

9688-249

10-08-2009

1/5



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. Eric D. Smith
Product Registration
CHEMSICO, Div. of United Industries Corp.
PO Box 15842
St. Louis, MO 63114

OCT 8 2009

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request Marketing Statement Change
EPA Reg. No. 9688-249
Application Dated September 2, 2009

Dear Mr. Smith:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 09/02/09 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", is written over a horizontal line.

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:

X

**Registration
Amendment
Other**

OPP Identifier Number

Section I

1. Company/Product Number 9688-249	2. Product Manager R. Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Chemsico Aerosol Insecticide CF	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 <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

☐ Amendment - Explain below

☐ Resubmission in response to Agency letter dated _____

☒ Notification - Explain below.

<input type="checkbox"/>	Final printed label in response to Agency
<input type="checkbox"/>	"ME TOO" Application.
<input type="checkbox"/>	Other - explain below

NOTIFICATION


OCT - 8 2009

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
Notification per PR Notice 98-10 to add optional marketing claims and language to the label.

Section III

1. Material in Which This Product Will Be Packaged:					
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	
* Certification must be submitted		If "YES," Unit package wgt		If "YES," Package wgt	
		No. per container		No. per container	
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) _____					
3. Location of Net Contents Information			4. Size(s) of Retail Container		5. Location of Label Directions
<input type="checkbox"/> Label <input type="checkbox"/> Container					<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 <input type="checkbox"/> Other _____		

Section IV

1. Contact Point (Complete items directly below for identification of the individual to be contacted, if necessary, to process this application)		
Name Eric D. Smith	Title Regulatory Affairs Manager	Telephone No. (include Area Code) 314-683-2455
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 Manager	
4. Typed Name Eric D. Smith	5. Date September 2, 2009	

NOTIFICATION PER PR NOTICE 98-10

September 2, 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 per PR Notice 98-10**
Chemsico Aerosol Insecticide CF
EPA Reg. No. 9688-249

Please find the enclosed notification per PR Notice 98-10 to add optional marketing claims and language to the label. All changes are highlighted throughout the label.

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:

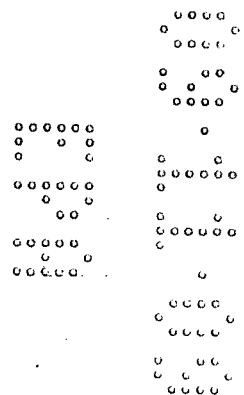
1. Application for Pesticide (EPA Form 8570-1)
2. One copy of the proposed label *with changes highlighted*
3. One copy of a clean label

Please call me at 1-800-242-1166, Ext. 2455, or email me at eric.smith@spectrumbrands.com, should you have questions or need further information.

Sincerely,



Eric D. Smith
Regulatory Affairs Manager



Chemsico

Aerosol Insecticide CF

NOTIFICATION

OCT - 8 2009

For household use only.

[Kills roaches • Kills fleas [adult] • Kills on contact • [Seeks out] [Finds] bugs where they hide • Finds even hidden bugs • Kills bugs you see, Kills bugs you don't see • Kills hidden bugs • Penetrates Deep • Penetrates into cracks, crevices, and carpet fibers • Multi-Purpose Fogger – Kills roaches, palmetto bugs, fleas, ants*, spiders, moths, crickets, silverfish, brown dog ticks and waterbugs [and other listed insects] • Kills crawling and biting insects • Controls heavy infestations • No wet residue • Won't Leave a Wet Messy Residue • Easy to use as 1, 2, 3 • Water-based [formula] • Non-staining] • No lingering odor • No unpleasant odor • No unpleasant residual odor • Unscented • Ace Promise – Satisfaction Guaranteed • One can treats 2,000 cubic feet of unobstructed area [space] (approximately 15.5 feet X 16 feet X 8 feet ceiling)

Optional Spanish note: For instructions and warranty in Spanish, see inside of carton. If you do not have a carton, call 1-800-917-5431.

