

9688-123

4.10.2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Vee Lee
Product Registration
CHEMSICO Div. of United Industries Corp.
PO Box 142642
St. Louis, MO 63114

APR 10 2009

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request General Label Change (Marketing Claims)
EPA Reg. No. 9688-123
Application Dated March 16, 2009

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 03/06/09 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

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

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

Macf 1/5/10

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 11-30-93



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

Application for Pesticide:

**Registration
Amendment
Other**

OPP Identifier Number

Section I

1. Company/Product Number 9688-123	2. Product Manager George LaRocca	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Chemsico Fungicide M	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 APR 10 2009 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.)
Notification per PR Notice 98-10 to add the following optional marketing claim(s): *Guaranteed Results or Your Money Back • Results Guaranteed* • Mixed with Water; A Product Fact Box was also added.

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	<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
* Certification must be submitted	If "YES," Unit package wgt	No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
	If "YES," Package wgt	No. per container	<input type="checkbox"/> Other (Specify) _____	
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
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 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: Ms. Mary Walker
Product Manager 21

Subject: Notification per PR Notice 98-10
Chemsico Fungicide M
EPA Reg. No. 9688-123

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; Mixed with Water. A Product Fact Box has also been added to the label for consumers. 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.].

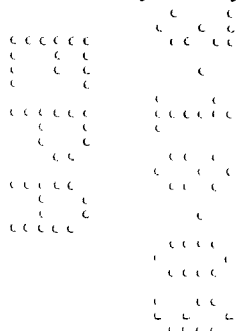
This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false 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 Signature]
Vee Lee
Regulatory Specialist



CHEMSICO FUNGICIDE M

Multi-Purpose Fungicide Concentrate

[Prevents and cures all major diseases on roses, lawns, flowers, ornamental shrubs and trees · Protects fruits, nuts and vegetables · Controls brown patch, powdery mildew, black spot, rust, blights, leaf spot, mold, scab and more Systemic action – Can't be washed off by rain once dried · Protects for up to 2 weeks· Water Based] • *Guaranteed Results or Your Money Back • Results Guaranteed* • Mixed with Water

NOTIFICATION

APR 10 2009

Active Ingredient:
Myclobutanil..... 1.55%
Other Ingredients: 98.45%

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

See back [booklet] for additional precautionary statements

NET [CONTENTS] 1 PT. (473 mL)

[Chemsico Fungicide M prevents and cures all major diseases on roses, lawns, flowers, ornamental shrubs and trees. Because it works systemically, it can't be washed off by rain or sprinklers once dried and it works for weeks. Use this product throughout your yard to keep plants thriving.

Prevents and cures . . . Black Spot, Brown Patch, Dollar Spot, Powdery Mildew, Rust, Blight, Leaf Spot . . . and more!

OPTIONAL PRODUCT FACT BOX

PRODUCT FACTS:

WHAT IT DOES: Prevents and cures all major diseases including Brown patch, Powdery mildew, Black spot, Rust and others listed.

WHERE TO USE: Outdoors on Roses, Flowers, Ornamental Shrubs, Trees, Lawns, Nuts and Vegetables.

QUESTIONS & COMMENTS: Call 1-800-917-5438 or visit our website at www.spectracide.com

STOP. READ ALL INSTRUCTIONS INSIDE BEFORE USE.

[OPTION FOR BOOKLET LABEL:

Stop. Read all instructions inside before using. PEEL HERE PRESS TO RESEAL]

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.*



DO NOT ALLOW PEOPLE OR PETS TO CONTACT TREATED AREAS UNTIL SPRAY HAS DRIED.

USE RESTRICTIONS FOR LAWNS AND ORNAMENTALS:

Do not use treated plants, grass or clippings for food or feed.

NOTE: This product is non-staining to most home siding depending on age and cleanliness. However, before using in areas where the spray may contact home siding (vinyl siding in particular), test in an inconspicuous area and recheck in a few hours. Do not use if any staining is observed.

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HOW TO USE

CHOOSE AN APPLICATION METHOD.

