

9688-214

10/20/2006

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

October 20, 2006

Jennifer D. Morton
Chemsico
Division of United Industries Corporation
P. O. Box 142642
St. Louis, MO 63114-0642

SUBJECT: ✓ Applications for Pesticide Notification
Chemsico Ant Control I EPA Reg. No. 9688-214
Chemsico Herbicide TSG RTU EPA Reg. No. 9688-244
Applications Dated September 28, 2006

Dear Ms. Morton:

The Agency is in receipt of your Applications for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above products. The Registration Division (RD) has conducted a preliminary screen of this request for its applicability under PRN 98-10 and finds that the actions requested fall within the scope of PRN 98-10. The labels submitted with the applications have been stamped "Notification" and will be placed in our records.

If you have any questions, please me directly at 703-305-6249 or Terri Stowe of my staff at 703-305-6117.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs



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

Application for Pesticide:

Registration
Amendment
Other

OPP Identifier Number

Section I

1. Company/Product Number 9688-214	2. Product Manager Venus Eagle	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Chemsico Ant Control I	PM# 01	
5. Name and Address of Applicant (include ZIP Code) Chemsico, Division of United Industries Corporation PO Box 142642 St. Louis, Missouri 63114-0642 <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)

Notification per PR Notice 98-10 to add the optional marketing claim: "Weather-Resistant [Bait Stations]" United Industries has conducted the necessary research to support this claim, and the data is on-file in the UI Archives. We are also changing the statement "For indoor and outdoor household use only" to create an outdoor only use product. We have added -214 to the EPA Reg. No. on the bait sticker and added an optional product fact box. We also added "package" as an option to "pouch" in the directions for use.

Section III

1. Material In Which This Product Will Be Packaged:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes * <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water-Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	If "YES," Unit package wgt No. per container		<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted.		If "YES," Package wgt No. per container			
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) of Retail Container		5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label Is Affixed To Product <input type="checkbox"/> Lithographed <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled					

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Section IV

1. Contact Point (Complete items directly below for identification of the individual to be contacted, if necessary, to process this application)		
Name Jennifer D. Morton	Title Regulatory Affairs Specialist	Telephone No. (include Area Code) 1-800-242-1166 Ext 2737
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 Specialist	
4. Typed Name Jennifer D. Morton	5. Date September 28, 2006	

United Industries Corp.

NOTIFICATION PER PR NOTICE 98-10

September 28, 2006

Document Processing Desk (NOTIF)
Office of Pesticide Programs
United States Environmental Protection Agency
Room 266A Crystal Mall 2
1801 South Bell Street
Arlington, VA 22202

NOTIFICATION

OCT 26 2006

Attention: Venus Eagle
Product Manager 01

Subject: Notification per PR Notice 98-10
Chemsico Ant Control I
EPA Reg. No. 9688-214

Dear Ms. Eagle:

Please find enclosed Notification per PR Notice 98-10 to add the optional marketing claim: "Weather-Resistant [Bait Stations.]" We are also changing the statement "For indoor and outdoor household use only" to create an outdoor only use product. We have made the "indoor and" portion of the statement optional. We have added "-214" to the EPA Reg. No. on the bait sticker. The product number was inadvertently omitted from the previous version. We have also added an optional product fact box and added "package" as an option to "pouch" in the directions for use.

We have conducted the necessary research to support the additional claim, and have the data on-file in the United Industries archives.


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. Five copies of the proposed label
4. One copy of the EPA stamped approved label

Please call me at 1-800-242-1166, Ext. 2737 you have questions or need further information. Thank you very much for your attention to our application.

Sincerely,



Jennifer D. Morton
Regulatory Specialist

2.

MASTER LABEL:

This Master Label contains optional marketing phrases and other statements that are applicable to different package sizes and alternate brand names of this product.

3.

CHEMSICO

Ant Control I

For [indoor and] outdoor household use only.

SEE PAGE 2 FOR OPTIONAL MARKETING CLAIMS

NOTIFICATION
OCT 20 2006

Active Ingredient:
Indoxacarb 0.05%
Other Ingredients: 93.95%

Do Not Allow Children or Pets to Play with the Bait Stations

CAUTION See back for additional precautionary statements

CONTAINS 4 — 0.07 oz. Bait Stations
TOTAL NET WT. 0.28 oz. (7.9 g)

CARTON

OPTIONAL PRODUCT FACT BOX

What it does: Kills ants where they breed. (ant icon)
Where to use: Use around the outside of homes or anywhere ants are a problem. (outdoor icon)
Questions and comments: (phone icon) (computer icon)
Call 1-800-917-5438 or visit our website at www.(address)

OPTIONAL MARKETING LANGUAGE

[Scout ants seeking food for their colony find the bait station and feeding. They take the bait back to the colony where it is eaten by queen and other worker ants. The colony stops reproducing and die, preventing ants from the colony from infesting your home.]

