

9688-121

4/3/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

APR 3 2009

Vee Lee
Regulatory Affairs Specialist
Chemsico
Division of United Industries
P.O. Box 142642
St. Louis, MO 63114

SUBJECT: Applications for Pesticide Notification per PR Notice 98-10 - Add Optional Marketing Claims
Chemsico RTU MP
Chemsico Wasp & Hornet Killer DS
Applications Dated March 16, 2009

EPA Reg. No. 9688-121
EPA Reg. No. 9688-255

Dear Ms. Lee:

The Agency is in receipt of your Applications for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above products. The Registration Division (RD) has conducted a review of these requests for their applicability under PRN 98-10 and finds that the actions requested fall within the scope of PRN 98-10. The labels submitted with the applications have been date-stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Terri Stowe of my staff at 703-305-6117.

Sincerely,

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

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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 9688-121		2. Product Manager George LaRocca		3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted	
4. Company/Product (Name) Chemsico RTU MP		PM# 13			
5. Name and Address of Applicant (include ZIP Code) Chemsico, Div. Of United Industries P.O. Box 142642 St. Louis, MO 63114 <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: NOTIFICATION EPA Reg. No. APR 03 2009 Product Name _____		

Section II

<input type="checkbox"/> Amendment - Explain below	<input type="checkbox"/> Final printed label in response to Agency letter dated _____
<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.)
Notification per PR Notice 98-10 to add the following optional marketing claim(s): *Guaranteed Results or Your Money Back • Results Guaranteed*

Section III

1. Material in Which This Product Will Be Packaged:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes * <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water-Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	If "YES," Unit package wgt		No. per container
* Certification must be submitted			If "YES," Package wgt	No. per container	
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) of Retail Container		5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label Is Affixed To Product <input 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 Vee Lee	Title Regulatory Affairs Specialist	Telephone No. (include Area Code) 314-683-2438
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<p align="center">Certification</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 knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.</p>		<p>6. Date Application Received (Stamped)</p>
2. Signature 	3. Title Regulatory Affairs Specialist	
4. Typed Name Vee Lee	5. Date March 16, 2009	

Chemsico

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

March 16, 2009

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

Attention: Mr. George LaRocca
Product # 13

Subject: Notification per PR Notice 98-10
Chemsico RTU MP
EPA Reg. No. 9688-121

Dear Mr. LaRocca:

Please find enclosed notification per PR Notice 98-10 to add the following optional marketing claim(s), *Guaranteed Results or Your Money Back • Results Guaranteed. Under Questions & Comments the following statement has been added, [*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.].

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.

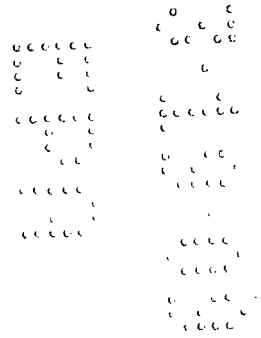
The following documents are enclosed in support of this submission:

1. Application for Pesticide (EPA Form 8570-1)
2. One copy of the proposed label *with changes highlighted*
3. Five copies of the proposed label

Please call me at 1-800-242-1166, Ext. 2438 you have questions or need further information. Thank you very much for your attention to our application.

Sincerely,

Vee Lee
Regulatory Specialist



Chemsico RTU MP

NOTIFICATION

APR 03 2009

For Outdoor Residential Use Only

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OPTIONAL CLAIMS

[Insect and Disease Control Plus Fertilizer • Insecticide – Fungicide – Plant Food • Feeds and protects [from insects and disease] • Contains Fertilizer • Feeds and Protects – all in one! • Feeds and protects [houseplants, roses, flowers and ornamental shrubs] • Triple action formula • 3-in-1 formula • 3-in-1 plant care • All-in-one [plant care] solution • Eliminates the need for multiple products • One step protection [from insects and disease] • One step feeding and protection • Works 3 ways • Fertilizes [houseplants, rose, flowers] • Protects plants and provides [primary] nutrients • Protects plants and promotes [encourages] plant vigor • Promotes rapid blooming • For beautiful blooms on [roses, flowers, houseplants and ornamental shrubs] • Fast acting • Ready-to-Use • Easy to Apply • Handy [easy to use] [trigger] sprayer • Protects from disease up to 2 weeks and fertilizes • Systemic action • Can't be washed [off] away by rain once spray has dried • Water-based • Kills insects [pests] [on contact] • Kills harmful insects on contact • Quickly kills insects [on contact] • Kills harmful insects such as aphids, spider mites and others listed on contact • Protects roses, flowers, houseplants and ornamental shrubs from ants, aphids, chinch bugs, spider mites and many [other] [more] similar insects • Prevents and cures diseases on roses, flowers, houseplants and ornamental shrubs • Perfect for roses, flowers, houseplants and ornamental shrubs • Controls powdery mildew, black spot, rust, lights and leaf spot • Prevents and cures black spot, rust, powdery mildew, blights and other listed diseases • *Guaranteed Results or Your Money Back • Results Guaranteed*

