

9688-250

8/4/2010

1098



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

AUG 4 2010

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

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

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request General Label Changes/Marketing Statement Change
EPA Reg. No. 9688-250
Application Dated November 9, 2009

Dear Mr. Smith:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 10/09/09 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 703-305-5335 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

A handwritten signature in black ink that reads "Paul J. Mastradone".

Paul J. Mastradone, Ph.D., Acting
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

Application for Pesticide:

**Registration
Amendment
Other**

OPP Identifier Number

Section I

1. Company/Product Number 9688-250	2. Product Manager K. Nesci	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Chemisco Granules Insecticide 5G	PM# 13	
5. Name and Address of Applicant (include ZIP Code) Chemisco, 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

<input type="checkbox"/> Amendment - Explain below	<input type="checkbox"/> Final printed label in response to Agency letter dated _____	NOTIFICATION AUG - 4 2010
<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.)
Label Notification per PR Notice 98-10 to add optional marketing claims.

Section III

1. Material in Which This Product Will Be Packaged:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes * <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water-Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If "YES," Unit package wgt No. per container		<input type="checkbox"/> Metal <input checked="" 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 checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) of Retail Container 10 lb, 20 lb, 25 lb		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label Is Affixed To Product <input checked="" 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 November 9, 2009	

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Chemsico

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

NOTIFICATION PER PR NOTICE 98-10

November 9, 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: Ms. Kimberly Nesci
Product Manager 13

Subject: **Notification per PR Notice 98-10**
Chemsico Granules Insecticide 5G
EPA Reg. No. 9688-250

Please find the enclosed notification per PR Notice 98-10 to add the following optional marketing claims: "Broadcast with Spreader," "[This 25lb bag] treats up to 31,250 sq. ft.," and "3X more coverage than standard 10,000 sq ft bags." All label changes are highlighted in the attached label.

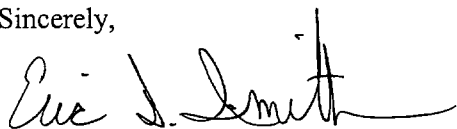
This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false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

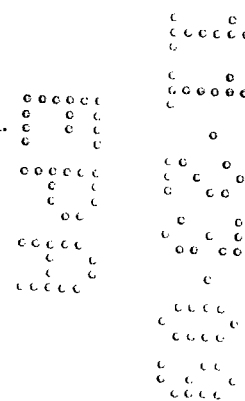
1. Application for Pesticide (EPA Form 8570-1)
2. One copy of the proposed label *with changes highlighted*
3. One clean copy of the proposed label

Please call me at 1-800-242-1166, Ext. 2455 you have questions or need further information.
Thank you very much for your attention to our application.

Sincerely,



Eric D. Smith
Regulatory Affairs Manager



CHEMSICO INSECTICIDE GRANULES 5G

For outdoor use around the home only.

NOTIFICATION
AUG - 4 2010

Active Ingredient	0.05%
Gamma-Cyhalothrin	0.05%
Other Ingredients	99.95%

KEEP OUT OF REACH OF CHILDREN

CAUTION. See back for additional precautionary statements.

Net Wt 10 lb (4.5 kg)

OPTIONAL PRODUCT FACT BOX

PRODUCT FACTS

What it Does:

Helps protect your home from invading Ants, except Carpenter and Pharaoh Ants. Also Kills Crickets, Fire Ants, Chinch Bugs, Armyworms (Fall and Yellow-striped), Billbugs, Cutworms, Earwigs, Fleas, Roaches (German & American), Grubs, Sod webworms, European Crane Flies, Ticks and other listed insects

Where to Use: (icon outdoors)

Outdoors, on Lawns and as a Band Treatment around House Foundation

Questions & Comments: (icon phone) (icon computer)

Call 1-800-332-5553 or visit our website at www.xxx.com

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.



Keep children and pets off treated area until product has been watered in and lawn is dry.

In New York State, this product may not be applied to lawns within 100 ft of a coastal marsh, or stream that drains directly into a coastal marsh.

Three Easy Steps to Use this Product

Step #1: Determine size of the job, measure the area to be treated.

Step #2: Use spreader setting chart to determine appropriate setting for your spreader.

Step #3: Treat as directed in rate chart. Thorough coverage is important. Water in granules immediately after application.

