

9688-127

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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

June 6, 2007

CHEMSICO
Division of United Industries Corporation
ATTN: Mr. Eric D. Smith,
Registration Affairs Specialist
P.O. Box 142642
St. Louis, MO 63114-0642

**Subject: Revised Labeling, Amendment to Add Optional Labeling Claims
Chemsico Total Release Fogger K, EPA Registration No. 9688-127
Your Submission Dated November 8, 2006**

Dear Mr. Smith:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable with the following provision(s):

Labeling Claims (optional marketing language) section comment(s), left-hand side of page 1 of 2:

1. Delete the newly added optional labeling claims. These claims are misleading since they give the false impression that this product is derived solely from plants (botanicals) when, in fact, the product's active ingredients are a combination of botanicals and other chemicals. ¹
2. Pre-qualify and/or explain the odor neutralizing-related marketing claims as they are potentially misleading. If these claims cannot be pre-qualified, they must be deleted from the label.

Ingredient Statement section comment(s), left-hand side of page 1 of 2:

3. Revise to read as follows:

ACTIVE INGREDIENTS:

Pyrethrins.....	0.5%
Piperonyl Butoxide.....	1.0%
N-Octyl bicycloheptene dicarboximide.....	1.0%
OTHER INGREDIENTS**	<u>97.5%</u>
Total	100.0%

*Contains petroleum distillates.

4. Your company name and address and/or an Animal Poison Control Center, or other telephone number that consumers may call for the purpose of receiving information concerning proper use of the product and specific actions to take in case of emergencies. This information must be displayed prominently immediately following the Ingredient Statement section. ²

¹ For more detailed information, please refer to PR Notice 98-10.

² For more detailed information, please refer to PR Notice 2001-1.

Labeling Claims (optional marketing language) section comment(s), right-hand side of page 1 of 2:

- 5. Replace the use site header currently listed as "For use in rooms, apartments, ..." with "**FOR INDOOR USE IN THE FOLLOWING AREAS ONLY:** Rooms, apartments, ..."

Precautionary Statements, Directions for Use section, Use Restrictions subsection comment(s), right-hand side of page 1 of 2:

- 6. Combine the 2 existing subsections on this label titled "TO USE THIS PRODUCT CORRECTLY" and "BEFORE YOU FOG," and re-title them as a new subsection titled "USE RESTRICTIONS." This new subsection should be placed immediately following the statement "**It is a violation of...**"

Precautionary Statements, Directions for Use section, Ventilation subsection comment(s), left-hand side of page 2 of 2:

- 7. The existing subsection currently titled as "AIRING OUT" should be changed to "VENTILATION."
- 8. At the end of the 1st sentence, replace the words "air out" with the words "thoroughly ventilate."
- 9. Insert the following text immediately following the 1st sentence: "or more."

Storage and Disposal section comment(s), left-hand side of page 2 of 2:

- 10. Replace this section with the following:

"STORAGE AND DISPOSAL

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

Pesticide Storage: Keep this product dry in a tightly closed container, when not in use. Store in a cool, dry, well-ventilated area away from heat or open flames.

Pesticide Disposal: Waste resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal: Do Not Puncture or Incinerate! **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."³

Precautionary Statements section, Hazards to Humans and Domestic Animals subsection comment(s), left-hand side of page 2 of 2:

- 11. Replace the first eight (8) sentences from this section with:

"Contains petroleum distillate. Harmful if swallowed, inhaled or absorbed through skin. Avoid breathing vapors or spray mist. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Remove and wash contaminated clothing before reuse. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Obtain medical attention if irritation persists."

³ For more detailed information, please refer to PR Notice 2001-6.

Precautionary Statements section, First Aid subsection comment(s), left-hand side of page 2 of 2:

12. Replace this subsection with the following:

"First Aid

If Swallowed: Call a poison control center or doctor immediately for treatment advice. 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 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 further treatment advice.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. **For additional information on this pesticide product (including health concerns, medical emergencies or pesticide incidents), you may call 1-800-xxx-xxxx or the National Pesticide Information Center at 1-800-858-7378.**⁴

Note To Physician: Contains petroleum distillate. Vomiting may cause aspiration pneumonia."

Precautionary Statements section, Environmental Hazards subsection comment(s), right-hand side of page 2 of 2:

13. Add the following new subsection titled "Environmental Hazards," immediately preceding the existing Physical Hazards section as follows:

"Environmental Hazards

This product is toxic to fish. Remove pets, birds and cover fish aquariums before spraying. Do not apply directly to water or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water by cleaning of equipment or disposal of equipment wastewaters or rinsate."⁵

Physical or Chemical Hazards section comment(s), right-hand side of page 2 of 2:

14. The existing section currently titled as "Physical Hazards" should be changed to "Chemical or Physical Hazards."

Chemsico should note that a notice of availability of EPA's reregistration eligibility decision (RED) document for products containing pyrethrins was published in the *Federal Register* on July 26, 2006 (Volume 71, Number 143, Pages 42387-42389). In addition, EPA's RED for products containing piperonyl butoxide was published in the *Federal Register* on July 26, 2006 (Volume 71, Number 143, Pages 42385-42386). Further, EPA's RED for products containing MGK-264 was published in the *Federal Register* on July 26, 2006 (Volume 71, Number 143, Pages 42381-42383). As a result, additional data and/or labeling changes may be required for products containing pyrethrins, piperonyl butoxide and MGK-264.