Active Ingredients:

Cypermethrin 0.515%
Other Ingredients: 99.485%

KEEP OUT OF REACH OF CHILDREN

CAUTION See back for additional precautionary statements

Net Wt 6 oz (170 g)

OPTIONAL MARKETING LANGUAGE

[Kills [adult] fleas, roaches [cockroaches], palmetto bugs, waterbugs, ants*, spiders, moths, crickets, silverfish, Earwigs, firebrats, pillbugs, Black Carpet beetles, brown dog ticks, rice weevils and saw tooth grain beetles.

*Excluding Red Imported Fire ants, Pharaoh ants and Harvester ants.

For use in apartments, homes, attics, basements, garages, pet sleeping areas and cabins.

One can treats 6,000 cubic feet (a room up to the size of 25' x 30' with an 8' ceiling) of unobstructed area.

When used as directed, it will not harm drapes, upholstery fabrics, carpeting, bedspreads, clothing, linens, furniture, walls, floor tiles, ceilings, shades or blinds.]

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.

All food preparation surfaces and utensils should be covered during treatment or thoroughly washed before use. Do not use in commercial food handling establishments, restaurants or other areas where food is commercially prepared, processed, served or stored.

TO USE THIS PRODUCT CORRECTLY



DO NOT use more than one fogger per room.
DO NOT use in small enclosed spaces such as closets, cabinets, or under counters or tables. Do not use in a room 5 ft. x 5 ft. or smaller, instead, allow fog to enter from other rooms.



TURN OFF ALL IGNITION SOURCES such as pilot lights (shut off gas valves, other open flames, or running electrical appliances that cycle off and on (i.e., refrigerators, thermostats, etc.)). Call your gas utility or management company if you need assistance with your pilot lights.

BEFORE YOU FOG

Cover or removed exposed food, dishes and food preparation equipment. Open cabinets and doors. Shut off fans and air conditioners and turn off all ignition sources as



directed above. Remove pets including birds. Cover and turn off fish tanks. Close outside doors and windows.

TO START FOGGING

1. Place several layers of newspaper or paper towels on a table, stand or floor in center of room. Cover waxed wood floors and waxed furniture in the immediate area surrounding the fogger. Newspapers may be used.
2. **SHAKE WELL BEFORE USING.** Tilt can top away from face. Press valve all the way down, hooking the catch.
3. Set can on newspaper or paper towels and leave the premises immediately. Do not re-enter treated area for two hours.



AIRING OUT

After two hours, open all doors and windows, turn on air conditioner and fans and air out for 30 minutes. Re-apply every two to four weeks if needed.

NOTE: When treating for fleas or ticks, clean and treat pet sleeping areas. Also treat dogs and cats with a flea and tick control product registered for use on pets before allowing them to enter the treated areas.

STORAGE AND DISPOSAL

Storage: Store in cool, dry area away from heat or open flame. Do Not Puncture or Incinerate! **Disposal: If empty:** Place in trash or offer for recycling if available.

If partly filled: Call your local solid waste agency.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

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

First Aid

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.

If swallowed: Call a Poison Control Center or doctor immediately for treatment advice. Do not give any liquid to the person. Do not induce vomiting unless told to do so by a Poison Control Center or doctor. Do not give anything by mouth to an unconscious person.

Hot Line Number: Have the product container or label with you when calling a Poison Control Center or doctor or going for treatment. You may also contact 1-800-332-5553 for emergency medical information. Note to Physician: Contains petroleum distillates-vomiting may cause aspiration pneumonia.

Physical or Chemical Hazards



This product contains a highly flammable ingredient. It may cause a fire or explosion if not used properly. Follow the "Directions for Use" on this [label] [box] [can] very carefully. Contents under pressure. Do not use near heat or open flame. Do not puncture or incinerate. Exposure to temperature above 130°F may cause bursting.

NOTICE: To the extent consistent with applicable law, buyer assumes all responsibility for safety and use not in accordance with direction.

Questions or comments? Call 1-800-332-5553 or visit our website www.xxxxvyyvzzzz.com

[The Ace Promise – If this Ace product when used for its intended purpose, fails to give you complete satisfaction, return the item to the Ace Hardware store where purchased for free replacement of the same or similar item.]

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

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

EPA Reg. No. 9688-249

EPA Est. No. 9688-MO-1

© 2009

7/17