

9688-110

10/14/2009

1/7



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

OCT 14 2009

Mr. Eric D. Smith  
Chemsico, Div. of United Industries Corp.  
P.O. Box 142642  
St. Louis, MO 63114

Dear Mr. Smith:

Subject: Application for Pesticide Notification (PRN 98-10)  
Comply with Agency pyrethroid labeling letter dated June 4, 2009,  
and Add marketing claims and Update Warranty Statement  
Chemsico Patio Spray  
EPA Reg. No. 9688-110  
Your submission dated October 1, 2009

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated October 1, 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.

Sincerely,

*Dana R. Pellett*

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



United States Environmental Protection Agency  
Office of Pesticide Programs (H7505C)  
Washington, DC 20460

Registration  
Amendment  
Other

OPP Identifier Number

Application for Pesticide:

Section I

1. Company/Product Number <b>9688-110</b>	2. Product Manager <b>K. Nesci</b>	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) <b>Chemsico Patio Spray</b>	PM# <b>13</b>	
5. Name and Address of Applicant (include ZIP Code) <b>Chemsico, Div. Of United Industries Corp. P.O. Box 142642 St. Louis, MO 63114</b> <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 labelling to: EPA Reg. No. _____ Product Name _____	

Section II

<input type="checkbox"/> Amendment - Explain below	<input type="checkbox"/> Final printed label in response to Agency letter date
<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.)  
Label Notification per PR Notice 98-10 & EPA's June 4, 2009 General Labeling for Pyrethroid Notification letter. ( Please see cover letter for details.)

Section III

1. Material in Which This Product Will Be Packaged:				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 checked="" type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted	If "YES," Unit package wgt	No. per container			
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) of Retail Container <b>16 oz</b>		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label Is Affixed To Product <input checked="" type="checkbox"/> Lithographed <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 the individual to be contacted, if necessary, to process this application)		
Name <b>Eric D. Smith</b>	Title <b>Regulatory Affairs Manager</b>	Telephone No. (Include Area Code) <b>314-683-2455</b>
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 of both under applicable law.		6 Date Application Received (Stamped)
2. Signature 	3. Title <b>Regulatory Affairs Manager</b>	
4. Typed Name <b>Eric D. Smith</b>	5. Date <b>October 1, 2009</b>	

332 → Dave

3/7

# Chemsico

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

October 1, 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: Ms. Kimberly Nesci  
Product Manager Team 13

Subject: **NOTIFICATION: Label Notification per PRN 98-10 &  
EPA's June 4, 2009 General Labeling for Pyrethroid Notification letter  
Chemsico Patio Spray  
EPA Reg. No. 9688-110**

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

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

Please find the enclosed notification per PR Notice 98-10 to add optional marketing claims and language to the label, and to update the warranty statement in accordance to the October 17, 2006 Warranty Guidance. All changes are highlighted throughout the label.

*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.*

B. 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.*



# Chemsico PATIO SPRAY

Outdoor Fogger • An Outdoor Product for use in Backyards, Patios and Picnic Areas • Use in [For Use in] Backyards, Patios and Picnic Areas • Repels Flies, Mosquitoes, Gnats, Ants • Repels Outdoor Insects • [Also] Kills [Small Flying Moths], [Wasps and Hornets] [Flies] [Gnats] [Yellow Jackets] [other listed insects] • Repels and kills annoying insects such as flies, mosquitoes, gnats, ants and others • Repels & Kills Mosquitoes • Unscented • Water-based • Guaranteed [to work, or your money back]

## NOTIFICATION

OCT 14 2009

Active Ingredients:	
Tetramethrin .....	0.200%
Related Compounds .....	0.027%
Piperonyl Butoxide, Technical .....	1.000%
Permethrin .....	0.050%
Other Ingredients: .....	98.723%

**KEEP OUT OF REACH OF CHILDREN**

**CAUTION** Read precautions on back

NET WT 1 LB (453 g)

**STOP. READ ENTIRE LABEL BEFORE USE.**

### DIRECTIONS FOR USE

It is violation of Federal law to use this product in a manner inconsistent with its labeling. DO NOT APPLY TO PEOPLE OR PETS.

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.

