

9688-184

12/30/2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

DEC 30 2009

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

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 Fire Ant Killer PD

EPA Reg. No. 9688-184

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. Palitt*

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

2016

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

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

OPP Identifier Number

### Application for Pesticide:

#### Section I

1. Company/Product Number <b>9688-184</b>	2. Product Manager <b>R. Gebken</b>	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) <b>Chemsico Fire Ant Killer PD</b>	PM# <b>13</b>	
5. Name and Address of Applicant (include ZIP Code) <b>Chemsico, Div. Of United Industries Corp. P.O. Box 142642 St. Louis, MO 63114</b> <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 <b>1 LB</b>		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 type="checkbox"/> Other _____		
<input type="checkbox"/> Lithographed			<input checked="" type="checkbox"/> Paper glued		
<input type="checkbox"/> Stenciled					

#### Section IV

1. Contact Point (Complete items directly below for identification of the individual to be contacted, if necessary, to process this application)		
Name <b>Eric D. Smith</b>	Title <b>Regulatory Affairs Manager</b>	Telephone No. (include Area Code) <b>314-683-2455</b>

<b>Certification</b> 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 <b>Regulatory Affairs Manager</b>	
4. Typed Name <b>Eric D. Smith</b>	5. Date <b>December 7, 2009</b>	

# 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 Fire Ant Killer PD EPA Reg. No. 9688-184**

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](mailto: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



# Fire Ant Killer PD

For outdoor use around the home only

[New! • Starts to Work in Hours • Starts to Kill in Hours • Starts to Work on Contact • Kills Fire Ants • Easy to Use • No Watering in [Needed] [Necessary] • Kills the entire colony • Kills the entire colony in 3-7 days • Treats [32] mounds • Kills the mound • Kills the entire mound • Non-staining • Use in lawns and gardens • Easy to seal container • Low dust formula • Low Odor • No Odor • Guaranteed Results or your money back\*]

## NOTIFICATION

DEC 30 2009

Active Ingredient:  
Permethrin ..... 0.25%  
Other Ingredients ..... 99.75%

KEEP OUT OF REACH OF CHILDREN

**CAUTION** See back for additional precautionary statements

NET WEIGHT 1 LB./ 453 g

**PRODUCT FACTS**

**WHAT IT DOES:** Kills Fire Ants

**WHERE TO USE:** Home Lawns

**Questions & Comments:** (phone icon)  
(Computer icon) Call 1-800-332-5553 or Visit our website at [www.xxxx.com](http://www.xxxx.com)

### [HOW IT WORKS:

1. Chemsico Fire Ant Killer PD is tracked deep into the mound by worker ants.
2. In 3-7 days the fire ants are dead.]

### 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.



Allow dust to settle in treated areas before re-entering.

- Do not water the treated area 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.
- 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.

### HOW TO USE

**[TO APPLY AS A SHAKER:** Hold container 12-18" above mound. Tilt to use multiple holes, shake gently and sprinkle evenly over the mound. Use 1 Tbsp. [3 shakes] per mound. (For mounds larger than 8" use 2 Tbsp.)]

**TO MEASURE AND APPLY:** Sprinkle 1 Tablespoon of dry powder over each mound. For large (8" or more in diameter) mounds apply 2 Tablespoons.

Try not to disturb mound during application.

**Do not water in.** [This is important as it allows fire ant workers to] [Alternate: Fire ant workers will] track the powder deep into the mound. Fire Ant Killer PD starts to work upon contact, though mound kill is not immediate.

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. Chemsico Fire Ant Killer PD will kill the fire ants in 3-7 days.

### STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or 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 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** – Harmful if inhaled. Avoid breathing dust.

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Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before smoking or eating. Remove contaminated clothing and wash clothing before use. Food utensils such as teaspoons and measuring cups should not be used for food purposes after use with pesticides

**FIRST AID**

**If Inhaled:** Move person to fresh air. If person is not breathing call 911 or ambulance, then give artificial respiration, preferably mouth to mouth, if possible. 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.

**ENVIRONMENTAL HAZARDS**

This product is extremely 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.

**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 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. 9688-184

EPA Est. No. 9688-MO-1

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1006