

9688-253

8/25/2010

1 of 6



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

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

Ms. Jessica Goldberg
Regulatory Affairs Specialist
Chemsico, Division of United Industries Corp.
P.O. Box 142642
St. Louis, MO 63114

AUG 25 2010

Subject: Label Notification per PR Notice 98-10
Chemsico Aerosol Insecticide AKR
EPA Reg. No. 9688-253

Dear Ms. Goldberg,

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated July 23, 2010 for the product Chemsico Aerosol Insecticide AKR, EPA Reg. No. 9688-253. 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 (have) been stamped "Notification" and will be placed in our records.

If you have any questions, please call Kevin Sweeney at (703) 305-5063.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Suarez".

Mark Suarez
Product Manager 13
Registration Division (7505P)
Office of Pesticide Programs

Enclosure

2066

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 11-30-93



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 9688-253	2. Product Manager M. Suarez	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Chemsico Aerosol Insecticide AKR	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 labeling 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 date: _____
<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 PRN 98-10 & EPA's June 4, 2009 General Labeling for Pyrethroid Notification letter. (Please see cover letter for details.)

NOTIFICATION

AUG 25 2010

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		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
* Certification must be submitted		If "YES," Unit package wgt	No. per container	If "YES," Package wgt	No. per container	<input type="checkbox"/> Other (Specify) _____	
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				<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 Jessica Goldberg	Title Regulatory Affairs Specialist	Telephone No. (include Area Code) 314-683-2438

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 Specialist	6 Date Application Received (Stamped)
4. Typed Name Jessica Goldberg	5. Date July 23, 2010	

CHEMSICO

AEROSOL INSECTICIDE AKR

- [Unique] [ETOC] [Technology] [Killing System] • Kills in seconds • Kills [Bugs] Fast • Fast Killing • [Stops] [Kills] Bugs [Dead] in Their Tracks • Kills Fast! • Dead on...Every Time! • Kills bugs you see, [Kills bugs] [and the ones] you don't see • [Kills] [controls] [roaches] [cockroaches] [crickets] [for up to [1, 2, 3, 4 months] [4, 8, 12, 16 weeks] • Kills on Contact [and] [plus] [Keeps [On] Killing] [for up to [4 months] [16 weeks]] • [Protects] [Continues to kill] [Keeps killing] [kills] up to four months • Kills [roaches and] ants* in seconds • [Starts Killing in Seconds] [Keeps killing up to [1, 2, 3, 4 months] [4, 8, 12, 16 weeks] • Up to [1, 2, 3, 4 month] [4, 8, 12, 16 week] [Control] [Protection] [Killing Action] • Also Kills brown dog ticks, fleas and spiders • Water-based • No oily residue • No Greasy residue • Non-Staining • Unscented • No Mess • Low Odor • No lingering odor • no lasting odor • Kills scorpions, black widow spiders, brown recluse spiders and wolf spiders • Kills hidden bugs • Use Indoors and outdoors • Broad spray pattern to ensure full coverage • For Indoor and Outdoor use • Kills ants* in seconds • Kills Spiders in seconds • New Formula! • Formulated to kill [Spiders] [ants*] fast • [New] Faster killing [acting] formula • [New] longer lasting formula • Kills [even] hidden roaches • New Formula! • Our most effective formula ever! • New formula with more killing power • Our fastest killing formula ever • Keeps [killing] [working] for months • [Paralyzes and] kills spiders fast • Formulated to kill large spiders and scorpions • Shake well before using • Kills Ants* for up to [1, 2, 3, 4 months] [4, 8, 12, 16 weeks] • Kills Argentine, southern, field, Allegheny mound, Florida carpenter, black carpenter, cornfield, honey, pavement and nuisance ants • Kills Carpenter Ants • Results Guaranteed

*Excluding Harvester, Pharaoh, & Fire Ants

Active Ingredients:

Prallethrin	0.025%
Lambda-Cyhalothrin	0.030%
Other Ingredients*	99.945%

*Contains petroleum distillates.

KEEP OUT OF REACH OF CHILDREN

CAUTION See back for additional precautionary statements.

Net Wt 11 oz (312 g)

ETOC™ is a registered trademark of Sumitomo Chemical Company

OPTIONAL FORMAT A - Spider and Scorpion Aerosol

Kills

- Spiders [black widow, brown recluse, wolf]
- Scorpions
- Ants*
- Firebrats
- Brown dog ticks
- Fleas
- Cockroaches [Roaches]
- Palmetto Bugs
- Crickets
- Silverfish
- Sowbugs

NOTIFICATION

AUG 25 2010

*Excluding Harvester, Pharaoh, & Fire Ants

[Kills black widow spiders, brown recluse spiders and scorpions.]