Cover or remove exposed foods. Avoid contamination of cooking utensils and food preparation surfaces. Do not use on edible crops.

**SHAKE WELL BEFORE USING.** Point spray nozzle away from face. Hold can at a slight downward angle. For best results, spray when air is calm. Allow a few minutes for product to take effect. Spray with wind if slight breeze is blowing (i.e. under 5 mph).

For outdoor use only as an aid in controlling these insects.

### FLYING INSECTS

Flies, Gnats, Hornets, Mosquitoes, Small Flying Moths and Yellow Jackets. Allow fog to drift over area. Direct spray toward bushes or grass from at least 4 to 6 feet away. Give special attention to breeding areas such as garbage cans and compost piles.

### CRAWLING INSECTS

Ants, Centipedes, Cockroaches (including Asian Cockroaches), Crickets, and Silverfish. Spray infested surface of patio or picnic area hitting as many insects as possible. Also spray legs of tables and chairs to repel ants. Spray ant hills for best control. Keep 4 to 6 feet away from ornamental plants while spraying.

5/7

## ALTERNATE FORMAT FOR TOTAL RELEASE OUTDOOR FOGGER

For Use in Campsites • Outdoor Fogger • [An Outdoor Product] for use in Backyards, Campsites, Patios and Picnic Areas • Use in [For Use in] Backyards, Patios and Picnic Areas • Repels Flies, Mosquitoes, Gnats • Repels Outdoor Insects • [Also] Kills Small Flying Moths, Wasps and Hornets • Repels and kills annoying insects [such as flies, mosquitoes, gnats and others] • Repels and kills mosquitoes and other outdoor insects as listed • Treat your camp area before you set up your tent • Treat your picnic area before you set up • Three Cans [Release a spray that] protects up to 500 sq. ft. • Kills fast; Keeps on Killing • Kills on Contact • Kills Hidden Bugs • One can treats [covers] a 13' x 13' campsite • Unscented • Water-based • Easy To Use ]

### STOP. READ ENTIRE LABEL BEFORE USE.

#### DIRECTIONS FOR USE

It is violation of Federal law to use this product in a manner inconsistent with its labeling. DO NOT APPLY TO PEOPLE OR PETS.

Cover or remove exposed foods. Avoid contamination of cooking utensils and food preparation surfaces. Do not use on edible crops.

#### SHAKE WELL BEFORE USING.

- Tilt can top away from face.
- Press valve all the way down, hooking catch.
- Set can on the ground near center and slightly upwind of area to be treated and leave the area.
- **For best results, use when air is calm.**
- Allow a few minutes for product to take effect.

For outdoor use only as an aid in controlling these insects.

#### FLYING INSECTS

Kills Flies, Gnats, Hornets, Mosquitoes, Small Flying Moths and Yellow Jackets. Allow fog to drift over area.



## STORAGE AND DIPOSAL AND PRECAUTIONARY STATEMENTS FOR ALL FORMATS

#### STORAGE AND DISPOSAL

**Storage:** Store in a cool, dry area inaccessible to 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 1-800-CLEANUP for disposal instructions.

#### PRECAUTIONARY STATEMENTS

##### Hazards to Humans and Domestic Animals

**CAUTION:** Harmful if absorbed through skin or inhaled. Causes moderate eye irritation. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals. Avoid contact with skin, eyes or clothing. Avoid breathing spray mist. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

#### FIRST AID

**If Inhaled:** Move person to fresh air. If person is not breathing, call 911 or ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. Call a Poison Control Center or doctor for further 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 extremely toxic to fish and aquatic invertebrates. Do not apply directly to any body of water.

#### 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.

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

**Questions or comments?** Call 1-800-332-5553

[\*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.]

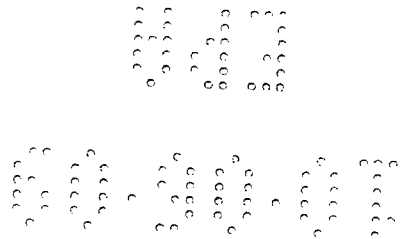
Contains NO CFC's or other ozone depleting substances. Federal regulations prohibit CFC propellants in aerosols.

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

EPA Reg. No. 9688-110

EPA Est. No. 9688-MO-1

© 2009



7/7