

9688-107

10/7/2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

OCT - 7 2009

Mr. William Metzger
Chemsico, Div. of United Industries Corp.
P.O. Box 142642
St. Louis, MO 63114

Dear Mr. Metzger:

Subject: Application for Pesticide Notification (PRN 98-10)
Comply with Agency pyrethroid labeling letter dated June 4, 2009,
Revise per Pesticide Registration Notice 2007-4 (Container Disposal),
Revise per Pesticide Registration Notice 2008-1 (Environmental Hazards),
and Update Warranty Statement
Chemsico Insect Spray
EPA Reg. No. 9688-107
Your submission dated September 10, 2009.

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated September 10, 2009 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds the action requested falls within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

Please note that there is a typographical error in one of the additional claims that you added by Notification in November 2006. Specifically, the claim "Kills of Contact" should be corrected to read "Kills on Contact" to agree with your November 26, 2006 cover letter.

Sincerely,

Dana R. Pelitt

for Richard Gebken
Product Manager 10
Insecticide Branch
Registration Division (7505P)



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 9688-107	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Chemsico Insect Spray	PM# 10	
5. Name and Address of Applicant (Include ZIP Code) Chemsico, Div. of United Industries Corp. P.O. Box 142642 St. Louis, MO 63114-0642 <input type="checkbox"/> Check if this is a new address	6. Expedited 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. _____ Product Name _____	

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 type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

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

Application for Amendment by Notification under PR Notice 2007-4 (Pesticide management and Disposal; Standards for Pesticide Containers and Containment), PR Notice 2008-1 (Environmental Hazard General labeling Statements on Outdoor Residential use Products), PR Notice 98-10 and Environmental hazard and General labeling for Pyrethroid Non-Agricultural Outdoor Products pe5r the June 4, 2009 Letter from EPA. See cover letter for details and certification statements.

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
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 32 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 Paper glued 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 William H. Metzger	Title Division Vice President	Telephone No. (Include Area Code) 314-683-2750
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 Division Vice President - Regulatory Affairs	
4. Typed Name William H. Metzger	5. Date September 10, 2009	

Chemsico

Division of United Industries
P.O. Box 142642
St. Louis, MO 63114-0642

September 10, 2009

Document Processing Desk (NOTIF)
Office of Pesticide Programs
United States Environmental Protection Agency
Room S4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

Attention: Mr. Richard Gebken
Product Manager Team 10

Subject: **NOTIFICATION: Label Notification per PRN 2007-4, PRN 2008-1, PRN 98-10 & EPA's June 4, 2009 General Labeling for Pyrethroid Notification letter**

Chemsico Insect Spray
EPA Reg. No. 9688-107

Please find the enclosed application for notification of the following registration amendments:

A. Pesticide Registration Notice (PR) 2007-4, Final Rule "Pesticide Management and Disposal; Standards for Pesticide Containers and Containment:

We have adopted the exact language set forth in PRN 2007-4.

This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the confidential statement of formula of 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 the amended label is not consistent with the requirement of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, 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.

B. Pesticide Registration Notice (PRN) 2008-1, Environmental Hazard General Labeling Statements on Outdoor Residential Use Products:

We have adopted the exact language set forth in PRN 2008-1.

This notification is consistent with the guidance in PR Notice 2008-1 and the requirements of EPA's regulations at 40 CFR 156.10, 40 CFR 156.80, and 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of 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 guidance of PR Notice 2008-1 and the requirements of 40 CFR 156.10, 40 CFR 156.80, 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.

C. Environmental Hazard and General Labeling for Pyrethroid Non-Agricultural Outdoor Products per the June 4, 2009 Letter from EPA:

We have adopted the appropriate label statements to be included in the "Directions for Use" section of the label.

This notification is consistent with the guidance in the June 4, 2009 letter and the requirements of EPA's regulations at 40 CFR part 156. No other changes have been made to the labeling or the confidential statement of formula of 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 the amended label is not consistent with the requirements of 40 CFR part 156, 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.

D. Pesticide Registration (PR) Notice 98-10:

We have updated the label warranty statement in accordance to the EPA's October 17, 2006 Guidance on Warranty Statements. Additionally, we have deleted several public health pests.

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. 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.

In the essence of record-keeping, the following documents are enclosed in support of this submission:

1. Application for Pesticide (EPA Form 8570-1)
2. One copy of the proposed label *with changes highlighted*
3. A second copy of the original label showing the public health pests that were deleted
4. One clean copy of the proposed label

Please call me at 1-314-683-2750 or via email at: bill.metzger@spectrumbrands.com if you have questions or need further information. Thank you very much for your attention to our application.

