

9688-187

09/11/2008

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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

September 11, 2008

Eric D. Smith,
Regulatory Affairs Manager
Chemsico,
Division of United Industries Corporation
P.O. Box 142642
St. Louis, MO 63114-0642

Subject: Proposed Alternate Formulation Nos. 6 and 7
Chemsico Aerosol Insecticide EL-A
EPA Reg. Nos. 9688-187
Application dated April 25, 2008

Dear Mr. Smith:

The above referenced submission, in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable subject to the following comments:

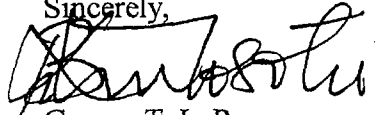
- Relative to the proposed additional "Optional Marketing Claims" on page 3 of 5 of the label:
 - Delete all odor related claims (Item #s 1 – 9); Item Nos. 25, 26 and 31 – Subjective, unsubstantiated claims.
 - Delete the statement "*in their tracks*" or revise statement to read "in their tracks within seconds".
 - Delete all claims in item #13 (*with no, without any . . . odor*), except "Kills on contact".
 - Delete the statements "*leaves no mess*" and "*doesn't leave a mess*" from item Nos. 27 and 28, respectively.
 - Item Nos. 15, 17, 18, 19, 20 – These claims are allowed on the label for up to 6 months from date of first distribution.
 - **Claim Nos. 11, 12, 21, 22, 23 – are not acceptable, and must be deleted.**

Please find the enclosed copy of our Product Performance Efficacy Review for more information.

We have included copy of the accepted Confidential Statement of Formula (CSF), dated September 5, 2008 for each alternate formulation in the record for the subject product. Please submit the finished labeling to the Agency prior to releasing the product for shipping.

See enclosed stamped copy of the label for your record. If you have any questions concerning this action, please contact Dr. B.A. Akinlosotu at (703) 605-0653.

Sincerely,

fx 
George T. LaRocca,
Product Manager 13
Insecticide Branch
Registration Division (7505P)

Enclosed: baa

CHEMSICO

AEROSOL INSECTICIDE EL-A

[Unique] [ETOC] [Technology] [Killing System] • Kills in seconds • Kills [Bugs] Fast • Fast Killing • [Stops] [Kills] Bugs [Dead] in Their Tracks • Kills Quickly! • Dead on....Every Time! • Kills bugs you see, Kills bugs you don't see • [Kills] [controls] [roaches] [cockroaches] [ants] [carpenter ants] [crickets] [for up to [1, 2, 3 months] [4, 8, 12 weeks] • Kills on Contact [and] [plus] [Keeps [On] Killing] [for up to [3 months] [12 weeks]] • [Protects] [Continues to kill] up to three months • Keeps killing [controlling] ants [including carpenter ants] for up to 3 months [[12 weeks]] • Kills roaches and ants [including carpenter ants] in seconds • [Starts Killing in Seconds] [Keeps killing up to [1, 2, 3 months] [4, 8, 12 weeks] • Up to [1, 2, 3 month] [4, 8, 12 week] [Control] [Protection] [Killing Action] • Helps Protect Your Home from [Roaches] [[and] [&]] [Ants] • Also Kills brown dog ticks, fleas and spiders • *Guaranteed to Work [or Your Money Back!] • Water-based • No oily residue • Non-Staining • Unscented • No Mess • Leaves no odor • No lingering odor

Optional Phrases with Fragranced Formulas: [Clean] [Fresh] [Breeze] [Floral] Scent • [Country] [Garden] [Fresh] Scent • Fresh Floral [Scent] [Perfume] • Spring Time Scent • Lavender [Lavanda] • Citrus Scent • Fresh Pine Scent

**ACCEPTED
with COMMENTS
In EPA Letter Dated:**

SEP 11 2008

Active Ingredients:

Prallethrin.....	Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No. 9688-187	0.025%
Lambda-Cyhalothrin.....		0.010%
Other Ingredients*		99.965%

*Contains petroleum distillates.

KEEP OUT OF REACH OF CHILDREN

CAUTION See back for additional precautionary statements

NET WT. 12 oz [340 g]

ETOC™ is a registered trademark of Sumitomo Chemical Company

OPTIONAL MARKETING LANGUAGE

[Chemsico Aerosol Insecticide EL-A [also] stays on treated surfaces providing insect protection for up to [4,8,12] weeks [1,2,3 months].

[Chemsico Aerosol Insecticide EL-A [kills] [controls] ants [including carpenter ants], roaches, and crickets, for up to [1, 2, 3 months] [4, 8, 12 weeks]. It also kills brown dog ticks, fleas, spiders and other listed insects.]