- [(graphic) **Ants enter bait station** and eat the bait.]
- [(graphic) **Ants take the bait back to the nest.**]
- [(graphic) **Ants share the bait, killing other Ants and destroying colony**]

[This package contains [4] [8] [12] ready-to-use Ant Bait Stations for placement indoors or outdoors along ant trails.]

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 the labeling.

INDOORS [INDOOR USE]

1. Open pouch [and break bait stations apart from each other.]

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[Bracketed Text] = Optional Language

2. Place one bait station along each ant trail or in out-of-the-way places near walls, in cabinets, and under sinks and refrigerators. Heavily infested areas may require two or more bait stations for effective control.

[Optional graphic showing bait placement]

3. For continued control replace baits every 3 months, sooner if infestation is heavy.
[Alternate: Replace baits every three months for continued control or sooner if infestation is heavy.]

OUTDOORS [OUTDOOR USE]

1. Open pouch [package] [and break baits apart before using].
2. Place one bait station along each ant trail around the outside of homes. Place stations in areas inaccessible to children, pets and other non-target animals. Larger homes or homes with heavy infestations may require two or more bait stations to achieve control.

[Optional graphic showing bait placement]

3. For continued control replace baits every 3 months, sooner if infestation is heavy. [Alternate: Replace baits every three months for continued control or sooner if infestation is heavy.]

STORAGE AND DISPOSAL

Storage: Store in a cool, dry place inaccessible to children and pets. **Disposal:** 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.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION. Wash thoroughly with soap and water after handling bait stations.

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

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

*[Satisfaction Guarantee: If you are not completely satisfied with this product, send the proof of purchase and your name, address and original cash register receipt showing price, date and place of purchase for full refund to: Chemsico, P.O. Box 142642, St. Louis, MO 63114-0642]

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

EPA Reg. No.: 9688 -214

EPA Est. No. 9688-MO-1

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OPTIONAL MARKETING CLAIMS

1. New[!]
2. New Formula
3. Quick [Kill] [Action] Formula
4. Starts Killing in Hours
5. Lasts for up to 3 Months
6. Kills Ants in 24 hours
7. Kills Ants Fast
8. Kills in 24 hrs
9. *Fast! Fast! Fast!*
10. Contains [4] [8] [12] Baits
11. Contains [4] [8] [12] Child-Resistant Bait Stations
12. Kills ants indoors and outdoors
13. Solves Tough Ant Problems
14. Nothing to Activate
15. Long-lasting Formula
16. Destroys the Entire Colony
17. Kills the Queen and Colony
18. Patented Bait Station Design
19. Tough Enough for Outdoor Use
20. Can be Used Outdoors
21. [New] [Innovative] [Advanced] Bait Technology
22. Powerful and Long-lasting Bait
23. Easy To Use
24. No Clean-Up
25. Leaves no mess
26. Kills Ants where they breed
27. Kills Ants You See, Kills [hidden] Ants [you don't see]
28. Kills Ants [remaining] in the nest
29. Colony-Killer [Technology]
30. Kills Common Household Ants

- 31. Kills [destroys] queen and colony
- 32. Destroys the Queen and the colony
- 33. Kills the Queen and Destroys the Colony
- 34. Destroys entire colonies
- 35. Guaranteed to Work or Your Money Back*
- 36. Use Anywhere Ants are a Problem
- 37. Use in Kitchens and Baths
- 38. Use Near Walls, in Closets and Cabinets, Under Sinks and Refrigerators]
- 39. Use Indoors and Outdoors [to kill the entire colony]
- 40. Kills Ants Now
- 41. Keeps Ants from Coming Back
- 42. Kills Sugar and Grease Feeding Ants
- 43. Ants Eat and Return to Colony to Kill others
- 44. See-thru bait Station for Easy Monitoring
- 45. Use Anywhere Ants are a Problem
- 46. Station Designed for Discreet Placement in Homes
- 47. Heavy Duty Station for Use Outdoors
- 48. Heavy Duty Stations for Indoor and Outdoor Use
- 49. Provides Relief from Even Tough Ant Problems
- 50. With 2 Foods Ants Eat
- 51. Kills Ants at Their Source
- 52. Helps Keep Ants from Coming Back
- 53. Provides Relief from Even Tough Ant Problems
- 54. Guaranteed to Work for Even Severe Infestations*
- 55. Includes adhesive strip for vertical placement
- 56. Weather-Resistant [Bait Stations]

BAIT STICKER

See outer carton for complete directions and precautions.

CHEMSICO ANT CONTROL I

Active Ingredient:
 Indoxacarb 0.05%
 Other Ingredients:..... 99.95%

Do Not Allow Children or Pets to Play with the Bait Stations

CAUTION. Wash thoroughly with soap and water after handling bait stations.

NET WT. 0.07 OZ. (1.98g)

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 -214

EPA Est. No. 9688-MO-1

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