Sincerely,



William H. Metzger
Division Vice President – Regulatory and Government Affairs

Chemsico Insect Spray

Use on fruits, vegetables, ornamentals, lawns, roses and flowers • Ready Spray [Garden Hose] Nozzle • Spray up to Harvest • Multi-Purpose Fruit & Vegetable Insect Control • Apply Anytime During the Growing Season • Spray right up to harvest • Ideal for all fruit and vegetable gardens • Same day spray, harvest and eat • Apply anytime during the growing season, right up to harvest • Made with pyrethrins, a botanical insecticide • Treats 5000 sq. ft. of lawn • Contact-kill insecticide • Kills bugs fast • Kills bugs on contact • For use on edibles up to day of harvest • Contains Pyrethrins, a Botanical insecticide • Made with Pyrethrins from chrysanthemum flowers • Treats up to 5000 sq ft • For use on lawns, gardens, ornamentals, fruits, roses & flowers • Kills ants, aphids, caterpillars, Japanese beetles, mites, scale, whiteflies and other listed pests • Kills over 100 insects • Kills over 100 insects on contact • Kills insects and mites • †Guaranteed Results • †For terms of guarantee, see back panel • Kills of Contact • Same Day Harvest

Active Ingredients:
Pyrethrins 0.3%
Piperonyl Butoxide 3.0%
Other Ingredients: 96.7%

KEEP OUT OF REACH OF CHILDREN
CAUTION See back for additional precautionary statements.

NET CONTENTS 32 Fl. oz. (946 mL)(1 QT.)

[Chemsico Insect Spray kills insects that invade your valuable garden, lawn, ornamentals, and fruit trees. It can be sprayed on most crops up to and including the day you harvest. Use Chemsico Insect Spray throughout the growing season as part of a complete garden care program. One quart of this formula will treat at least 5,000 square feet of growing crops or lawns and ornamentals. Actual, treated area/quart will vary depending upon height and thickness of treated plants.]

Peel Here
Press to Reseal

[OPTIONAL MARKETING LANGUAGE:
Protect your lawn from 180+ pests with our Spectracide Triazicide Brand Soil & Turf Insect Killer Concentrate!]

STOP. READ ENTIRE LABEL BEFORE USE.

DIRECTIONS FOR USE

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



Keep people and pets off treated areas until spray has dried.

Do not water the treated area to the point of run-off.

Do not make applications during rain.

All outdoor applications must be limited to spot or crack-and-crevice treatments only, except for the following permitted uses:

- 1) Treatment to soil or vegetation around structures;
- 2) Applications to lawns, turf, and other vegetation

All outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches and structural surfaces (such as windows, doors, and eaves) are limited to spot and crack-and-crevice applications only. Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during or after application

HOW TO APPLY

Determine the size of the spraying job. For lawns, measure the area to be sprayed. For trees, shrubs, flowers, vegetables or herbs, apply as a thorough cover spray. Begin treating when insects first appear. Reapply when insects reappear to maintain control. Remember, thorough coverage is important.

USING THE READY SPRAY NOZZLE (Optional subheading)

1. **Shake container well before using.**
2. Connect a garden hose to the Ready Spray nozzle. Make sure the dial on the nozzle is in the "OFF" position with the [green] safety tab in the valve notch.
3. Turn on water at faucet. Extend hose to the farthest area to be treated and work back toward the faucet so you don't come in contact with the treated area.
4. To BEGIN spraying, point nozzle toward treatment site and a.) bend the [green] safety tab back (located at the right of the [yellow] dial) with your thumb, b.) using your other hand QUICKLY turn the dial clockwise until it stops. Water will automatically mix with the product.
5. Spray until wet to control insects. Walk at a steady pace while spraying using an even sweeping motion, slightly overlapping treated areas.
6. To STOP spraying, QUICKLY turn the dial in the opposite direction of "ON" until it stops and the safety tab engages the notch on the valve. Turn water off at faucet. To relieve pressure before removing nozzle from hose, bend the safety tab back and turn dial "ON" until water stops spraying.
7. To STORE unused product, make sure the dial is in the "OFF" position with [green] safety tab in the valve notch. Place in cool area away from heat, sunlight or open flame.

LAWNS

SURFACE INSECTS including ants*, armyworms, billbugs, chinchbugs, crickets, cutworms, earwigs, Hyperodes weevils (adults), Japanese beetles (adults), lawn moths (sod webworms), millipedes, mites, mole crickets, mosquitoes, sowbugs, spittlebugs. Use 1 quart of Chemsico Insect Spray to treat [cover] 5,000 sq. ft. of lawn. Delay watering or mowing for 24 hours after application for optimum control of surface insects.

ORNAMENTAL TREES, SHRUBS AND FLOWERS

[For use on ornamental trees, shrubs and flowers such as but not limited to: Ageratum, Aster, Arborvitae, Arizona Cypress, Azaleas, Begonia, Birch, Boxwood, Box Elder, Camellias, Carnations, Cherry (ornamental), Chrysanthemums, Carnations, Coleus, Common Ninebark, Conifers, Douglas Fir, Elm, English Ivy, Euonymus, Exacum, Weeping Fig, Fir, Gladioli, Gold Bells, Hawthorn, Holly, Honeysuckle, Hypoestes, Ivy, Juniper, Lilac, Locust, Maple, Marigold, Mimosa,

Mock Orange, Nannyberry, Oak, Orchid, Palm, Pansy, Pea Shrub, Petunia, Philodendron, Pine, Ornamental Plum, Poinsettia, Poplar, Tulip Poplar, Rhododendron, Roses, Snapdragon, Snowberry, Spruce, Taxus, Weeping Fig, Willow, Zinnia.]

