

9688-260

03/10/2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

MAR 10 2009

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Mr. Eric. D. Smith
Chemsico, Division of United Industries Corp.
P.O. Box 142642
St. Louis, MO 63114-0642

Subject: Label Amendment to Add Carpenter Bees Claims

EPA Registration No. 9688-260
Chemsico Insecticide Concentrate 38
Your submission dated October 13, 2008

Dear Mr. Smith:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable subject to the comments listed below. Two (2) copies of the finished labeling must be submitted prior to releasing the product for shipment. A stamped copy of the label is enclosed for your records.

1. Modify the directions for use to indicate that the carpenter bee nest hole is to be saturated with the diluted insecticide.
2. The data (MRID 47150101) cited in support of the desired claims contains no raw data which are required to fully evaluate the study. Submission of the raw data is required within 6 months of the date of this notice. A copy of the Efficacy Review Memo is enclosed for your records.

If you have questions regarding this action, please contact Olga Odiott at (703) 308-9369.

Sincerely,

A handwritten signature in black ink, appearing to read "Kimberly Nesci".

Kimberly Nesci
Interim Product Manager 13
Insecticide Branch
Registration Division (7505P)

Enclosures

Chemsico

Insecticide Concentrate 38

For Outdoor Use Around the Home Only.

[Do-it-yourself termite* killing spray • Kills termites* [including drywood termites] • Kills termites* that damage wood • Kills termites*, ants**, carpenter ants and other wood destroying pests • Kills termites* on contact • Kills on contact • For use around foundations, outside buildings, porches, wood piles, wooden fences and decks • Termite* killing concentrate • Use outdoors in the Chemsico Home Insect Control 3L EZSpray Sprayer • Water-based • Guaranteed Results [or Your Money Back***] • [Kills] [Controls] wood destroying insects • Kills [Termites] & [Carpenter Ants] • Effective Home Barrier Treatment • One quart covers up to 10,600 square feet • Makes up to 42 gallons of spray • [Super Saver] [Concentrate] makes up to 42 gallons • Economical alternative makes up to 42 gallons • Compare and save [to Ready To Use Products] • Kills [controls] up to [40] [types] of insects • Kills termites*, carpenter ants and other listed insects • Keeps killing nuisance pests outside the home for up to 8 weeks [2 months] • Up to 8 week [2 month] control of nuisance pests • Also [kills] [controls] ants, crickets, fleas, deer ticks and other listed pests • Non-staining# • Kills Carpenter bees [on contact]

(*FOR LOCALIZED CONTROL ONLY)

ACCEPTED
with **COMMENTS**
In EPA Letter Dated
MAR 10 2009

Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No.

Active Ingredient: Lambda-Cyhalothrin 0.38%
Other Ingredients 99.62%

KEEP OUT OF REACH OF CHILDREN
CAUTION See back [booklet] for additional precautionary statements

NET [CONTENTS] 32 fl oz (1 qt / 946 mL)

[Bracketed Text] = Optional language

[Use Chemsico Insecticide Concentrate 38 to treat infested areas and areas likely to be infested, such as wood surfaces, voids and channels in damaged wood, spaces between wooden parts of a structure, and between wood and foundations. Also use it to treat around fenceposts, wood piles (do not use on firewood) and tree stumps.]

OPTIONAL PRODUCT FACTS BOX

PRODUCT FACTS

WHAT IT DOES

Kills Carpenter Ants, Carpenter Bees, Termites*, Carpenter Beetles and Other Wood Destroying Pests

WHERE TO USE – (outdoor icon)

Outdoors around Foundations, Outside Buildings, Porches, Wood Piles, Wooden Fences and Decks

QUESTIONS & COMMENTS: (phone and computer ICON)

Call 1-800-332-5553 or Visit our Website at www.spectracide.com

*FOR LOCALIZED CONTROL ONLY.

STOP. READ ENTIRE LABEL BEFORE USE.

[STOP! READ ALL INSTRUCTIONS INSIDE BEFORE USING.
PEEL HERE. PRESS TO RESEAL.]

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.



Keep people and pets off treated areas until spray has dried.

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

OUTDOORS TO CONTROL WOOD DESTROYING INSECTS

Mix 10 fl oz with enough water to make one gallon.

Treat infested areas and areas likely to be infested, such as wood surfaces, voids and tunnels [channels] in damaged wood, behind veneers, in structural voids (between stud walls and spaces between wood and foundations, along cracks, along crawl spaces and around outside buildings, porches, wood piles, wooden fences and decks. Kills exposed subterranean termites*, dampwood termites*, drywood termites*, carpenter ants, ambrosid beetles, death hunter beetles, false powderpost beetles and powderpost beetles.

b/c

CARPENTER BEES

Mix 0.75 fl oz with enough water to make one gallon.

Treat active tunnels where carpenter bee activity has been observed. Leave the entrance hole open for 48 hours after application to allow the bees to contact and distribute the insecticide throughout the nest galleries. Then plug the entrance hole with a piece of wooden dowel coated with carpenter's glue or wood putty. Plugging the hole will prevent re-infestation of old nesting tunnels and reduce the chances of wood decay.

