

9688-233

9.11.2007

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

SEP 11 2007

Mr. William H. Metzger
Vice President – Regulatory and Government Affairs
Chemsico, Division of United Industries Corporation
P.O. Box 142642
St. Louis, Missouri 63114-0642

RE: To add the additional distance of 27 ft to the optional marketing claims, "kills on contact up to [20] [22] [25] [27] ft. Jet Spray and "Up to [20] [22] [25] [27] ft Jet Spray
EPA Reg. No.: 9688-233
Date of Submission: August 6, 2007

Dear Mr. Metzger:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated August 6, 2007, for the product Chemsico Wasp & Hornet Killer DL. The Registration Division (RD) has conducted a review 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 label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Joyce Edwards of my staff at 703-308-5479.

Sincerely,

A handwritten signature in cursive script that reads "Theresa A. Stone for".

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



United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 9688- 233	2. EPA Product Manager George LaRocca	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Chemsico Wasp & Hornet Killer DL	PM# 13	
5. Name and Address of Applicant (Include ZIP Code) Chemsico, Div. of United Industries Corp. P.O. Box 142642 St. Louis, MO 63114-0642 <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 labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

Amendment - Explain below. Final printed labels in response to Agency letter dated _____
 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.)

Notification per PR Notice 98-10 to add the additional distance of 27 Ft. to the optional marketing claims, "Kills on contact up to [20] [22] [25] [27] ft. Jet Spray and "Up to [20] [22] [25] [27] Ft Jet Spray".

Section - III

1. Material This Product Will Be Packaged In:

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	2. Type of 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" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container

3. Location of Net Contents Information
 Label Container

4. Size(s) Retail Container

5. Location of Label Directions
 on label

6. Manner in Which Label is Affixed to Product
 Lithograph Paper glued Stenciled Other _____

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name William H. Metzger	Title Vice President, Regulatory Affairs	Telephone No. (include Area Code) 314-683-2750
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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.

2. Signature 	3. Title Vice President, Regulatory and Government Affairs	6. Date Application Received (Stamped)
4. Typed Name William H. Metzger	5. Date August 6, 2007	

Front Panel

CHEMSICO WASP & HORNET KILLER DL

[Kills on contact · Water-based · *Non-staining · No oily residue · Kills on contact from 20 ft. · Kills on contact from 20 ft. away · Spray kills on contact up to 20 feet · Kills on contact up to 20 feet · [20] [22] [25] ft. Jet Spray · Up To [20] [22] [25] [27] ft. Jet Spray · **Guaranteed Results [or Your Money Back] · Blanketing foam kills on contact]

Active Ingredients:

d-trans allethrin	0.05%
Lambda-cyhalothrin	0.01%
Other Ingredients	99.94%

KEEP OUT OF REACH OF CHILDREN
CAUTION See back for additional precautionary statements

Net Wt 14 oz (396 g)

Chemsico Wasp & Hornet Killer DL is designed to kill wasps, hornets, yellow jackets. This product also kills mud daubers, tent caterpillars and scorpions.

Optional Fact Box

What it Does:
Kills Wasps, Hornets, Yellow Jackets, Scorpions, Mud Daubers, and Tent Caterpillars
Where to Use:(icon outdoor)
Outdoors Where Insects Live and Breed
Questions & Comments: (icon phone and icon computer)
Call 1-800-332-5553 or visit our Website at www.spectracide.com

Back panel

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. **Never use indoors.**

OPTION 1 - PARAGRAPH FORM

SHAKE WELL BEFORE EACH USE. Aim spray away from person. Push button to spray. If it's windy, stand with the wind at your back to avoid spray drift.

WASPS, HORNETS AND YELLOW JACKETS:

Application should be made in late evening when insects are least active. Spray liberally, soaking the nest. Wait at least 24 hours before removing the nest.

Use of this product on evergreen and holly is not recommended as damage may result.

Do not use this product in or on electrical equipment due to possibility of shock hazard.

*This product is non-staining to most home siding depending on age and cleanliness. Before using in areas where the spray may contact home siding, test in an inconspicuous area and recheck in a few hours.

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OPTION 2 – SIMPLIFIED DIRECTIONS

1. Apply at sunset when insects are least active (graphic-sunset)
2. Stand a safe distance from the nest. Don't stand directly underneath.
3. Shake can well before each use. Aim spray away from person. Push button to spray. (graphic-hand w/can)
4. Spray the nest until soaked. (graphic-nest).
5. Wait at least 24 hours before removing the nest.

Use of this product on evergreen and holly is not recommended as damage may result.

*This product is non-staining to most home siding depending on age and cleanliness. Before using in areas where the spray may contact home siding, test in an inconspicuous area and recheck in a few hours.

USE TIPS

- If it's windy, stand with the wind at your back to avoid spray drift.
- Do not use this product in or on electrical equipment due to possibility of shock hazard.

OTHER PESTS (For both formats)

Tent Caterpillars: Apply in the late afternoon or evening when caterpillars have returned to their tents. Soak tents on all sides. **Scorpions:** Stand at a safe distance and use the power of the jet spray to reach and cover the scorpion. **Ants:** Spray trails, nest and point of entry. Spray on ants where possible.

STORAGE AND DISPOSAL

Storage: Store in 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 or 1-800-CLEANUP for disposal instructions.

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

CAUTION: Causes moderate eye irritation. 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 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 eyes. Have the product container with you when calling a Poison Control Center or doctor, or going for treatment.

Environmental Hazards - This pesticide is toxic to fish. Do not apply directly to water.

Physical 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.

[**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]

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

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

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

EPA Reg. No. 9688-233
EPA Est. No. 9688-MO-1

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Chemsico

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

NOTIFICATION PER PR NOTICE 98-10

August 6, 2007

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. George LaRocca
Product Manager 13

Subject: **Notification per PR Notice 98-10**
Chemsico Wasp & Hornet Killer DL
EPA Reg. No. 9688-233

Enclosed is our notification per PR Notice 98-10 to add the additional distance of 27 Ft. to the optional marketing claims "Kills on contact up to [20] [22] [25] [27] ft. Jet Spray and "Up to[20] [22] [25] [27] Ft Jet Spray".

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.

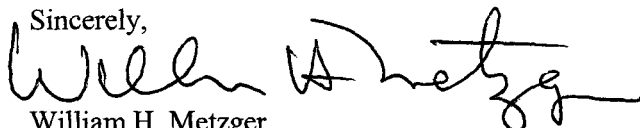
The following documents are enclosed in support of this submission:

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

I can be reached at 1-314-683-2750 or via email at bill.metzger@spectrumbrands.com should you have questions or need further information.

Thank you very much for your attention to our application.

Sincerely,



William H. Metzger
Division Vice President – Regulatory and Government Affairs