Pump-Up Sprayer or Trigger Bottle Sprayer

Fill with required amount of water. Add the amount of concentrate specified below. Replace sprayer top and shake well before spraying.

Dial-Style Hose-End Sprayer

Set sprayer to the "fl. oz./gallon" level specified below. Use only enough product for the area to be treated. Close sprayer, attach to hose and apply.

Concentrate plus Water-Style Sprayer

Determine the amount of concentrate required below. Pour concentrate into sprayer jar to the required "fl. oz." level. Then add the required amount of water to the "gals." level. Replace sprayer top on jar and shake well before spraying.

USE TIPS

- This product is highly effective when it is used to prevent diseases or applied at the first sign of disease. Consider treating early in the season.
- When using this product on ornamental plants not listed, test on a small area first.
- If it rains before product has dried re-apply.
- If you need more information about lawn, ornamental, fruit and vegetable diseases, contact your local County Extension Service.
- Handy Conversions: 1/2 fl. oz. = 1 Tablespoon and 1 fl. oz. = 2 Tablespoons.
- Food utensils such as measuring cups and spoons must not be used for food purposes after use in measuring pesticides.

[TO PROTECT] LAWNS

Chemsico Fungicide M prevents and cures brown patch, copper spot, dollar spot, leaf spot (including septoria, zonate), melting out, crown rot, leaf smuts, powdery mildew, rust, red thread, Spring dead spot, necrotic ring spot and Summer patch on home lawns. For lawn application in Nassau and Suffolk counties in New York state, do not apply more than 3 times per given area per year.

HOW TO TREAT

Use 3 1/2 fl oz/half-gallon of water to treat 250 sq. ft. Start treating when grass begins to turn green in the spring or when signs of diseases are first noticed. For best disease control treat every 2 weeks. Do not apply more than 16 treatments per year.

USE TIP

For crown rot use 3 1/2 fl. oz./gallon of water to treat 250 sq. ft.

[TO PROTECT] ROSES, FLOWERS, ORNAMENTAL SHRUBS & TREES

Chemsico Fungicide M prevents and cures Black spot, Blight (blossom, cercospora leaf, ovulinia petal), Leaf spot (including cercospora), Powdery mildew, Rust (including needle, fusiform), Scab (including fusicladium) and other diseases on a wide variety of roses, flowers, trees and ornamental shrubs. See table for a complete list of plants.

HOW TO TREAT

Use 1 fl. oz./gallon of water. Apply to the point when spray just begins to run off the leaves. Apply once every 2 weeks throughout the season or until conditions favoring disease development (hot, moist weather) are no longer present. Allow spray to dry before watering.

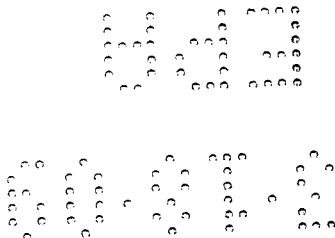
USE TIPS

1. Treat roses on a 7 to 10 day schedule. If black spot is not a problem, a 10 to 14 day schedule is recommended.
2. When treating azaleas, mountain laurel or rhododendrons, begin spraying when flowers start to show color.
3. When treating irises, increase use rate to 2 fl. oz./gallon of water.
4. For Douglas fir, loblolly pine and slash pine use 3 fl. oz./gallon of water. Begin treating in early spring and continue treating every 2 to 3 weeks until threat of infection has passed.

