9688 - 181

3/25/2010

Page 179



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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

Mr. Eric D. Smith Chemsico Division of united Industries P.O. Box 142642 St. Louis, MO 63114

MAR 2 5 2010

Subject: Label Notification(s) for Pesticide Registration 2007-4

Dear: Mr. Smith:

Subject: Notification to Make Label Changes

EPA Registration Number: 9688-181 Date of Submission: February 23, 2010

Decision: 429781

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated for February 23, 2010

EPA Registration Number: 9688-181 Chemsico Lawn Granules L

The Registration Division (RD) has conducted a review of this request for applicability Under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please re reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on non-refillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact Melody Banks on 703 305-5413.

Sincerely,

Richard Gebken Product Manager

Insecticide Branch

Registration Division (7504P)

& Gebl

289

Please read instructions on reverse before Form Approve MB No. 2070-0060. Approval expires 11-30-93 mpleting form. United States Environmental Protection Agency **OPP Identifier Number** Office of Pesticide Programs (H7505C) Registration Washington, DC 20460 Amendment Other Application for Pesticide: Section I 1. Company/Product Number 3. Proposed Classification 2.Product Manager 9688-181 K. Nesci 4. Company/Product (Name) PM# x None Restricted Chemsico Lawn Granules L 13 5. Name and Address of Applicant (include ZIP Code) 6 Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labelling Chemsico, Div. Of United Industries Corp. P.O. Box 142642 St. Louis, MO 63114 EPA Reg. No. Check if this is a new address Product Name Section II Amendment - Explain below Final printed label in response to Agency letter date Resubmission in response to Agency letter dated "ME TOO" Application. Notification - Explain below. 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: Child-Resistant Packaging Unit Packaging Water-Soluble Packaging 2. Type of Container Yes * Yes Metal Yes Plastic X X X No No No Glass ' Certification must be If "YES." If "YES." No. per Paper No. per submitted Unit package wgt container Package wgt container Other (Specify) 3. Location of Net Contents Information 4. Size(s) of Retail Container 5. Location of Label Directions X On Label 3, 10 lb On Labeling accompanying product x Label Container 6. Manner in Which Label Is Affixed To Product Lithographed Other Paper glued Stenciled Section IV 1. Contact Point (Complete items directly below for identification of the individual to be contacted, if necessary, to process this application) Telephone No. (include Area Code) Name 314 683-2455 0000 Eric D. Smith Regulatory Affairs Manager 6 Date Application Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate, and complete. Received I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or control of the con (Stamped) both under applicable law.

2. Signature

4. Typed Name

Eric D. Smith

3. Title

5. Date

Regulatory Affairs Manager

February 23, 2010

Chemsico

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

....

February 23, 2010

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 2007-4, PRN 2008-1, PRN 98-10 &

EPA's June 4, 2009 General Labeling for Pyrethroid Notification letter

Chemsico Lawn Granules L EPA Reg. No. 9688-181

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: <u>eric.smith@spectrumbrands.com</u>, 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 Lawn Granules L

For outdoor use around the home only.

[Kills Fire Ant Queen [and Mound in 24 hours] • Kills Fire Ant Queen and Colony [in 24 hrs.] • Kills in 24 hours • Limits New Fire Ant Mound Formation • Works within 24 hours (no waiting for weeks) • Ready-to-use Granules • *Guaranteed [Results or Your Money Back] • Granules completely dissolve for faster [more complete] active release • Deep Reaching Formula - Completely Dissolves for More Killing Power • Resealable bag ● [Kills in 24 hours] ● Exclusive Formula • Low odor • No odor ● Kills the mound ● Starts to kill in minutes ● Starts to kill in hours ● Kills Ants, Crickets, Fleas, Grubs, Ticks [and other listed pests] • Kills Grubs [and Lawn Invading Pests] • Kills on Contact • Controls many destructive lawn insects, including grubs • Kills Mole Crickets and Chinch Bugs ● Kills Fire Ants ● White grub control ● Effective grub control ● Kills insects above and below the ground • Use on lawn and as a barrier treatment • Quick Release Formula • Kills over 40 types of insects [insect types] [as listed] • Kills 43 types of insects [as listed] • Use on Lawns to Kill Above & Below the Ground . Kills Bugs Fast! Above & Below the Ground as listed • Kills Carpenter Ants & other listed ant species • Kills Ants on Contact • Use Outdoors as a Barrier Band Treatment

Active Ingredient: Control of the Co

KEEP OUT OF REACH OF CHILDREN

CAUTION See back for additional precautionary statements.