[NUSIANCE] PESTS OUTSIDE THE HOME

[HOME BARRIER TREATMENT] Mix 0.75 fl.oz. (1.5 Tablespoon) in one [1] gallon of water and apply as a continuous band of insecticide around building foundation and around windows, doors, eaves, vents and other areas to greatly reduce the potential for entry by crawling pests. For easier application, remove debris and leaf litter from next to the foundation, cut back vegetation and branches that touch the foundation, and move or rake back rocks, deep mulch, or other potential pest harborage next to the foundation. Apply a 3 ft. band around the structure and upwards along the foundation to 3 feet and around windows, doors, and roof overhangs. Apply as a coarse spray to thoroughly and uniformly wet the foundation and/or band area so that the insecticide will reach the soil or thatch level where pests may be active. One [1] gallon will treat 250 sq. ft. of surface area. Repeat application every 8 weeks [2 months].

OUTDOOR SURFACES USE: For control of ants**, centipedes, cockroaches, crickets, fleas, millipedes, mosquitoes, palmetto bugs, scorpions, sowbugs, pillbugs, spiders, deer ticks and waterbugs. Mix 0.75 fl.oz. (1.5 Tablespoon) in one gallon of water and apply as a residual treatment to ornamental plants next to foundations of buildings and to surfaces of buildings, porches, screens, window frames, eaves, patios, garages and other similar areas where these pests are active. Repeat application every 8 weeks [2 months].

#Note: This product is non-staining to most home siding depending on age and cleanliness. However, before using in areas where the spray can contact home siding (vinyl siding in particular), test in an inconspicuous area and recheck in a few hours. Do not use if any staining is observed.

LAWNS**HOW TO MIX AND APPLY****STEP 1**

Determine size of spraying job. Measure the area to be sprayed. Make applications when insects first appear. Applications should be repeated only as directed to maintain control.

STEP 2

Use a clean sprayer. Carefully measure and mix the amount of product and water as indicated in the [rate chart][directions]. It is always a good idea to wear [disposable] gloves when handling pesticides. **Kitchen utensils such as measuring cups and measuring spoons should not be used for food purposes after use with pesticides.**

STEP 3

Spray as directed. Thorough coverage is important.

STEP 4

Flush sprayer with clean water after each use.

UNDERGROUND INSECTS/THATCH INFESTING INSECTS including Blue grass billbug (adult), Black turfgrass *Ataenius* (adult), chiggers, chinch bugs, white grubs (Japanese beetle, European chafer, Southern chafer), dung beetle and hyperodes weevils (adult), European crane flies, and mole crickets (nymphs and young adults) Mix 0.75 fl.oz. (1.5 Tablespoon) in 1 gallon of water to treat 125 sq.ft. or 6 fl.oz. in 8 gallons water to treat 1000 sq.ft. For sub-surface insect control (mole crickets, grubs) water treated area with additional ¼ to ½ inch of water for optimum results. [1 quart of Chemsico Insecticide Concentrate 38 treats 5,300 sq. ft.]

SURFACE INSECTS including ants, armyworms, crickets, cutworms, earwigs, fleas, lawn moths (sod webworms), millipedes, sowbugs, mites, spittlebugs, deer ticks (which may transmit Lyme Disease).** Thoroughly wet down grass a few hours before applying. Mix 0.75 fl.oz. (1.5 Tablespoon) in 1 gallon of water to cover [treat] 250 sq. ft. or 3 fl.oz. (6 Tablespoons) in 4 gallons of water to cover [treat] 1000 sq.ft. of lawn. Delay additional watering or mowing for 24 hours after application for optimum control of surface insects. For heavy infestations use rate can be increased to 4.5 fl.oz./ 1000 sq.ft. [1 quart of Chemsico Insecticide Concentrate 38 treats 10,600 sq. ft.]

WHEN TO TREAT: Treat the following pests during the months indicated or when first noticed.

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
				Billbugs			Grubs				
			Dung beetle grubs								
			Hyperodes weevils								
Treat ants** and other insects when they first appear or you notice lawn damage											

*For localized control only. The purpose of such applications of this product for termites is to kill workers or winged reproductive forms which may be present in treated channels at the time of treatment. Such applications are not a substitute for mechanical alteration, soil treatment or foundation treatment but are merely a supplement. This product is not recommended as sole protection against termites. For active termite infestations, get a professional inspection.

**Argentine, Southern, Field, Allegheny mound, Florida carpenter, Cornfield, Honey, Pavement, Nuisance.

REFILL DIRECTIONS

To Refill Chemsico Home Insect Control 3L EZ SPRAY™
 Refill only with Chemsico Insecticide Concentrate 38. Remove cap. Carefully measure and pour 10 fl oz of concentrate into empty one gallon EZ Spray container of Chemsico Home Insect Control 3L, and fill to one gallon with water. Replace and tightly close cap. Wipe off any spilled product. See the EZ SPRAY label for complete directions.

STORAGE AND DISPOSAL

Storage: Store in a cool, dry area away from heat or open flame. **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. Harmful if swallowed. 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. Food utensils such as measuring cups and tablespoons must not be used for food purposes after use in measuring pesticides.

First Aid

If Swallowed: Call a Poison Control Center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. 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. **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 or doctor, or going for treatment.

Environmental Hazards

This pesticide is extremely toxic to fish. Do not contaminate water when disposing of equipment washwaters. Do not apply directly to water. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas.

This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds is bees are visiting the treatment area.

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

OPTIONAL GUARANTEE STATEMENT

*** (Guaranteed Results ICON) 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.

Questions or Comments? Call toll free 888-KILL-TERMITES (888-545-5837) for assistance in using this product.

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

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 EPA Est. No. 9688-MO-1
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