PLANT (Number following plant refers to the specific Use Tip above.)	DISEASES
Rose ⁽¹⁾	Black spot, Powdery mildew, Rust
Azalea ⁽²⁾ , Mountain laurel ⁽²⁾ , Rhododendron ⁽²⁾	Petal blight (ovulinia spp.) Powdery mildew
Abelia, Acalypha (Copper-leaf), Catalpa, Flowering cherry, Hackberry, Honeysuckle, Privet, Trumpet creeper, Zinnia	Cercospora leaf spot, Powdery mildew
Ageratum, Anemone, Angelica, Ash, Aster, Birch, China aster, Chokeberry, Chrysanthemum, Columbine, Cornflower, Dianthus, Flowering quince, Flowering maple (Abutilon), Four o'clock, Fuchsia, Iris ⁽³⁾ , Marigold, Moonflower, Ninebark, Russian olive, Smoke-tree (Gothus)	Rust
Achillea (Yarrow), Alder, Amelanchier (Juneberry, Shadbush), Barberry, Carnation, Delphinium, Gaillardia, Gardenia, Geranium, Hollyhock, Mock-orange, Pansy, Petunia, Photinia, Salvia, Snap-dragon, Viburnum	Powdery mildew, Rust

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PLANT (Number following plant refers to the specific Use Tip above.)	DISEASES
African Violet, Begonia, Bittersweet, Buckeye, California poppy, Chestnut (Horse), Cosmos, Crepe myrtle, Dahlia, Elm, Euonymus, Gourd (Ornamental), Grape leaf ivy, Lilac, Locust, Maple, Oak, Poinsettia, Spirea, Sycamore, Walnut, Willow	Powdery mildew
Flowering almond	Blossom blight (Monilinia spp.)
Amorpha (False indigo), Bellflower, Buttonbush, Fleabane, Phlox, Sunflower	Cercospora leaf spot, Powdery mildew, Rust
Calendula, Hydrangea, Leucothoe	Cercospora leaf spot
Flowering crabapple, Flowering pear, Hawthorn	Powdery mildew, Rust, Scab
Dogwood	Anthracnose, Powdery mildew
Douglas fir ⁽⁴⁾	Needle rust
Loblolly pine ⁽⁴⁾ , Slash pine ⁽⁴⁾	Fusiform rust
Pyracantha	Fusicladium scab



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[TO PROTECT] FRUITS AND NUTS**Almond (blossom blight, rust, and shothole control; anthracnose suppression)**

Mix 1/2 fl oz of Chemsico Fungicide M with 1 gallon of water and uniformly apply to all parts of the tree to point of runoff. Do not apply within 90 days of harvest. Do not apply more than 3 times per season. For anthracnose, blossom blight, and shothole, apply at pink bud stage (when about 5% of the buds have bloomed). If conditions favoring disease development (hot, moist weather) exist, reapply at full bloom and when the petals fall. For rust, apply Chemsico Fungicide M about 8 weeks after flowering if conditions favoring disease development exist. Reapply every 21 days so long as disease symptoms persist.

Apple and Mayhaw (powdery mildew, rusts and scab control)

Mix 2/3 fl oz of Chemsico Fungicide M with 1 gallon of water and uniformly apply to all parts of the tree to point of runoff. Reapply every 7 to 10 days so long as disease symptoms persist. Do not apply within 14 days of harvest. Do not apply more than 10 times per season. For powdery mildew and rusts, apply at pink bud stage when the buds are opening and the pink petals are visible. For scab, apply Chemsico Fungicide M when the first green leaf tips are visible.

Stone Fruits: For all stone fruits, Chemsico Fungicide M may be applied up to the day of harvest.

Apricot and Nectarine (brown rot blossom blight, brown rot, powdery mildew, and shothole control): Mix 1/2 fl oz of Chemsico Fungicide M with 1 gallon of water and uniformly apply to all parts of the tree to point of runoff. Do not apply more than 7 times per season. Apply at early red bud stage (the tips of the petals are visible and the flowers are still closed) before infection occurs. Reapply every 7 to 14 days so long as disease symptoms persist.

Cherry (brown rot blossom blight, brown rot, leaf spot, and powdery mildew control): Mix 1/2 fl oz of Chemsico Fungicide M with 1 gallon of water and uniformly apply to all parts of the tree to point of runoff. Do not apply more than 7 times per season. Apply when single flower buds are visible (but still closed), on short stalks and before infection occurs. Reapply every 7 to 14 days so long as disease symptoms persist. For leaf spot, make an additional application of Chemsico Fungicide M after harvest.