Net Wt 10 lb (4.5 kg)

OPTIONAL PRODUCT FACT BOX

PRODUCT FACTS

What it Does:

Helps protect your home from invading Ants. Also kills Crickets, Fire Ants, Chinch Bugs, Armyworms (Fall and Yellow-striped), Billbugs, Cutworms, Earwigs, Fleas, Roaches (German & American), Grubs, Sod webworms, European Crane Flies, Ticks and other listed insects.

Where to Use: [outdoors icon]

Outdoors, as a Barrier Band Treatment

Alternate: Outdoors, on Lawns and as a Barrier Band Treatment around House

Foundation

Questions & Comments: [phone icon, computer icon]
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 area until product has been watered in and lawn is dry.

- Do not make applications during rain. 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.
- 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.

in New York State, this product may not be applied to lawns within 100 ft of a coastal marsh, or stream that drains directly into a coastal marsh.

Three Easy Steps to Use this Product

Step #1: Determine size of the job, measure the area to be treated.

Step #2: Use spreader setting chart to determine appropriate setting for your spreader.

9 N Step #3: Treat as directed in rate chart. Thorough coverage is important. Water in granules immediately after application.

- Do not apply more than six (6) times per year per location.
- Do not apply within 24 hours of rain.
- Do not allow product to run off from target site

NOTE:

Spreader Settings for Overall Lawn Application

Spreader Make and Model	2 lb/ 1000 sq ft	3 lb/1000 sq ft
CYCLONE		
Rotary	3 ½ - 4	4 1/2
K-GRO		
Rotary	1	1 ½
Drop	5	5 ½
REPUBLIC	17.等1天1等4次与基础的量子的图像	医马克勒氏虫类 第二十二十二十二十二十二十二十二十二十二十二十二十二十二十二十二十二十二十二十
EZ Drop #530	8	10
EZ Drop #540	2 1/2	3
SCOTTS	DATE SEE STATE OF THE SECOND	
SpeedyGreen 2000	4 1/2	5
SpeedyGreen 3000	4 1/2	5
AccuGreen 1000	4 1/2	5
AccuGreen 2000	4 1/2	5
AccuGreen 3000	4 1/2	5
Drop	5 ½	6
SEARS		
Rotary	1 ½	1 ½ - 2
Drop	5	6
EARTIHWAY	共产业的企业的企业	Programme and the second
Rotary	1 ½	1 ½ - 2
RRECISION		
Rotary (#S850)	3 ½	4
RED:DEVIL.		
Rotary	3 1/2	4
TRUE TEMPER		
Rotary	3 ½	4
Rotary	3	3 ½

Note: The spreader settings listed above are approximate. Accurately weigh a few pounds into your spreader and apply to a measured area. Then adjust spreader setting if necessary, in order to assaire correct rate of application.

Treat the following pests during the months indicated. Make no more than 6 applications per year.

-		C - C							^	
Ç	~	(\sim	^	C	C		ر د د	c
~	^	_		0		^	•		_	~ I
0	^	~	•	0	c	C	C	0	0	C
\sim	^	C C			C	0	C		_	
-	•	5		~ ~	O		5		600	- 4

ر ا	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
-					Billbugs		《新艺	Gru	ıbs 🐪			
-	Dung beetle grubs											
(odes weevils							
		Treat A	ints;and	other in	sects when th	ey first	appear	or you	notice	lawn d	amage	的繼續

