

10088-92

05-11-2010

1/4



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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Mr. Adam Swader
Athea Laboratories, Inc.
P.O. Box 240014
Milwaukee, WI 53224

MAY 11 2010

Subject: Label Notification(s) for Pesticide Registration 2007-4

Dear Mr. Swader:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated for March 25, 2010

EPA Registration Number: 10088-92 Surface Insecticide

The Registration Division (RD) has conducted a review of this request for applicability Under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on non-refillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact Melody Banks on 703 305-5413.

Sincerely,

Richard Gebken
Product Manager
Insecticide Branch
Registration Division (7504P)



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 10088-92	2. EPA Product Manager	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Surface Insecticide	PM# 13	
5. Name and Address of Applicant (Include ZIP Code) Athea Laboratories, Inc. P.O. Box 240014 Milwaukee, WI 53224 <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: <input checked="" type="checkbox"/> EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<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.

NOTIFICATION
MAY 11 2010

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification of minor label changes per PR Notice 2007-4. See attached cover letter

Section - III

1. Material This Product Will Be Packaged In:				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	<input checked="" type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container			
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container N/A		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"/> Lithograph Paper glued <input type="checkbox"/> Stenciled			<input checked="" type="checkbox"/> Other Silkscreened		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name Adam Swader	Title Regulatory Comp Spec.	Telephone No. (Include Area Code) 414-354-6417
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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.

2. Signature 	3. Title Regulatory Comp Spec.	6. Date Application Received (Stamped) C O C C C C O C C C C O C C C C O C C C C O C C C C O C C C C O C C C C O C C C C O C C C C O C C C
4. Typed Name Adam Swader	5. Date Mar 25, 2010	



March 25, 2010

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460-0001

**Subject: Storage and Disposal Update
Surface Insecticide
EPA Registration No. 10088-92**

To Whom It May Concern:

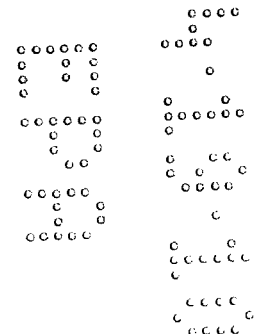
Please find the enclosed one label marked with changes and Form 8570-1 stating the following:

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or Confidential Statement of Formula for 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 the amended label is not consistent with requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, 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.

If there are any questions in regards to this notification please contact me at 414-354-6417 ext. 215 or email me at aswader@athea.com.

Thank You,

Adam Swader
Regulatory Compliance Specialist
Enclosures



NOTIFICATION
MAY 11 200

SURFACE INSECTICIDE

DIRECTIONS FOR USE

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

Do not use in commercial food/feed handling establishments, restaurants or other areas where food is commercially prepared or processed.

Remove protective cap, hold container upright and direct spray away from face. Hold can 12-15 inches from surface being sprayed. Press valve down and spray as directed. Spray surface until slightly wet (at a rate of 4 ounces product to treat approximately 25 square feet of surface area).

INDOORS: COCKROACHES (including adult and immature stages of both non-resistant and organophosphate and carbamate resistant strains), **ANTS**, **BOOKLICE**, **BOXELDER BUGS**, **CENTIPEDES**, **CRICKETS**, **DERMESTIDS**, **FIREBRATS**, **FLEAS**, **PALMETTO BUGS**, **SILVERFISH**, **SOWBUGS**, **TICKS** AND **WATERBUGS**: Apply thoroughly to all areas where these pests crawl and hide, especially in cracks and crevices, and hidden areas around sinks and storage areas, behind baseboards, around doors and windows, behind and under refrigerators, cabinets, sinks and stoves, the underside of shelves, drawers, bookcases, and similar areas. When pests are driven out, spray directly. Repeat as necessary.

ANTS: Spray freely around ant trails, doors and windows and other places where ants enter premises. Spray around nests hidden under steps, brickwork, concrete, etc. Break apart accessible nests and spray freely on and around debris. Repeat as necessary.

BROWN DOG TICKS and **FLEAS** in Buildings: Apply in infested areas such as pet beds and resting quarters, nearby cracks and crevices, under the edges of rugs and floor coverings, between and under cushions of upholstered furniture and other areas where these pests may be present. Old bedding of pets should be removed and replaced with clean fresh bedding after treatment of pet areas. Do not use directly on pets.

SPIDERS: Apply along and behind baseboards, to window and door frames, corners, pipes, storage localities, attics, crawlspaces and other areas over which these pests may crawl.

CENTIPEDES, **EARWIGS**, **GROUND BEETLES**, **MILLIPEDES**, **MOLE CRICKETS**, **PILLBUGS**, **SOWBUGS**, **SCORPIONS** AND **TICKS**: Apply around doors and windows and other places where these pests may enter premises. Treat baseboards, storage areas and other locations where these pests are found.

CARPET BEETLES (SLACK, FURNITURE AND VARIED): Spray on and under edges of floor coverings, under rugs and furniture and in closets or other localities where these insects are found.

Crawling Insect Killer

Pleasant Vanilla Scent

Provides Quick Killing Action
and Residual Control

Kills Bugs You See and Even
The Ones You Don't See

Protects For Up To 3 Months

ACTIVE INGREDIENTS:

* Tetramethrin	0.10%
** Permethrin	0.25%
*** Piperonyl Butoxide, Technical	0.50%
† INERT INGREDIENTS:	99.15%
TOTAL	100.00%

* 1-cyclohexene-1,2-dicarboximidomethyl 2,2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate.
** (3-phenoxyphenyl) methyl (±) cis/trans 3-(2,2-dichloroethenyl) 2,2-dimethyl cyclopropanecarboxylate.
Cis/trans ratio: min. 35% (±) cis and max. 65% (±) trans.
*** Equivalent to min. 0.4% (butylcarbityl) (6-propyl-piperonyl) ether and 0.1% related compounds.

†Contains Petroleum Distillates.

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

See side panel for additional precautionary statements.

EPA REG. NO. 10088-92

EPA EST. 10088-WI-1

**NET CONTENTS: (x) oz. (with the
option to add the metric equivalent)**

Manufactured By:

**Athea Laboratories Inc
PO Box 240014
Milwaukee, WI 53224**

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Prolonged or frequent repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly after handling. Remove and wash clothing before reuse. Avoid contamination of food and feed.

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.

IF ON SKIN OR CLOTHING: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes.

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 INHALED: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.

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. For information on this pesticide (including health concerns, medical emergencies, or pesticide incidents), call the National Pesticide Information Center at 1-800-858-7378.

NOTE TO PHYSICIAN: Contains petroleum distillate - vomiting may cause aspiration pneumonia.

ENVIRONMENTAL HAZARDS

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

PHYSICAL OR CHEMICAL HAZARDS

FLAMMABLE. Contents under pressure. Keep away from heat, sparks and open flame. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting.

STORAGE AND DISPOSAL

Do Not Contaminate Water, Food or Feed by Storage or Disposal

Pesticide Storage: Store in a dry place no lower in temperature than 50°F or higher than 120°F.

Container Disposal: Do Not Puncture or Incinerate (Nonrefillable container). Do not reuse or refill this container. If empty, place in trash or other recycling facility available. If partly filled, call your local solid waste agency for disposal instructions.

8407.032210

TLF