

10088-92

8/1/2011

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

OFFICE OF
CHEMICAL SAFETY
AND POLLUTION PREVENTION

AUG - 1 2011

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

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 June 21, 2011

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 re 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,

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

Mark Suarez
Product Manager
Insecticide Branch
Registration Division (7504P)

2085

Please read instructions on reverse before completing form.

Form Approved, 8 No. 2070-0080

Print Form



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 Richard Gebken	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: 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 checked="" type="checkbox"/> Other - Explain below.

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

Add the Optional Marketing text that was Inadvertently omitted from the Notification Accepted May 11, 2010. See attached cover letter

Section - III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <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. 14 oz.	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) Retail Container Not for retail	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 type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled <input checked="" type="checkbox"/> Other Foil wrap			

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 Compliance Spe	Telephone No. (Include Area Code) 414-354-6417
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 Coordinator	
4. Typed Name Adam Swader	5. Date Jun 21, 2011	



June 21, 2011

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Insecticide Branch
1200 Pennsylvania Ave., NW
Washington, DC 20460-001

Attn: Richard Gebken

RE: Surface Insecticide
EPA Reg. No. 10088-92

Dear Mr. Gebken:

This Notification proposes the following Label Language Additions:

- Add the optional marketing text on page two that was inadvertently left off the notification stamped 5/11/2010.
- Add the optional cherry fragrance on the first page that was inadvertently left off the notification stamped 5/11/2010

"This notification is consistent with 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 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 section 12 and 14 of FIFRA."

Should the Agency need additional information in order to process this notification, please feel free to contact me immediately at 414-354-6417 ext. 215 or email me at aswader@athea.com.

Sincerely,

Adam Swader
Regulatory Coordinator

Enclosures



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 (BLACK, 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.

SURFACE INSECTICIDE

Crawling Insect Killer

Pleasing

Vanilla/Cherry 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% (butylcarbitol) (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 offer for recycling, if available. If partly filled: Call your local solid waste agency for disposal instructions.

8407.03210

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Optional Marketing Text:

- FOR HOUSEHOLD USE
- CONTAINS SYNERGIST PIPERONYL BUTOXIDE, PERMETHRIN AND TETRAMETHRIN
- PROVIDES QUICK KILLING ACTION AND RESIDUAL CONTROL *Efficacy*
- ECONOMICAL DO-IT-YOURSELF PEST CONTROL
- USE INDOORS AND OUTDOORS
- KILLS ON CONTACT - KILLS FAST *Efficacy*
- KILLS HIDDEN BUGS
- A BROAD SPECTRUM INSECTICIDE HIGHLY EFFECTIVE AGAINST ANTS, BEES, CARPENTER ANTS, CARPET BEETLES, CENTIPEDES, COCKROACHES, CRICKETS, EARWIGS, FIREBRATS, FLEAS, FLOUR BEETLES, GRAIN BEETLES, GROUND BEETLES, MILLIPEDES, MOLE CRICKETS, MOTHS, PILLBUGS, SCORPIANS, SILVERFISH, SOWBUGS, SPIDERS, TICKS AND MANY OTHER CRAWLING INSECTS.
- NO OILY RESIDUE - NO UNPLEASANT ODOR
- PROTECTS FOR UP TO 4 WEEKS *Efficacy*
- PROTECTS FOR UP TO 12 WEEKS *Efficacy*
- PROTECTS FOR UP TO 3 MONTHS
- DIELECTRIC BREAKDOWN VOLTAGE OF 47,000 VOLTS
- PLEASING VANILLA SCENT
- PLEASING FLORAL SCENT
- PLEASING FRESH SCENT
- PLEASING CHERRY SCENT