Effective Spider Control

[Spiders are not insects, they are arachnids.] [Chemsico Aerosol Insecticide AKR] [This product] has been [specifically] [formulated with a higher active ingredient level to kill scorpions and larger spiders] [formulated to control spiders with [a [unique] [fast-acting] [combination of] [ingredients that knock[s] down and kill[s] spiders quickly]. [It's] [This] [The] formulation is water-based, and non-staining, making it an effective solution for both indoor and outdoor use. [Spiders typically need to be sprayed directly to be killed] [as their long legs keep their bodies from coming in contact with treated surfaces]. [Spiders are likely to be found near their primary food source, insects and other small arthropods, so control of insects in and around the home is an effective means of reducing spider populations.] [Kills black widow, brown recluse and wolf spiders.]

[Like spiders,] scorpions eat spiders and insects, so treating for all insects is an effective method for their control.

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. SHAKE WELL BEFORE EACH USE. Hold can upright. Test inconspicuous sample of fabric or rug for staining before use. *For residential use only.*

Handwritten signature

INDOOR

TO CONTROL:

[BLACK WIDOW, BROWN RECLUSE, WOLF] SPIDERS, SCORPIONS, ANTS*, COCKROACHES, SILVERFISH, CRICKETS, SOWBUGS, FIREBRATS, AND OTHER COMMON HOUSEHOLD PESTS:

1. Contact as many insects as possible with the spray in addition to thoroughly treating all parts of the room where these pests may hide. Spray spiders and their webs directly.
2. Pay special attention to cracks, dark corners, hidden surfaces under sinks, behind stoves and refrigerators, food storage areas and wherever these pests are suspected. [Residual activity lasts up to four months.] [The treatment lasts up to four months.] [The treatment continues to work for up to four months.]
3. To kill **spiders** and prevent them from entering your home, spray around door and window frames, inside and outside. Spray upward to treat active spider webs. Do not remove spider webs and eggs sacs until spray has dried.
4. For **scorpions**, stand at a safe distance and completely cover the pests. *Scorpions must be contacted by the spray to be killed [Alternate: Scorpions must be sprayed directly to be killed.]*
5. To kill **ants***, treat doors, around window frames, ant trails and other areas of entry.

OUTDOOR

Do not water the treated area to the point of run-off. Do not make applications during rain. All outdoor applications must be limited to spot or crack-and-crevice treatments only, except for the following permitted uses: Treatment to soil or vegetations around structures; Applications to lawns, turf, and other vegetation.

All outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches and structural surfaces (such as windows, doors, and eaves) are limited to spot and crack-and-crevice applications only.

Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during or after application.

TO KILL [BLACK WIDOW, WOLF, BROWN RECLUSE] SPIDERS, SCORPIONS, ANTS*, BROWN DOG TICKS, AND CRICKETS:

1. Thoroughly spray infested weeds or bushy non-crop areas.

2. For **scorpions**, carefully remove accumulated firewood, lumber, and other materials where scorpions like to hide (be sure to wear work gloves.) Treat beneath and next to the infested areas. When directly treating scorpions, stand at a safe distance and thoroughly cover the pests. *Scorpions must be contacted by the spray to be killed. [Alternate: Scorpions must be sprayed directly to be killed.]*
3. To kill **ants***, thoroughly wet hills and runways.

*Excluding Harvester, Pharaoh, & Fire Ants

[Optional Marketing Language:]

Effective Spider Control:

- [Most spiders live 1-2 years.] [Most spiders can survive without food for several weeks to several months.] [There are over 38,000 species of spiders worldwide, with] about 3,500 [species of spiders] live in North America. [Many species of spiders are household pests.] [Spiders are likely to be found wherever their food is available.] [All spiders are predators, feeding mainly on insects and other small arthropods.] [In the United States, two spider groups that are considered dangerous to humans are the black widow and brown recluse spiders.] [Spiders typically need to be sprayed directly to be killed] [because their long legs keep their bodies from coming in contact with surfaces treated with insecticides].
- [Chemsico Aerosol Insecticide AKR] [This product] has been designed to quickly paralyze then kill spiders. [Spiders are not insects, they are arachnids.] [Effectively controlling spiders requires] [a different approach] [different techniques and formulations] [than controlling insects]. [The bodies of] [many common spider species are covered in fine hairs] [that can keep insecticides from reaching them], requiring a [course,] direct spray [to penetrate the covering] to kill them.
- All spiders are venomous. Although [the vast majority of species] [most species] in the US are harmless to humans, all should be treated with caution [to avoid injury through misidentification]. [To avoid injury from sprayed spiders, wait 20-30 minutes before discarding them to ensure that the spider is dead and not just paralyzed.]

