

9688-233

11-4-2008

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Janice Mitchell
Product Registration
CHEMSICO, Div. of United Industries Corp.
PO Box 142642
St. Louis, MO 63114

NOV 4 2008

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request Alternate Brand Name "Eliminator Wasp & Hornet Killer"
EPA Reg. No. 9688-233
Application Dated August 18, 2008

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 08/18/08 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) 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 Owen F. Beeder of my staff at 703-308-8899.

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

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

Registration
 Amendment
 Other

Registration
Amendment
Other

OPP Identifier Number

Application for Pesticide:

Section I

1. Company/Product Number 9688-233	2. Product Manager G. LaRocca	3. Proposed Classification <input 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, Division of United Industries Corp. PO 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: NOTIFICATION NOV 0 4 2008 EPA Reg. No. _____ Product Name _____	

Section II

Amendment - Explain below
 Resubmission in response to Agency letter dated _____
 Notification - Explain below.

Final printed label in response to Agency letter dated _____
 "ME TOO" Application.
 Other - explain below

Explanation: Use additional page(s) if necessary. (For section I and Section II)

Notification of Alternate Brand name per PR Notice 98-10: Eliminator Wasp & Hornet Killer

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	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 package wgt	No. per container	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			

Section IV

1. Contact Point (Complete items directly below for identification of the individual to be contacted, if necessary, to process this application)		
Name Janice Mitchell	Title Regulatory Assistant, Pesticides	Telephone No. (include Area Code) 1-800-242-1166 Ext 2441
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 (Star.p.s.J)
2. Signature 	3. Title Regulatory Assistant, Pesticides	
4. Typed Name Janice Mitchell	5. Date August 18, 2008	

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United Industries Corporation
A subsidiary of Spectrum Brands, Inc.

August 18, 2008

Document Processing Desk (NOTIF)
Office of Pesticide Programs
United States Environmental Protection Agency
Room 266A Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202

Attention: Joyce M. Edwards
Notification Review Coordinator

Subject: Notification of Alternate Brand Name
Chemsico Wasp & Hornet Killer DL
EPA Reg. No. 9688-233

Dear Ms. Edwards:

Enclosed please find our submission to add the following alternate brand name for the subject product:

Eliminator Wasp & Hornet Killer

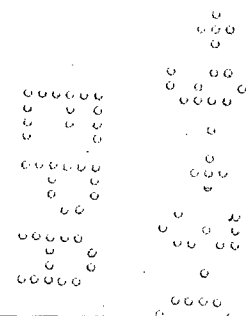
This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false 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.

Enclosed is an EPA application form and a copy of the product label. Please call me at 1-800-242-1166, Ext. 2441 you have questions or need further information. Thank you very much for your attention to our application.

Sincerely,

Janice Mitchell
Janice Mitchell
Regulatory Specialist

Encl.



NOTIFICATION

NOV 04 2008



ELIMINATOR

Wasp & Hornet Killer

Kills on Contact

Up to 20 Ft Jet Spray

Kills Wasps, Hornets & Yellow Jackets

Non-Staining*

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

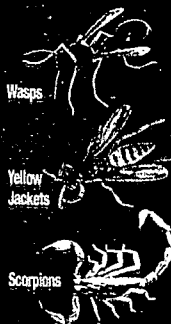
KEEP OUT OF REACH OF CHILDREN

CAUTION See back for additional precautionary statements.

MANTÉNGASE FUERA DEL ALCANCE DE LOS NIÑOS

PRECAUCIÓN Consulte la parte posterior para conocer las precauciones adicionales.

Net Wt 15 oz (425 g)



ELIMINATOR[®] Wasp & Hornet Killer

Insecticida contra avispas y avispones

PRODUCT FACTS

What it Does	Kills Wasps, Hornets, Yellow Jackets, Scorpions, Mud Daubers and Tent Caterpillars
Where to Use	Outdoors Where Insects Live and Breed
Questions or Comments	Call 1-800-332-5553.

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.

