

9688-252

9/11/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

SEP 11 2009

Mr. Eric D. Smith
Regulatory Affairs Specialist
Chemsico
Division of United Industries Corporation
P.O. Box 142642
St. Louis, Missouri 63114

RE: Notification to add optional marketing claims and language to the label, and to update the
warranty statement

EPA Reg. No.: 9688-252

Date of Submission: August 19, 2009

Dear Mr. Smith:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated August 19, 2009, for the above mentioned 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 Joyce Edwards of my staff at 703-308-5479.

Sincerely,

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

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

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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 19, 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 NMR
EPA Reg. No. 9688-252

Please find the enclosed notification per PR Notice 98-10 to add optional marketing claims and language to the label, and to update the warranty statement in accordance to the October 17, 2006 Warranty Guidance. 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:

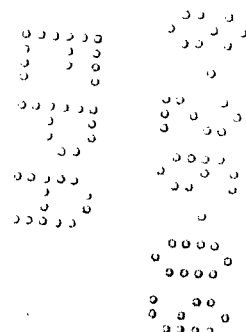
1. Application for Pesticide (EPA Form 8570-1)
2. One copy of the proposed label *with changes highlighted*
3. One copy of a clean label

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



NOTIFICATION

SEP 11 2009

Chemsico Aerosol Insecticide NMR

For Indoor Household Use Only

[New! [formula] • Kills fleas • Kills roaches • Kills roaches, fleas, spiders, carpenter ants and other listed [household pests] • Kills bugs where they hide • Finds even hidden bugs • Deep reaching fog penetrates cracks & crevices [where bugs hide] • Deeper reaching [dry fog] [formula][technology] • Deep reach [fogger][formula] • Kills fast • Fast killing • Kills on contact • [One] [each] 3 oz. can treats up to 5,000 cubic feet • Non-staining • Low odor • No oily residue • No lingering odor • Unscented • [New] Dry-fog technology • Leaves no mess • No-mess [fogger] [technology] • [New] Concentrated Formula • Covers up to 5,000 cubic feet • Fast Acting [Action] Formula • No need to turn off pilot lights • No lingering odor [formula] • No unpleasant odor • No unpleasant residual odor • Unscented • Keeps on killing cockroaches and crickets for up to [4 weeks] [1 month] on non-porous surfaces • Residual killing power for cockroaches and crickets lasts up to [4 weeks][1 month] on non-porous surfaces • [Flushes][drives out] bugs [and kills on contact • No [wet][messy][oily] residue • No residue [formula] • [Light] Dry fog kills [bugs where they hide][hidden bugs] • [Kills][Lasts] Longer [lasting formula]than our previous formula • Controls [even] heavy infestations • Instructions in Spanish on the inside of the box [translation] • odorless [formula] • long lasting [formula] • Guaranteed* – To work or your money back • 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.

Optional claims for fragranced formula: With odor neutralizer fragrance [scent] • Odor [neutralizing][system][technology][formula] • [with] odor neutralizing formula • with odor neutralizer [technology] • Neutralizes odors

Active Ingredients:

Tetramethrin	0.20%
Cypermethrin	0.86%
Phenothrin	0.50%
Other Ingredients	98.44%
Total	100.00%

KEEP OUT OF REACH OF CHILDREN

CAUTION See back for additional precautionary statements

NET WT. 3 OZ. (85 g)
OPTIONAL MARKETING LANGUAGE

Quick Facts

- Deeper reaching dry fog technology
- Non-staining, odorless, no messy residue

How it works	Dispenses a dry penetrating fog that reaches deep into cracks and crevices to flush out and kill more hidden bugs on contact.
Kills	Carpenter Ants, Black Carpet Beetles, Crickets, Earwigs, Firebrats, Fleas, Gnats, Houseflies, Mosquitoes, Palmetto Bugs, Pillbugs, Rice Weevils, Roaches, Saw Toothed Grain Beetles, Silverfish, Small Flying Moths, Spiders, Brown Dog Ticks, Waterbugs
For Use in	In enclosed spaces such as: Apartments, Attics, Basements, Barns, Boat Cabins, Cabins, Campers, Crawl Spaces, Garages, Homes, Households, Sheds, Storage Areas, Trailers.
Coverage	Each can covers 5,000 cubic feet of unobstructed space (25ft. x 25ft. with 8ft. ceiling).

Chemsico Aerosol Insecticide NMR creates an extremely fine, dry penetrating fog that stays airborne and reaches deep into cracks, crevices, under furniture and appliances to flush out and kill hidden bugs on contact. When used as directed the odorless, non-staining dry fog will not harm drapes, upholstery, fabrics, carpeting, bedspreads, floor tiles, wood floors, linens, furniture, walls, clothing, ceilings, shades or blinds. Kills both flying and crawling insects on contact and keeps killing for weeks.

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.

Apply this product only as specified on this label. Do not use in commercial food handling establishments, restaurants or other areas where food is commercially prepared, processed or served.

BEFORE YOU FOG

1. [icon] **OPEN** cabinets, cupboards, drawers, closets and doors in area to be treated
2. [icon] **REMOVE** or cover exposed foods, dishes, utensils, food processing equipment and surfaces. **REMOVE** pets and birds, cover and turn off air flow systems in aquariums. **REMOVE** or **COVER** children's and pet toys.

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3. [icon] **CLOSE** outside doors and windows. **SHUT OFF** fans, air conditioners and temporarily shut off smoke alarms.

TO START FOGGING

1. [icon] **SHAKE WELL BEFORE USING.** Tilt sprayer **AWAY** from face (fogger can sprays up). Press valve all the way down, hooking the catch. Do not inhale the spray mist
2. [icon] Set can in center of room and leave premises [home] immediately.
3. [icon] **KEEP TREATED AREA CLOSED FOR AT LEAST TWO HOURS.** Keeping area sealed for a longer period of time will enhance fogger performance.

AIRING OUT

[icon] **AIRING OUT: BEFORE REOCCUPYING THE AREA, OPEN ALL DOORS AND WINDOWS, TURN ON AIR CONDITIONER AND FANS AND ALLOW TREATED AREA TO AIR OUT FOR 30 MINUTES.** Turn on smoke alarms and aquariums.

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. **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: Avoid contact with skin and clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco.

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.

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 treatment information.

Physical or Chemical 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: To the extent consistent with applicable law, buyer assumes all responsibility for safety and use not in accordance with directions.

Questions or comments? Call 1-800-332-5553 or visit our web site at www...

[*Guarantee - 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.]

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

EPA Reg. No. 9688-252

EPA Est. No. 9688-MO-1

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