⁴ For more information, please refer to page 96 of 108 of the pyrethrins RED.

⁵ For more information, please refer to page 101 of 108 of the pyrethrins RED.

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The revised basic CSF submitted along with this amendment is still being reviewed by the Agency and will be submitted to you under separate cover. 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 FIFRA section 6(e). Your release for shipment of the product bearing amended labeling constitutes accepting of these conditions. A stamped copy of the label is attached for your records. If you have any questions about this label review, please contact Carmen Rodia at (703) 306-0327 or via e-mail at Rodia.Carmen@epa.gov.

Sincerely yours,



Richard J. Gebken,
Product Manager (10)
Insecticide Branch,
Registration Division (7505P)

Attachment

009688-00127 D372228

Chemsico

Total Release Fogger K

Optional Marketing Language

[Easy-to-use exclusive water-based formula • Kills houseflies, mosquitoes, roaches, wasps, small flying moths, crickets, silverfish and more • Kitchen fogger • Use in kitchens and food preparation areas • Use to control bugs in your kitchen • Made with a botanical insecticide from the chrysanthemum flower • Made with a botanical insecticide • Made with a plant based ingredient • Kills with a plant based ingredient • Kills fast • Kills roaches, ants, flies, gnats and other common kitchen insects • Water-based • • Kills hidden bugs

When used as directed, it will not harm drapes, upholstery fabrics, carpeting, bedspreads, clothing, linens, furniture, walls, floor tiles, ceilings, shades or blinds.

One unit [can] treats an entire room (up to 20' x25' with an 8' ceiling) [with an effective bug killing fog that leaves no unpleasant [residual] odor.]

With odor neutralizer [fragrance][scent]
Odor neutralizing[system][technology][formula]

Active Ingredients:	
Pyrethrins	0.5%
Piperonyl Butoxide.....	1.0%
N-Octyl bicycloheptene dicarboximide.....	1.0%
Other Ingredients.....	97.5%

KEEP OUT OF REACH OF CHILDREN

CAUTION Read Precautions on Side Panel

NET WT. 4 OZ. (113 g)

[Bracketed Text] = Optional language

OPTIONAL MARKETING LANGUAGE

For use in rooms, apartments, homes, attics, basements, garages, pet sleeping areas, cabins, kitchen and food preparation areas.

Kills roaches [cockroaches], spiders, waterbugs, silverfish, ants and crickets. Also kills flies, mosquitoes, moths, wasps and hornets.

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 household use only.*

TO USE THIS PRODUCT CORRECTLY



DO NOT use more than one fogger per room. **DO NOT** use in small, enclosed spaces such as closets, cabinets, or under counters or tables. Do not use in a room 5 ft. x 5 ft. or smaller; instead, allow fog to enter from other rooms.



TURN OFF ALL IGNITION SOURCES such as pilot lights (shut off gas valve), other open flames, or running electrical appliances that cycle off and on (i.e., refrigerators, thermostats, etc.) Call your gas utility or management company if you need assistance with your pilot lights.

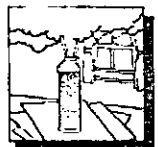
BEFORE YOU FOG

Avoid contamination of food and drinking water. All food, dishes, food preparation surfaces and equipment should be covered during or removed during treatment or thoroughly washed before use. Open cabinets and doors. Shut off fans and air conditioners and turn off all ignition sources as directed above. Remove pets including birds. Cover and turn off fish tanks. Close outside doors and windows.



TO START FOGGING

- Place several layers of newspaper or paper towels on a table, stand or floor, in center of room. Cover waxed wood floors and waxed furniture in the immediate area surrounding the fogger. Newspapers may be used.



**ACCEPTED
with COMMENTS
in EPA Letter Dated
June 6, 2007**
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
9688-127

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2. **SHAKE WELL BEFORE USING.** Tilt can top away from face. Press valve all the way down, hooking the catch.
3. Set can on newspaper or paper towels and leave the premises immediately. Do not re-enter treated area for two hours.



AIRING OUT

After two hours, open all doors and windows, turn on air conditioner and fans and air out for 30 minutes. Re-apply every two to four weeks if needed.

STORAGE AND DISPOSAL

Storage: Store in cool, dry area away from heat or open flame. **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 swallowed. Contains petroleum distillate. Do not induce vomiting because of aspiration pneumonia hazard. Avoid breathing vapors or spray mist. Avoid contact with skin or eyes. In case of contact, flush with plenty of water. Wash with soap and warm water after use. Obtain medical attention if irritation persists.

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 mouth-to-mouth if possible. 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. **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.

Note to physician: Contains petroleum distillate – vomiting may cause aspiration pneumonia.

Physical Hazards



This product contains a highly flammable ingredient. It may cause a fire or explosion if not used properly. Follow the "Directions for Use" on this label [box] [can] very carefully. Contents under pressure. Do not use near heat or open flame. Do not puncture or incinerate container. Exposure to temperature above 130° F may cause bursting.

NOTICE: Buyer assumes all responsibility for safety and use not in accordance with directions.

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

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. 9688-127

EPA Est. 9688-MO-1

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