Active Ingredients:

Myclobutanil 0.012%
 Permethrin 0.020%
 Other Ingredients: 99.968%

KEEP OUT OF REACH OF CHILDREN

CAUTION See back for additional precautionary statements

NET 16 FL. OZ. (473 mL)

OPTIONAL MARKETING LANGUAGE

[Chemsico RTU MP protects roses, flowers and ornamental shrubs from damaging diseases and insects. Its unique formula can actually prevent diseases and is ideal for use on delicate ornamentals.] [Chemsico RTU MP feeds and protects your plants from insects [and disease] – all in one product.]

[Kills harmful insects including aphids, spider mites, leafhoppers, whiteflies and other listed insects.]

[Chemsico RTU MP prevents and stops a wide variety of diseases and insects on roses, flowers and shrubs. It can't be washed off by rain or sprinklers once dried and it works against diseases for up to 2 weeks. Use this product throughout your yard [and in flower [or plant] beds] to keep plants thriving.]

[Prevents and cures . . . Black Spot, Brown Patch, Dollar Spot, Powdery Mildew, Rust, Blight and Leaf Spot. Also kills . . . aphids, spider mites, leafhoppers . . . and many [other] [more] similar insects!]

GUARANTEED ANALYSIS	
Total Nitrogen (N).....	0.2%
0.2% Urea Nitrogen	
Available Phosphate (P ₂ O ₅).....	0.2%
Soluble Potash (K ₂ O).....	0.2%
Derived from: Urea, dipotassium phosphate.	

[Information regarding the contents and levels of metals in this product is available on the internet at: www.regulatory-info-sb.com]. [When applied as directed, this product meets the guidelines for metals adopted by the Association of American Plant Food Control Officials.]

STOP. READ ENTIRE LABEL BEFORE USE.

[Option: Stop. Read all instructions inside before using.]

DIRECTIONS FOR USE

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

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DIRECTIONS FOR A HAND SPRAYER

1. Shake well.
2. Connect trigger sprayer: Unscrew and discard the white cap on the bottle. Insert the hose into the bottle and tighten the cap securely.
3. Prime Sprayer: Turn the sprayer nozzle one-half turn counter-clockwise. Hold the sprayer lower than the bottle and squeeze the trigger several times until it sprays. Adjust the nozzle to a fine mist (graphic).
4. Begin early in the season. Start treating when insects first appear or conditions favoring disease start to develop.
5. Hold sprayer at least 18 inches from foliage when treating.
6. Can be used on: Ageratum, aster, azalea, begonia, carnation, chrysanthemum, iris, lilac, marigold, mock-orange, ninebark, pansy, petunia, privet, rhododendron, rose, salvia, snapdragon, spirea, sunflower, zinnia.
7. Spray with a slow sweeping motion, covering both upper and lower leaf surfaces and the stem.
8. For best results, repeat every 10 - 14 days.

INSECTS CONTROLLED

Aphids, Bagworms, Cicadas, Fall cankerworms, Fall webworms, Inchworms, Leafminers, Leafrollers, Mealybugs, Spider mites, Thrips (exposed), Whiteflies.

DISEASES CONTROLLED

PLANTS	DISEASES
Rose ⁽¹⁾	Black spot, Powdery mildew, Rust
Azalea ⁽²⁾ , Rhododendron ⁽²⁾	Petal blight (ovulinia spp.) Powdery mildew
Carnation, Mock-orange, Pansy, Petunia, Salvia, Snapdragon, Sunflower	Powdery mildew, Rust
Ageratum, Aster, Chrysanthemum, Columbine, Cornflower, Iris, Marigold	Rust
Begonia, Lilac, Spirea	Powdery mildew
Privet, Zinnia	Cercospora leaf spot, Powdery mildew

1. Treat on a 7 to 10 day schedule. If black spot is not a problem, a 10 to 14 day schedule is recommended.
2. Begin spraying when flowers start to show color.

