

9688-174

12-30-2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

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

DEC 30 2009

Dear Mr. Smith:

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 Granules Formula L
EPA Reg. No. 9688-174
Your submission dated December 7, 2009

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated December 7, 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. Peltt

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



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

<input type="checkbox"/>	Registration Amendment Other
<input type="checkbox"/>	
<input checked="" type="checkbox"/>	

OPP Identifier Number

Section I

1. Company/Product Number 9688-174	2. Product Manager R. Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Chemsico Insect Granules Formula L	PM# 13	
5. Name and Address of Applicant (include ZIP Code) Chemsico, Div. Of United Industries Corp. 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: EPA Reg. No. _____ 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.)
 Label Notification per PR Notice PRN 2007-4, PRN 2008-1, PRN 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 type="checkbox"/> Metal <input checked="" 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	If "YES," 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 4 LB		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 checked="" 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 Eric D. Smith	Title Regulatory Affairs Manager	Telephone No. (include Area Code) 314-683-2455
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 Manager		
4. Typed Name Eric D. Smith		5. Date December 7, 2009

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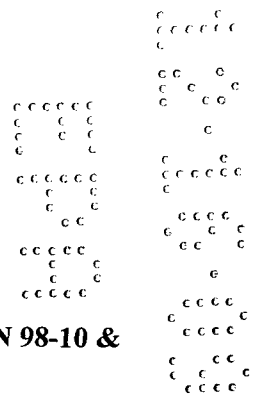
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Chemsico

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

December 7, 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 13

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 Granules Formula L EPA Reg. No. 9688-174**

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.


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. One clean copy of the proposed label

Please call me at 1-800-242-1166, Ext. 2455 or via email: eric.smith@spectrumbrands.com, if you have questions or need further information. Thank you very much for your attention to our application.

Sincerely,



Eric D. Smith
Regulatory Affairs Manager

CHEMSICO Insect Granules Formula L

For outdoor use around the home only

- [With Accelerator II • Kills Queen [and Mound in 24 hours] • Kills Queen and Colony [in 24 hrs.] • Kills in 24 hours • Limits New Mound Formation • Works within 24 hours (no waiting for weeks) • Ready-to-use Granules • *Guaranteed Results or Your Money Back • [New] Granules completely dissolve for faster [more complete] active release • [New] Deep Reaching Formula – Completely Dissolves for More Killing Power • Resealable bag • Exclusive Accelerator [I] Technology [Kills in 24 hours] • New Exclusive Formula • Low odor • No odor • Kills the mound • Starts to kill in minutes • Starts to kill in hours • [New] Quick Release Formula

NOTIFICATION

DEC 30 2009

Active Ingredient:
 Lambda-Cyhalothrin 0.04%
 Other Ingredients 99.96%

KEEP OUT OF REACH OF CHILDREN

CAUTION See back for additional precautionary statements

NET WT. 4 POUNDS [LB] / 1.82 kilograms

OPTIONAL MARKETING LANGUAGE

Chemsico Insect Granules Formula L

- with Accelerator II
 - Kills Queen and Mound in 24 Hours!
- Chemsico's fast-acting formula provides effective control of fire ants in 24 hours, not days or weeks. Chemsico Insect Granules Formula L is made with our exclusive Accelerator [I] technology which speeds the release of the active ingredient into the mound. (Graphic)

OPTIONAL PRODUCT FACT BOX

PRODUCT FACTS

What It Does:

Kills Fire Ant Queen and Colony in 24 hours [Limits [new] mound formation] [Helps prevent mound formation]

Where to Use:

Outdoors, on Fire Ant Mounds [and as a broadcast treatment in lawns]

When to Use:

For Best Results, apply in Morning or Evening Hours

Questions & Comments: (icon phone) (icon computer)
Call 1-800-332-5553 or Visit our Website at www.xxx.com

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.



Keep children and pets off treated areas until product has been watered in and lawn is dry.

- Apply this product directly to the lawn or garden area. Water treated area as directed on this label. Do not water 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.

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- 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.

MOUND TREATMENT

[Kills the queen and colony]

- (graphic) Sprinkle 1/2 cup granules over and 2 feet around each mound.
- (graphic) Immediately after applying, GENTLY water in granules using at least 1 gallon of water for each mound. Do not apply within 24 hours of rain. Do not allow to run off from target site.
- Treat new mounds as they appear.
- For spot treatment of ants, other than fire ants: Apply 1 – 1 1/2 teaspoons over and around each ant hill.

[OPTIONAL DIRECTIONS FOR BROADCAST TREATMENT]

[Kills foraging ants]

The use of broadcast treatment is not intended to be a substitute for fire ant mound treatment. For effective fire ant control you must also treat the mound.

- Apply granules with a spreader at a rate 2 lbs. per 1,000 sq. ft.
- Water lawn immediately after application. Do not apply within 24 hours of rain. Do not allow to run off from target site.
- Do not mow for 24 hours following treatment.

SPREADER SETTINGS FOR LAWN APPLICATION		
Make & Model	2 lbs./1,000 sq. ft.	2 lbs./1,000 sq. ft.
Vigoro Rotary	3	8
Scotts	4 1/2	2 1/2
Speed/Green	4 1/2	3 1/2
Scotts AccuGreen	5 1/2	12
Scotts Drop	3 1/2	3 1/2 - 4
Red Devil Rotary		

NOTE: These settings are approximate due to variability and wear of spreader. Check settings and calibrations on a small area before making total application.]

USE TIPS

- (graphic) For best results, apply in morning or evening hours. At these times, fire ants are closer to the surface virtually assuring the product will contact them.
- Gentle application of water is important as high pressure spray may disturb ants and cause migration, reducing product effectiveness.

STORAGE AND DISPOSAL

Reclose bag tightly after each use. Store in a cool, dry area which is inaccessible to children and pets. If Empty: Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. If Partly Filled: Call your local solid waste agency at 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: Harmful if swallowed. Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash hands thoroughly after handling and before eating or smoking. Food utensils such as spoons or measuring cups must not be used for food purposes after use in measuring pesticides.

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 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 product is highly toxic to fish and aquatic invertebrates. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this 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. Sweeping any product that lands on a driveway, sidewalk, or street, back onto the treated area of the lawn or garden will help to prevent 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.

[*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]

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

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

EPA Reg. No. 9688-174

EPA Est. No. 9688-MO-1

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