DIRECTIONS FOR APPLYING CHEMSICO LAWN GRANULES L

Treatment Areas	Pests	How To Use	Use Rate		
Band Treatment Around House Foundation	Ants*, Fleas, Roaches (German and American), Palmetto bugs, Water bugs, Millipedes, Mites, Silverfish, Sowbugs (Pillbugs), Crickets, Earwigs	These pests are commonly found around or near foundations of houses as well as in lawns. Certain of these pests may enter houses. Apply a 3- to 5-foot band of granules next to the house foundation. Distribute granules uniformly. Water lightly immediately after application.	(an area 5' x 200') or 3.2 oz for each 100 sq ft (an area 5' x 20').		
Overall Lawn Application	Ants*, Armyworms (Fall & Yellow-striped), Centipedes, European Crane Flies, Crickets, Cutworms, Earwigs, Fleas, Lawn moths (sod webworms), Grasshoppers, Japanese beetle (adults), Pillbugs, Spittle bugs, Mites, Green June Beetles, Leafhoppers, Millipedes, Springtails and Ticks (including Ticks which may transmit Lyme Disease)	Apply with a fertilizer spreader. See spreader setting chart [on the side of bag]. Apply when grass is dry. Water lawn lightly immediately after application.			
	Billbugs, Grubs (Japanese beetle grubs, Green June Beetle Grubs), <i>Ataenius spretulus</i> (dung beetles), Hyperodes Weevils, Mole Crickets, Chinch bugs	Immediately water grass thoroughly after application. For billbug control, apply when activity is first observed or when chewed or brown grass indicates damage from these insects. For grub control, except dung beetle, treat any time between late July and early October. For dung beetle grub control, apply in spring or early summer when damage is first noticed. Water grass thoroughly with ¼ to ½ inch of water immediately after application. Treat again in late summer or early fall if a second generation occurs.	Apply 3 lb per 1000 sq ft of lawn.		
Spot Treatment	Ants*	Water lightly immediately after application.	Apply 1½ tsp over and around each anthill.		
	Fire Ant [s] [Mounds]	Immediately after application, water in thoroughly. A minimum of 1 gallon of water should be applied to each mound area. Apply water gently to avoid disturbing ants. Use of high pressure watering equipment may disturb the ants and cause migration, reducing product effectiveness. <i>NOTE</i> : For best results, apply in cool weather, 65 – 80° F, or in early morning or late evening hours. Treat new mounds as they appear. Fast acting, works within 24 hours.	each fire ant mound.		

^{*}Argentine, Southern Field, Allegne up Mound, Florida Carpenter, Black Carpenter, Cornfield, Honey, Pavement, Red Imported Fire Ant, Nuisance

OPTIONAL DIRECTIONS FOR BAND TREATMENT

OPTION A

BAND TREATMENT AROUND HOUSE

General Directions

The following pests are commonly found around or near foundations of houses as well as in lawns. Some of these pests may enter the home. Apply a 3- to 5-foot band of granules next to the house's foundation.

INSECTS:

Ants, Mites, Crickets, Earwigs, Fleas, roaches (German & American), Palmetto bugs, water bugs Millipedes, Sowbugs (Pillbugs)

RATE:

3.2 oz for each 100 sq ft (an area 5 ft x 20 ft).

HOW TO USE:

Distribute granules evenly. Water lightly immediately after application.

SPOT TREATMENT FOR ANTS

RATE:

Apply 11/2 tsp over and around each anthill.

HOW TO USE:

Water lightly immediately after application.

OPTION B

BAND TREATMENT AROUND HOUSE

- Chemsico Lawn Granules L kills ants, as well as fleas, mites, crickets, earwigs, millipedes, roaches (German & American), Palmetto bugs, water bugs, sowbugs (pillbugs), silverfish, ticks (including ticks which may transmit Lyme Disease) and other pests.
- 2. Break the seal and open the pop-top cap.
- 3. Evenly sprinkle granules in a 3- to 5-foot wide band along the foundation of your home. Granules should he spaced liked the ones pictured below (show picture). Use rate = 2 lb per 1000 sq ft (an area 5' x 20')
- 4. Gently water treated areas.

USE TIPS

- 1. Try to get even coverage throughout your "barrier band".
- 2. Reapply after hard rains to areas where down spouts empty.

SPOT TREATMENT FOR ANTS

- 1. Evenly sprinkle granules over and around each anthill.
- Use 2 oz. (1½ tsp) per anthill. [(NOTE: This package will effectively treat 64 anthills.) (The note is for a 2 lb package.)]
- 3. Gently water treated areas immediately after application.

STORAGE AND DISPOSAL

Storage: Reclose container tightly after each use. Store in a cool, dry area which is inaccessible to children and pets. **Disposal: 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 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, 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. Appling 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.

di

\$

[*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.]

[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. 9688-181

EPA Est. Nos. XXXX-XX-X

Circled letter is first letter of lot code.

©2010