4/3/10

OPTIONAL FORMAT B- Ant Killer Product

Kills

- Fleas
- Ants*
- Brown dog ticks
- Silverfish
- Cockroaches [Roaches]
- Palmetto Bugs
- Crickets
- Spiders [brown recluse, wolf, black widow]
- Firebrats

Effective Ant* Control:

[Chemsico Aerosol Insecticide AKR] [This product] has been specifically formulated to kill ants* on contact. This clear formula is water-based, and non-staining, making it an effective solution for both indoor and outdoor use. [Formulated with a higher active ingredient level for severe ant* infestations. [The formula has been] designed to [kill ants* fast]. [Ants are normally found near water sources [(kitchens and bathrooms)] because most ants can live for [weeks without food but] only 1 day without water.]

*Excluding Harvester, Pharaoh, & Fire Ants

Use Chemsico Aerosol Insecticide AKR as a spot treatment indoors

- Along & Under Baseboards [graphic depicting use]
- Around & Beneath Appliances [graphic depicting use]
- Beneath & Behind Sinks [graphic depicting use]
- On ant trails or areas where ants may enter home [graphic depicting use]

Areas Where Ants and Other Insects Are Often Found

- In cracks and crevices
- Around pipes and plumbing
- In dark corners of rooms, cabinets and closets
- Around waste containers

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. SHAKE WELL BEFORE EACH USE. Hold can upright. Test inconspicuous sample of fabric or rug for staining before use. *For residential use only.*

Avoid contamination of food and drinking water. All food preparation surfaces and utensils should be covered during treatment or thoroughly washed before use. Remove pets and cover aquariums before spraying. Do not use on pets or allow people or pets to contact treated surfaces until spray has dried. Point spray away from people, pets and plants. Do not use as a room spray.

INDOOR

TO CONTROL:

ANTS*, COCKROACHES, CRICKETS, FIREBRATS, SILVERFISH, SOWBUGS, [BLACK WIDOW, BROWN RECLUSE, WOLF] SPIDERS, SCORPIONS, AND OTHER COMMON HOUSEHOLD PESTS:

1. Contact as many insects as possible with the spray in addition to thoroughly treating all parts of the room where these pests may hide.
2. Pay special attention to cracks, dark corners, hidden surfaces under sinks, behind stoves and refrigerators, food storage areas and wherever these pests are suspected. [Residual activity lasts up to four months.] [The treatment lasts up to four months.] [The treatment continues to work for up to four months.]
3. To kill ants*, treat doors, around window frames, ant trails and other areas of entry.

OUTDOOR

Do not water the treated area to the point of run-off. Do not make applications during rain. All outdoor applications must be limited to spot or crack-and-crevice treatments only, except for the following permitted uses: Treatment to soil or vegetations around structures; Applications to lawns, turf, and other vegetation.

All outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches and structural surfaces (such as windows, doors, and eaves) are limited to spot and crack-and-crevice applications only.

Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during or after application.

TO KILL ANTS*, [BLACK WIDOW, BROWN RECLUSE, AND WOLF] SPIDERS, SCORPIONS, BROWN DOG TICKS, AND CRICKETS:

1. Thoroughly spray infested weeds or bushy non-crop areas.
2. To kill **ants***, thoroughly wet hills and runways.
3. For **spiders and scorpions**, carefully remove accumulated firewood, lumber, and other materials where spiders and scorpions like to hide (be sure to wear work gloves.) Treat beneath and next to the infested areas. When directly treating scorpions, stand at a safe distance and thoroughly cover the pests. *Scorpions must be contacted by the spray to be killed. [Alternate: Scorpions must be sprayed directly to be killed.]*

[Optional Marketing Language:]

Effective Ant* Control:

- [Chemsico Aerosol Insecticide AKR] has been specifically formulated to kill ants* on contact [indoors and outdoors]. In a [fast-acting] [unique] water-based formula that is non-staining with no oily residue, this insecticide [killing] [kills] ants* fast.
- Ants use pheromones to communicate [with each other,] [following the pheromone trail leading to food and water]. Spraying the ant trail helps foraging ants come in contact with the insecticide.
- Ants enter the home in search of [food and] water [but are normally found near water sources (ie: kitchens and bathrooms,)] [This is] because most ants can live for [weeks without food but] only 1 day without water.

*Excluding Harvester, Pharaoh, & Fire Ants

Storage and Disposal and Precautionary Statements for both Formats]**STORAGE AND DISPOSAL**

Store in cool, dry area away from heat or open flame. 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. 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 Swallowed: Immediately call a Poison Control Center or doctor. Do not induce vomiting unless told to do so by a Poison Control Center or doctor. Do not give any liquid to the person. Do not give anything by mouth to an unconscious person.

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 with you when calling a Poison Control Center or doctor, or going for treatment.

Note to Physician: Contains petroleum distillates – vomiting may cause aspiration pneumonia.

Environmental Hazards

This product is toxic to fish. Do not apply directly to water.

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 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 directions.

Questions or comments? Call 1-800-332-5553.

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

[*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]

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

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10/23/10