[Chemsico Aerosol Insecticide EL-A] [with ETOC™] kills roaches [bugs] [insects] in two ways:

1. Kills [bugs fast] on contact
2. Keeps on killing [with residual action even after you spray], for up to [4, 8, 12 weeks]

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 indoor residential use only.*

HOW TO USE

Shake well before using. Spray surfaces until wet, moving the spray rapidly to prevent excessive wetting and waste of product. Point spray away from people, pets and plants.

Do not use as a room spray.

Remove pets and cover aquariums before spraying. Do not allow the spray to contact food or food contacting surfaces. Thoroughly wash dishes, utensils and counter tops with soap and water if they are sprayed with this product.

WHERE TO USE

Indoors as spot treatment for control of **Cockroaches, Ants, Carpenter Ants, Spiders, Crickets, Firebrats and Silverfish.** Direct spray into cracks and crevices in walls, dark corners of rooms, cabinets and closets, along and behind baseboards, beneath and behind sinks, stoves, refrigerators and cabinets, around plumbing and other utility installations, around waste containers and wherever else these pests may find entrance. Residual activity lasts up to three months[12 weeks]. [Alternate: Kills returning insects for up to 12 weeks[3 months]].

For control of Fleas and Brown Dog Ticks, spray infested areas such as pet beds and resting quarters, nearby cracks and crevices, along and behind baseboards, window and door frames and localized areas of floor coverings where these pests may be present. Test inconspicuous sample of fabric or rug for staining before use. Old bedding of pets should be removed and cleaned or replaced with clean, fresh bedding after treatment of pet area. **Do not treat pets with this product.** To control the source of flea infestations, treat your pet with a product registered for animal application [such as . . .]. Also treat your yard with a product registered for yard application [such as . . .].

STORAGE AND DISPOSAL

Store in cool, dry area away from heat or open flame. 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 for disposal instructions.

PRECAUTIONARY STATEMENTS**Hazards to Humans and Domestic Animals**

CAUTION: Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.

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 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.

Have the product container with you when calling a Poison Control Center or doctor, or going for treatment.

Note to Physician: Contains petroleum distillates – vomiting may cause aspiration pneumonia.

Physical or Chemical Hazards

Contents under pressure. Do not use or store 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 [or visit our website at www.spectrumbrands.com]

[Contains NO CFC's or other ozone depleting substances. Federal regulations prohibit CFC propellants in aerosols.]

[*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. 9688-187

EPA Est. No. 9688-MO-1

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OPTIONAL FORMAT - SIMPLIFIED DIRECTIONS**Kills**

- Cockroaches [Roaches]
- Ants
- Carpenter Ants
- Crickets
- Spiders
- Firebrats
- Silverfish
- Fleas

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 indoor residential use only.*

HOW TO USE

1. Shake well before each use.
2. Spray insects to kill on contact.
3. For long-lasting control, treat areas where insects are commonly found. Spray surfaces until wet, moving the spray rapidly to prevent excessive wetting and waste of product. [Alternate: Spray surfaces until wet, but avoid excessive wetting and waste of product.]
4. When treating for ants, spray around door and window frames. Also treat other entry points and trails. [Kills returning insects for up to 3 months.]

NOTE: Point spray away from people, pets and plants. Do not use as a room spray. Do not allow people or pets to contact treated surfaces until spray has dried. Remove pets and cover aquariums before spraying. Do not allow the spray to contact food or food contacting surfaces. Thoroughly wash dishes, utensils and counter tops with soap and water if they are sprayed with this product. Test inconspicuous sample of fabric or rug for staining before use.

Use Chemsico Aerosol Insecticide EL-A as a spot treatment indoors

- Along & Behind Baseboards [graphic depicting use]
- Around & Beneath Appliances [graphic depicting use]
- Beneath & Behind Sinks [graphic depicting use]

Other Areas Where Insects Are Often Found

- In cracks and crevices
- In dark corners of rooms, cabinets and closets
- Around pipes and plumbing
- Around waste containers

STORAGE AND DISPOSAL

Store in cool, dry area away from heat or open flame. 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 for disposal instructions.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.

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 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.

Have the product container with you when calling a Poison Control Center or doctor, or going for treatment.

Note to Physician: Contains petroleum distillates – vomiting may cause aspiration pneumonia.

Physical or Chemical Hazards

Contents under pressure. Do not use or store near heat or open flame. Do not puncture or incinerate container. Exposure to temperature above 130° F may cause bursting.