NOTE:

- Do not apply more than six (6) times per year per location at low use rate.
- Do not apply more than three (3) times per year per location at high use rate.
- Do not allow product to run off from target site or apply within 24 hours of rain

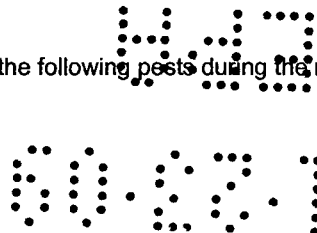
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Spreader Settings for Overall Lawn Application

Spreader Make and Model	0.8 lb/ 1000 sq ft	1.2 lb/ 1000 sq ft	2 lb/ 1000 sq ft
CYCLONE			
Rotary	XX	XX	XX
K-GRO			
Rotary	XX	XX	XX
Drop	XX	XX	XX
REPUBLIC			
EZ Drop #530	XX	XX	XX
EZ Drop #540	XX	XX	XX
SpeedyGreen 2000	XX	XX	XX
SpeedyGreen 3000	XX	XX	XX
AccuGreen 1000	XX	XX	XX
AccuGreen 2000	XX	XX	XX
AccuGreen 3000	XX	XX	XX
Drop	XX	XX	XX
SEARS			
Rotary	XX	XX	XX
Drop	XX	XX	XX
EARTHWAY			
Rotary	XX	XX	XX
PRECISION			
Rotary (#S850)	XX	XX	XX
RED DEVIL			
Rotary	XX	XX	XX
TRUE TEMPER			
Rotary	XX	XX	XX
Rotary	XX	XX	XX

Note: The spreader settings listed above are approximate. Accurately weigh a few pounds into your spreader and apply to a measured area. Then adjust spreader setting if necessary, in order to assure correct rate of application.

Treat the following pests during the months indicated. Make no more than 6 applications per year at low use rate or 3 times for highest use rate.



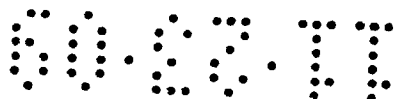
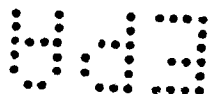
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
				Billbugs				Grubs			
				Dung beetle grubs							
				Hyperodes weevils							
Treat Ants (except Carpenter and Pharaoh Ants) and other insects when they first appear or you notice lawn damage.											

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DIRECTIONS FOR APPLYING CHEMSICO LAWN GRANULES L

Treatment Areas	Pests	How To Use	Use Rate
<i>Band Treatment Around House Foundation</i>	Ants*, Fleas, Roaches (German and American), Palmetto bugs, Water bugs, Millipedes, Mites, Silverfish, Sowbugs (Pillbugs), Crickets, Earwigs	These pests are commonly found around or near foundations of houses as well as in lawns. Certain of these pests may enter houses. Apply a 3 to 5 foot band of granules next to the house foundation. Distribute granules uniformly. Water lightly immediately after application.	Apply at the rate of 0.8 lb per 1000 sq ft (an area 5' x 200')
<i>Overall Lawn Application</i>	Ants*, Armyworms (Fall & Yellow-striped), European Crane Flies, Crickets, Cutworms, Earwigs, Fleas, Lawn moths (sod webworms), Grasshoppers, Japanese beetle (adults), Pillbugs, Spittle bugs, Mites, Green June Beetles, Leafhoppers, Millipedes, Springtails and Ticks (including Ticks which may transmit Lyme Disease).	Apply with a fertilizer spreader. See spreader setting chart [on the side of bag]. Apply when grass is dry. Water lawn lightly immediately after application. For season long [up to 3 month] control of fire ants, apply at higher use rate.	Apply at the rate of 0.8 lb per 1000 sq ft (an area 20' by 50') For season long control of Fire Ants apply at the rate of 2 lb per 1000 sq ft (an area 20' x 50')
	Billbugs, Grubs (Japanese beetle grubs, Green June Beetle Grubs), <i>Ataenius spretulus</i> (dung beetles), Hyperodes Weevils, Mole Crickets, Chinch bugs	Immediately water grass thoroughly after application. <i>For billbug control</i> , apply when activity is first observed or when chewed or brown grass indicates damage from these insects. <i>For grub control</i> , except dung beetle, treat any time between late July and early October. <i>For dung beetle grub control</i> , apply in spring or early summer when damage is first noticed. Water grass thoroughly with ¼ to ½ inch of water immediately after application. Treat again in late summer or early fall if a second generation occurs.	Apply 1.2 lb per 1000 sq ft of lawn.
<i>Spot Treatment</i>	Ants*	Water lightly immediately after application	Apply 0.5 teaspoons over and around each anthill.

*Ants (Except Carpenter and Pharaoh): Argentine, Southern, Field, Allegheny Mound, Cornfield, Honey, Pavement, Red Imported Fire Ant, Nuisance



OPTIONAL DIRECTIONS FOR BAND TREATMENT

OPTION A

BAND TREATMENT AROUND HOUSE

General Directions

The following pests are commonly found around or near foundations of houses as well as in lawns. Some of these pests may enter the home. Apply a 3 to 5 foot band of granules next to the house's foundation.

INSECTS:

Ants (except Carpenter and Pharaoh), Mites, Crickets, Earwigs, Fleas, roaches (German & American), Palmetto bugs, water bugs Millipedes, Sowbugs (Pillbugs)

RATE:

1.25 oz for each 100 sq ft area (5' by 20').