Peach (brown rot blossom blight, brown rot, powdery mildew, and rust control): Mix 1/2 fl oz of Chemsico Fungicide M with 1 gallon of water and uniformly apply to all parts of the tree to point of runoff. Do not apply more than 7 times per season. For brown rot blossom blight, brown rot, and powdery mildew, apply at early pink bud stage (the tips of the petals are visible and the flowers are still closed) before infection occurs. Reapply every 7 to 14 days so long as disease symptoms persist. For rust, apply Chemsico Fungicide M about 8 weeks after flowering if conditions favoring disease development (hot, moist weather) exist. Reapply every 21 days so long as disease symptoms persist.

Plum and Prune (brown rot blossom blight, brown rot, and rust control): Mix 1/2 fl oz of Chemsico Fungicide M with 1 gallon of water and uniformly apply to all parts of the tree to point of runoff. Do not apply more than 7 times per season. For brown rot blossom blight and brown rot, apply when the first green leaf tips are visible and before infection occurs. Reapply every 7 to 14 days so long as disease symptoms persist. For rust, apply Chemsico Fungicide M about 8 weeks after flowering if conditions favoring disease development (hot, moist weather) exist. Reapply every 21 days so long as disease symptoms persist.

Strawberry (leaf blight, leaf spot, and powdery mildew);

Mix 1 1/4 fl oz of Chemsico Fungicide M with 1 gallon of water and uniformly apply to all parts of the plant to point of run off. Chemsico Fungicide M may be applied up to the day of harvest. Do not apply more than 6 times per season. Do not plant a new crop in the same place as the crop that was treated within 30 days of the last application. Apply when the disease first appears or when conditions favoring disease development (hot, moist weather) exist. Reapply every 14 to 21 days so long as disease symptoms persist.

[TO PROTECT] BERRIES

For all berries, Chemsico Fungicide M may be applied up to the day of harvest.

Blackberry[†], Raspberry[†], Loganberry (cane and leaf rust, leaf spot, orange rust, powdery mildew, and yellow rust control): Mix 2/3 fl oz of Chemsico Fungicide M with 1 gallon of water and uniformly apply to all parts of the plant to point of runoff. Do not apply more than 4 times per season. Apply at budbreak and reapply every 10 to 14 days so long as disease symptoms persist.

Currant (powdery mildew control): Mix 1 1/4 fl oz of Chemsico Fungicide M with 1 gallon of water and uniformly apply to all parts of the plant to point of runoff. Do not apply more than 8 times per season. Apply before bloom, through bloom and up to 2 weeks post-bloom.

Gooseberry (anthracnose and powdery mildew control): Mix 1 1/4 fl oz of Chemsico Fungicide M with 1 gallon of water and uniformly apply to all parts of the plant to point of runoff. Do not apply more than 8 times per season. For anthracnose, apply when the first leaf has completely unfolded. If conditions favoring disease development (hot, moist weather) exist, reapply every 10 to 14 days. For powdery mildew, apply Chemsico Fungicide M before bloom, through bloom, and up to 2 weeks post-bloom.

†Includes use on the following members of the caneberry group including varieties and/or hybrids:

bingleberry	Dirksen thornless berry	olallieberry
black satin berry	Himalayaberry	Oregon evergreen berry
boysenberry	huliberry	phenomenalberry
Cherokee blackberry	Lavacaberry	rangeberry
Chesterberry	lowberry	ravenberry
Cheyenne blackberry	Lucretiaberry	rossberry
coryberry	mammoth blackberry	Shawnee blackberry
darrowberry	marionberry	youngberry
dewberry	nectarberry	

Grapes (anthracnose, black rot and powdery mildew control)

Mix 1 1/4 fl oz of Chemsico Fungicide M with 1 gallon of water and uniformly apply to all parts of the plant to point of runoff. Do not apply within 14 days of harvest. Do not apply more than 5 times per season. For anthracnose and black rot, apply when new shoots are 1 to 3 inches in length. Reapply every 14 days so long as disease symptoms persist. For powdery mildew, apply Chemsico Fungicide M when shoots are 12 to 18 inches in length (before bloom). Reapply every 21 days so long as disease symptoms persist.