To control [kill] ants*, armyworms, azalea caterpillar, aphids, bagworms, black vine weevil (adult), boxelder bugs, budworms, California oakworm, cankerworms, cockroaches, crickets, cutworms, Eastern tent caterpillar, elm leaf beetles, European sawfly, fall webworm, flea beetles, forest tent caterpillar, gypsy moth larvae, Japanese beetles (adults), June beetles (adults), lace bugs, leaf-feeding caterpillars, leafhoppers, leafminers (adults), leafrollers, leaf skeletonizers, midges, oleander moth larvae, pillbug, pine sawfly, pine shoot beetles, pinetip moths, plant bugs, root weevil, sawfly, scale insects (crawlers),

spiders, spittlebugs, striped beetles, striped oakworm, thrips, tip moth, tussock moth larvae, broadmites, brown softscale, California redscale (crawler), clover mites, mealybugs, pineneedle scale (crawler), spider mites and whiteflies.

*Argentine, Southern, Field, Allegheny mound, Florida carpenter, Cornfield, Honey, Pavement, Nuisance.

Apply as a thorough foliar spray. Wet leaves and branches to the dripping point. Try to spray underside of leaves and penetrate dense foliage.

USE TIPS

- For best results, apply early before insect populations are high.
- For scale control, treat entire plant, including stem, trunks and twigs.
- For bagworm control, apply when bagworm larvae begin to hatch.
- For best results, apply to both sides of plant leaves and all plant surfaces where insects are found.

VEGETABLES, HERBS, FRUITS, NUTS

Chemsico Insect Spray is ideal for use on most vegetables, herbs, fruits and nuts, including but not limited to: Almond, Apple, Apricot, Arrugula, Basil, Bean, Beef Blackberry, Blackeyed Peas, Blueberry, Broccoli, Brussels Sprouts, Cabbage, Chamomile, Cantaloupe, Carrot, Casaba, Cashew, Cauliflower, Celery, Cherry, Chicory, Chives, Corn, Cranberry, Currant, Curry Leaf, Eggplant, Elderberry, Endive, Garden Peas, Garlic, Grape, Grapefruit, Honeydew, Horseradish, Kumquat, Lemon, Lentils, Lime, Lettuce, Loganberry, Loquat, Macadamia Nut, Mango Melon, Melon, Mint, Nectarine, Onion, Orange, Paprika, Parsley, Peach, Pear (Bitter Melon), Pepper (including Bell, Chili), Pimentos, Plum, Potato, Pumpkin, Radish, Raspberry, Sage, Snap Bean, Spinach, Strawberry, Summer Squash, Sweet Bay (Bayleaf), Sweet Potato, Swiss Chard, Tangelo, Tangerine, Tomato, Walnut, Watermelon, Yam, Zucchini

Chemsico Insect Spray kills most harmful garden insects including, but not limited to: Ants, Aphids, Armyworms, Bagworms, Beetles, Cankerworms, Caterpillars (including tent), Centipedes, Chiggers, Chinch bugs, Cicadas, Clover mites, Corn borers, Corn earworms, Crane flies, Crickets, Cutworms, Digger wasps, Earwigs, Firebrats, Fleas, Fruit flies, Gnats, Grasshoppers, Green bugs, Green fruitworms, Green June beetles, Horse flies, Japanese beetles, Katydid, Lace bugs, Leafhoppers, Leafminers, Leafrollers, Lice, Maggots, Mealybugs, Millipedes, Mosquitoes, Mites, Moths, Pillbugs, Rootworms, Silverfish, Sowbugs, Spittlebugs, Stink bugs, Thrips, Ticks, Tomato hornworms, Webworms (including garden, sod), Weevils

USE TIPS:

1. Spray the undersides of leaves when possible as insects tend to cluster there.
2. To minimize effects on Honey Bees, spray early in the morning or at dusk.

STORAGE AND DISPOSAL

Storage: Store in a cool, dry area away from heat or open flame. **Disposal: If empty:** Nonrefillable container. Do not reuse or refill this container. Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: May be harmful if swallowed, inhaled, or absorbed through skin. Avoid breathing spray mist. Do not get in eyes. Avoid contact with skin or clothing.

FIRST AID

If Swallowed: Call a Poison Control Center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. 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 Inhaled:** 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 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. **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 or doctor, or going for treatment.

Environmental Hazards

This product is toxic to fish. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this

[Bracketed Text] = Optional language

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. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.

NOTICE: To the extent consistent with applicable law, buyer assumes all responsibility for safety and use not in accordance with directions.

[Guaranteed Results or your money back. If you are not satisfied with this product for any reason, send your written request for a refund to the address below, together with the original dated store receipt showing the price you paid. Please allow 6-8 weeks for processing.]

Questions or comments? Call toll free 1-800-332-5553.

Made in the USA by Chemsico
Division of United Industries Corp.
P.O. Box 142642
St. Louis, MO 63114-0642

EPA Reg. No. 9688-107

EPA Est. No. 9688-MO-1

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