HOW TO USE:

Distribute granules evenly. Water lightly immediately after application.

SPOT TREATMENT FOR ANTS

(Except Carpenter and Pharaoh Ants)

RATE:

Apply 0.5 teaspoons over and around each anthill.

HOW TO USE:

Water lightly immediately after application.

OPTION B

BAND TREATMENT AROUND HOUSE

1. Chemsico Insecticide Granules 5G kills ants (except Carpenter and Pharaoh), as well as fleas, mites, crickets, earwigs, millipedes, roaches (German & American), Palmetto bugs, water bugs, sowbugs (Pillbugs), silverfish, ticks (including ticks which may transmit Lyme Disease) and other listed pests.

2. Break the seal and open the pop-top cap.

3. Evenly sprinkle granules in a 3 to 5 foot wide band along the foundation of your home. Granules should be spaced liked the ones pictured below (show picture). Use rate = 0.8 lb per 1000 sq ft (an area 5' x 200') or 1.25 oz for each 100 sq ft (an area 5' x 20').

4. Gently water treated areas.

USE TIPS

1. Try to get even coverage throughout your " band".
2. Reapply after hard rains to areas where down spouts empty.

SPOT TREATMENT FOR ANTS

(Except Carpenter and Pharaoh)

1. Evenly sprinkle granules over and around each anthill.
2. Apply (0.5 teaspoons) per anthill. [(NOTE: This package will effectively treat 64 anthills.) (The note is for a 2 lb package.)]
3. Gently water treated areas immediately after application.

STORAGE AND DISPOSAL

Storage: Reclose container tightly after each use. Store in a cool, dry area which is 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. Never place unused product down any indoor or outdoor drain.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION. Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Food utensils such as spoons or measuring cups must not be used for food purposes after use in measuring pesticides.

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 eye. Call a Poison Control Center or doctor for treatment advice.

Have the product container or label with you when calling a Poison Control Center, doctor, or going for treatment. You may also contact 1-800-332-5553 for emergency medical treatment information.

Environmental Hazards

This product is highly toxic to fish and aquatic invertebrates. Do not apply directly to water.

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

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[*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 original dated store receipt showing the price you paid. Please allow 6-8 weeks for processing.]

[Questions or comments? Call 1-800-332-5553 or visit our website.]

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

EPA Reg. No. 9688-250

EPA Est. No. 9688-MO-1

©2009

OPTIONAL MARKETING CLAIMS

[Works within [24] hours (no waiting for weeks) • Ready-to-use Granules • *Guaranteed [Results or Your Money Back] • New! • Re-sealable bag • Kills in 24 hours • New Exclusive Formula • Low odor • No odor • Kills the mound [colony] • Starts to kill in minutes • Starts to kill in hours • Kills Ants (except Carpenter and Pharaoh), Crickets, Fleas, Grubs, Ticks [and other listed pests] • Kills Grubs [and lawn invading [damaging] Pests] • Kills on Contact • Controls many destructive lawn insects, including grubs • Kills Mole Crickets and Chinch Bugs • Kills Fire Ants • White grub control • Effective grub control • Kills insects above and below the ground [surface] • Use on lawns • Kills over 40 types of insects [insect types][as listed] • Kills 43 types of [lawn invading] [lawn damaging] insects [as listed] • Covers [treats] up to 12,500 sq ft • [This 25 lb bag] treats up to 31,250 sq ft • 3X more coverage than standard 10,000 sq ft bags • Broadcast with Spreader • 2X [2.5X] more coverage than standard 5,000 sq ft bags • Lasts for up to 3 months [12 weeks][all season long] against Red Imported Fire Ants • Keeps on Killing Red Imported Fire Ants for up to 3 months [12 weeks][all season long] • Protects your yard from Red Imported Fire Ants for up to 3 months [12 weeks][all season long] • Kills fire ants and prevents new mound formation for up to 3 months [12 weeks][all season long] • Kills [Works

on][Effective control of [against]] all types of listed lawn invading [lawn damaging] insects [pests] • Fast acting plus season long killing power [control] against Red Imported Fire Ants– Guaranteed! • Season long control against Red Imported Fire Ants • Starts to work immediately [in minutes], keeps working [lasts] all season [long] against Red Imported Fire Ants • See results in minutes [in hours] [overnight] • Limits new mound formation [mound movement] • [One application] lasts all season [long] to control against Red Imported Fire Ants • New, Improved Formula Lasts All Season [Long] To Control Against Red Imported Fire Ants • [One Application] Lasts All Summer [Long] To Control Against Red Imported Fire Ants • Easy to Apply • Apply Once for Season Long Control Against Red Imported Fire Ants]

RRS