1. Apply at sunset when insects are least active.
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.
4. Spray the nest until soaked.
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 check 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

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 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 temperatures above 130°F may cause bursting.

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

ALTO. LEA TODA LA ETIQUETA ANTES DE USAR EL PRODUCTO.

MODO DE EMPLEO

Se considera una violación a la ley federal usar este producto de una manera que no sea la indicada en la etiqueta. Nunca lo use dentro de la casa.

1. Aplique el producto al atardecer cuando los insectos están menos activos.
2. Párese a una distancia segura del nido. No se pare directamente debajo del nido.
3. Agite bien la lata antes de cada uso. Dirija el rocío lejos de las personas.

Presione el botón para rociar.

4. Rocíe el nido hasta que esté empapado.

5. Espere al menos 24 horas antes de retirar el nido.

No se recomienda usar este producto en plantas de hoja perenne ni en acebo, debido a que puede provocar daños.

* Este producto en general no mancha la mayoría de los revestimientos del hogar, dependiendo de la antigüedad y limpieza de los mismos. No obstante, antes de utilizarlo en áreas donde el rocío pueda entrar en contacto con el revestimiento del hogar, pruébelo en un lugar que no sea muy visible y verifique su efecto unas horas más tarde.

CONSEJOS SOBRE EL USO

- Si hay viento, párese con el viento a sus espaldas para evitar el arrastre del rocío.
- No utilice este producto en, ni sobre, equipos eléctricos debido a la posibilidad de choque eléctrico.

OTROS INSECTOS NOCIDIOS

Lagartas (gusanos tenderos): Aplique el producto al entrar la tarde o al anochecer cuando las lagartas han regresado a su morada. Empaque las moradas por todos sus lados. Alacranes: Párese a una distancia segura y utilice la potencia del chorro de rocío para alcanzar y cubrir al alacrán. Hormigas: Rocíe los caminos, el hormiguero y la entrada. Rocíe las hormigas cuando sea posible.

ALMACENAMIENTO Y ELIMINACIÓN

Almacenamiento: Guarde en un lugar fresco y seco, lejos del calor y del fuego. Eliminación: ¡No perforo ni incinere el envase! Si está vacío: Tirelo en la basura u oléncalo para reciclar, si existe esa opción. Si está parcialmente vacío: Llame a su servicio de eliminación de desechos más cercano para obtener instrucciones de eliminación.

PRECAUCIONES

Riesgos para los seres humanos y los animales domésticos

PRECAUCIÓN. Causa irritación moderada a los ojos. Evite el contacto con la piel, los ojos o la ropa. Lávese bien con agua y jabón después de manipularlo y antes de comer, beber, masticar chicle o usar tabaco.

Primeros Auxilios

Si entra en contacto con los ojos: Mantenga los ojos abiertos y enjuague con agua lentamente, con cuidado, durante 15-20 minutos. Si hay lentes de contacto, retírelas después de los primeros 5 minutos. Luego continúe enjuagando los ojos. Cuando llame a un centro de control de envenenamientos o a un médico, o intente obtener tratamiento, lleve a la mano el envase del producto.

Riesgos para el medio ambiente

Este pesticida es tóxico para los peces. No aplique directamente al agua.

Riesgos Físicos

Contenido bajo presión. No lo use ni guarde cerca de una fuente de calor ni del fuego. No perforo ni incinere el envase. La exposición a temperaturas superiores a 130°F puede causar explosiones.

NOTA: El comprador asume toda la responsabilidad en caso de no seguir las instrucciones sobre seguridad y modo de empleo.

¿Preguntas o comentarios? Llame al 1-800-332-5553.

Distributed by Chemisco
 Div. of United Industries Corp
 PO Box 142642, St. Louis, MO 63114-0642

EPA Reg. No. 9688-233
 EPA Est. Nos. 3657-WI-2(BU), 9688-MO-1(U)
 Circled letter is first letter of lot number.
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Eliminator[®] is a registered trademark of Wal-Mart.



Federal regulations prohibit CPF propellants in aerosols.

FPO UPC
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