Peppermint and Spearmint (powdery mildew and rust control)

Mix 1 1/4 fl oz of Chemsico Fungicide M with 1 gallon of water and uniformly apply to all parts of the plant to point of runoff. Do not apply within 30 days of harvest. Do not apply more than 3 times per season. Apply in the early spring when the plants have broken dormancy. Reapply every 14 to 21 days so long as disease symptoms persist.

[TO PROTECT] VEGETABLES

Asparagus (rust control): Mix 1 1/4 fl oz of Chemsico Fungicide M with 1 gallon of water and uniformly apply to all parts of the plant to point of runoff. Do not apply to harvestable spears. In all states **except** California: Chemsico Fungicide M may be applied within 180 days of harvest. Do not apply more than 1 time per growing season. In California **only**: Chemsico Fungicide M may be applied within 30 days of harvest. Do not apply more than 4 times per year. In all locations, apply to the developing ferns after harvest. Reapply every 14 days so long as disease symptoms persist.

Cucurbits† (powdery mildew control): Mix 1 1/4 fl oz of Chemsico Fungicide M with 1 gallon of water and uniformly apply to all parts of the plant to point of runoff. Chemsico Fungicide M may be applied up to and including the day of harvest. Do not apply more than 5 times per season. Do not plant a new crop in the same place as the crop that was treated within 30 days of the last application. Apply Chemsico Fungicide M when the disease first appears. Reapply every 7 to 10 days so long as disease symptoms persist.

Snap Bean (pod tip rot and rust control): Mix 1 1/4 fl oz of Chemsico Fungicide M with 1 gallon of water and uniformly apply to all parts of the plant to point of runoff. Chemsico Fungicide M may be applied up to and including the day of harvest. Do not apply more than 4 times per season. Do not plant a new crop in the same place as the crop that was treated within 30 days of the last application. For rust, apply when the disease first appears. For pod tip rot, apply when pods begin to develop. For both diseases, if conditions favoring disease development (hot, moist weather) exist, reapply every 7 to 10 days.

Tomato (powdery mildew control): Mix 1 fl oz of Chemsico Fungicide M with 1 gallon of water and uniformly apply to all parts of the plant to point of runoff. Chemsico Fungicide M may be applied up to and including the day of harvest. Do not apply more than 4 times per season. Do not plant a new crop in the same place as the crop that was treated within 30 days of the last application. Apply when the disease first appears or if conditions favoring disease development (hot, moist weather) exist. Reapply every 21 days so long as disease symptoms persist.

† Includes use on the following members of the cucurbits group:

acorn squash	crookneck squash	pineapple melon
balsam apple	cucumber	pumpkin
balsam pear	edible gourd	Santa Claus melon
bitter melon	gherkin	scallop squash
butternut squash	golden pershaw melon	snake melon
calabaza	honey balls	spaghetti squash
cantaloupe	honeydew melon	straightneck squash
casaba	hubbard squash	summer squash
Chinese cucumber	mango melon	vegetable marrow
Chinese waxgourd	muskmelon	watermelon
citron melon	ornamental gourd	winter squash
crenshaw melon	Persian melon	zucchini

STORAGE AND DISPOSAL

Pesticide Storage: Store in cool, dry place away from heat or open flame.
Pesticide 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 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

Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters.

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

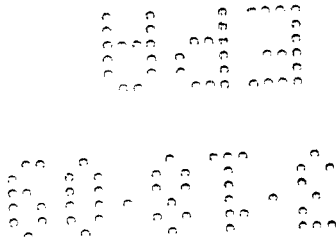
[*If you are not satisfied with this product for any reason, send your written request for a refund to the address below, together with the original dated store receipt showing the price you paid. Please allow 6-8 weeks for processing.]

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

EPA Reg. No. 9688-123

EPA Est. No. 9688-MO-1

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NOTIFICATION
APR 10 2009