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OPTIONAL MARKETING CLAIMS

1. No remaining chemical odor
2. No remaining odor
3. Low chemical odor
4. Low chemical smell
5. Low Odor
6. No lingering chemical odor
7. No lingering odor
8. No lasting odor
9. No lasting chemical odor
10. Just one shot [squirt] [spray] and bugs [stop][die][in their tracks][within seconds
11. Kills hidden bugs!
12. Kills [hidden] [bugs] quickly and on contact!
13. Kills on contact [with no][without any][lingering] [lasting][chemical] odor
14. Kills [Bugs] Fast and keeps on killing for up to [1, 2, 3 months] [4, 8, 12 weeks]
15. Now Works Faster! [than our previous formula]
16. Fast acting and easy to use!
17. New [Faster] [Acting] [Working] Formula
18. New & improved Formula and spray [sprays in any direction]
19. New & Improved!
20. Improved spray for better coverage
21. Kills bugs before they escape
22. Kills bugs before they run away
23. Kills bugs before they can hide
24. Water based [formula]
25. No Oily [greasy] residue
26. Wont stain carpets & floors
27. Kills on contact and leaves no mess
28. Kills on contact and doesn't leave a mess
29. Kills on contact
30. Lasts up to 12 weeks!
31. Sprays in any Direction.

OPTIONAL FORMAT – TERMITE PRODUCT

For Residential Use Only

[Kills termites* • Kills termites* [exposed drywood, dampwood & subterranean] • Kills on contact • Kills fast • Fast killing • Includes an attachable [extension] tube for localized treatment of termites* • Includes an attachable [extension] tube to reach termites* • Use indoors and outdoors • Water-based • No oily residue • Non-staining • Unscented • Leaves no odor] • kills carpenter bees • kills carpenter bees on contact

*For localized kill only of above ground drywood termite infestations.

Optional Marketing Language & Directions for a Foaming Termite Product

OPTIONAL MARKETING CLAIMS

[Expanding foam kills termites* on contact in their tunnels] • [Chemsico Aerosol Insecticide EL-A is highly effective against above ground termite infestations.** It can be sprayed indoors and outdoors on wooden surfaces. The foam expands to where insects live [and eventually dissipates]. Spray [the foaming aerosol] into hard to reach areas, such as voids and tunnels [channels] in damaged wood, along cracks, termite tunnels, and along crawl spaces and other wood surfaces anywhere insects hide.]

*For localized kill only of above ground drywood termite infestations.

**For localized kill only.

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.



Do not allow people or pets to contact treated surfaces until dry.

HOW TO USE

For spot treatment only. All food preparation surfaces and utensils should be covered during treatment or thoroughly washed before use. Avoid contamination of food and drinking water. Remove pets and cover aquariums before spraying.

SHAKE WELL BEFORE USING. [Push extension tube into nozzle located above the trigger and remove safety tab.] [Tilt extension tube to a 90° angle with can.] Point away from face. [Slowly pull trigger to dispense foam.] Apply evenly, avoid dripping and runoff. [*graphic icon*]

Treat infested areas and areas likely to be infested, such as wood surfaces, voids and tunnels [channels] in damaged wood, behind veneers, in structural voids, [between stud walls and spaces between wood and foundations], along cracks, and along crawl spaces. Termites[†] coming in contact with the product will be killed.

TIPS TO REDUCE THE RISK OF TERMITES[†]

In addition to using this product to spot treat for termites., there are some important steps you can take to reduce the risk of getting termites:

- ✓ Eliminate sources of moisture for termites [any areas that remain moist inside and outside the home]
- ✓ Remove food sources [any direct wood to ground contact, including branches for trees and shrubs]
- ✓ Apply a pre-treatment when building a new home
- ✓ Have a regular termite inspection

[†]This [product] [treatment] will kill workers and/or winged reproductive forms of termites present at the time of application only. For active, structural infestations by subterranean termites this product can only be used to supplement application of a federally registered stand-alone termiticide. Application of this product will not provide structural protection, nor substitute for mechanical alteration, soil or foundation treatment with termiticide. This product is not to be used as sole protection against termites, as it will neither eliminate termite infestations nor provide protection against future infestations. A professional inspection is recommended.

For Carpenter Bees

Treat active tunnels where carpenter bee activity has been observed. Leave the entrance hole open for 48 hours after application to allow the bees to contact and distribute the insecticide throughout the nest galleries. Then plug the entrance hole with a piece of wooden dowel coated with carpenter's glue or wood putty. Plugging the hole will prevent re-infestation of old nesting tunnels and reduce the chances of wood decay.

STORAGE AND DISPOSAL

Storage: Store in a 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 for disposal instructions.

PRECAUTIONARY STATEMENTS

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