.] Each dispenser will treat up to 650 square feet. Use enough dispensers to treat the entire area you want protected.

[OPERATION: Remove protective cap from top of can & [and] insert can in dispenser. Secure dispenser at least 7 feet from floor or ground & [and] at a point where air flow or wind will carry the particles throughout the area to be protected.]

Faint, illegible text or markings at the bottom right of the page.

### STORAGE & DISPOSAL

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

**STORAGE:** Do not store near heat or open flame. Store in cool dry area away from children.

**DISPOSAL:** Do not Puncture or Incinerate! **If empty:** Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency or 1800-CLEANUP for disposal instructions.

[For Reviewer: The Steel graphics symbol is optional if label space allows it.]

Manufactured by  
**WATERBURY  
COMPANIES, INC.**

P. O. Box 1812  
Waterbury, CT 06722  
985-878-6751 [For Reviewer: Optional text]  
Made in USA

[www.CBProProducts.com](http://www.CBProProducts.com) [For Reviewer: Optional text]

[Customer Service: 800-845-3495]  
[Technical Information: 985-878-6751]



[For Reviewer: Optional – CFCs logo]  
9444-137EfficacyToxlabel.Se9

[For Reviewer: Optional – Premium Pyrethrum logo]

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