USE TIPS

- When using this product on plants not listed, test on a small area first.
- Do not spray if temperature is above 90 ° F as damage to some delicate plants can occur.
- Spray early in the morning or late in the evening, when air is still.
- If it rains before product has dried re-apply.
- Regular light sprayings are more effective than a single heavy treatment.

HOUSEPLANTS (FOR OUTDOOR USE ONLY)

- Remove plants to outside area.
- Make sure your plants have been well watered and are in good condition before using this product.
- Mist both the top and underside of leaf surfaces.
- Allow plant to dry before returning indoors.

SENSITIVE PLANT CARE

Use with care on ferns, palms and fuchsia. As with all plants, especially carnations, chrysanthemums, and roses, there exists a wide variety of species, and therefore, a wide variety of susceptibility to injury. To test for plant sensitivity, spray a few plants as described above, wait 24 hours, and check for possible injury.

STORAGE AND DISPOSAL

Storage: Turn the nozzle to "OFF" position and store in cool, dry area away from heat or open flame. Keep from freezing. **Disposal: If empty:** Do not reuse this container. 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. Never place unused product down any indoor or outdoor drain.

DIRECTIONS FOR A TRIGGER SPRAYER

1. Shake well.
2. Adjust nozzle to fine mist (graphic).
3. Begin early in the season. Start treating when insects first appear or conditions favoring disease start to develop.
4. Hold sprayer at least 18 inches from foliage when treating.
5. Can be used on: Ageratum, aster, azalea, begonia, carnation, chrysanthemum, iris, lilac, marigold, mock-orange, ninebark, pansy, petunia, privet, rhododendron, rose, salvia, snapdragon, spirea, sunflower, zinnia.
6. Spray with a slow sweeping motion, covering both upper and lower leaf surfaces and the stem.
7. For best results, repeat every 10 - 14 days.

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INSECTS CONTROLLED

Aphids, Bagworms, Cicadas, Fall cankerworms, Fall webworms, Inchworms, Leafminers, Leafrollers, Mealybugs, Spider mites, Thrips (exposed), Whiteflies

DISEASES CONTROLLED

PLANTS	DISEASES
Rose ⁽¹⁾	Black spot, Powdery mildew, Rust
Azalea ⁽²⁾ , Rhododendron ⁽²⁾	Petal blight (ovulinia spp.) Powdery mildew
Carnation, Mock-orange, Pansy, Petunia, Salvia, Snapdragon, Sunflower	Powdery mildew, Rust
Ageratum, Aster, Chrysanthemum, Columbine, Cornflower, Iris, Marigold	Rust
Begonia, Lilac, Spirea	Powdery mildew
Privet, Zinnia	Cercospora leaf spot, Powdery mildew

1. Treat on a 7 to 10 day schedule. If black spot is not a problem, a 10 to 14 day schedule is recommended.
2. Begin spraying when flowers start to show color.

USE TIPS

- When using this product on plants not listed, test on a small area first.
- Do not spray if temperature is above 90 ° F as damage to some delicate plants can occur.
- Spray early in the morning or late in the evening, when air is still.
- If it rains before product has dried re-apply.
- Regular light sprayings are more effective than a single heavy treatment.

HOUSEPLANTS (FOR OUTDOOR USE ONLY)

- Remove plants to outside area.
- Make sure your plants have been well watered and are in good condition before using this product.
- Mist both the top and underside of leaf surfaces.
- Allow plant to dry before moving indoors.

SENSITIVE PLANT CARE

Use with care on ferns, palms and fuchsia. As with all plants, especially carnations, chrysanthemums, and roses, there exists a wide variety of species, and therefore, a wide variety of susceptibility to injury. To test for plant sensitivity, spray a few plants as described above, wait 24 hours, and check for possible injury.

STORAGE AND DISPOSAL

Storage: Store in cool, dry area away from heat or open flame. Keep from freezing.
Disposal: If empty: Do not reuse this container. 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. Never place unused product down any indoor or outdoor drain.

PRECAUTIONARY STATEMENTS**Hazards to Humans and Domestic Animals**

CAUTION: Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling.

First Aid

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.
 Have the product container or label with you when calling a Poison Control Center or doctor, or going for treatment.

Environmental Hazards

This pesticide is toxic to fish. Do not apply directly to water.

NOTICE: 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.]

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

EPA Reg. No. 9688-121

EPA Est. No. 9688-MO-1

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NOTIFICATION

APR 03 2009