

10088-95

4-18-2007

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

April 18, 2007

Mr. Patrick Rego
Athea Laboratories, Inc.
P.O. Box 240014
Milwaukee, WI 53224

Subject: Notification for Optional Marketing Statements
Pesticide
EPA Reg. No. 10088-95
Your Application Dated November 22, 2006

Dear Mr. Rego:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated November 22, 2006 for the products mentioned above. 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 labels submitted with the application have been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249.

Sincerely,

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

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

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0080. Approval expires 2-28-



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 10088-95	2. EPA Product Manager George LaRocca	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Pesticide	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

NOTIFICATION

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<input type="checkbox"/> Amendment - Explain below. <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ "Me Too" Application. <input type="checkbox"/> Other - Explain below.
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Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Adding 3 additional optional information statements.

Section - III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input checked="" type="checkbox"/> Yes <input 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"/> Text No	2. Type of Container <input type="checkbox"/> Metal <input checked="" 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	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	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		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"/> Other <u>Silkscreened</u>			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Patrick Rego	Title Technical/Regulatory Affairs Director	Telephone No. (Include Area Code) 414-354-6417
Certification		6. Date Application Received
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.		(Stamped)
2. Signature 	3. Title Technical/Regulatory Affairs Director	
4. Typed Name Patrick Rego	5. Date 11/22/06	

ATHEA
LABORATORIES, INC.

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November 22, 2006

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U.S. EPA
Attention: P.M. 13
Crystal Mall #2
1801 Bell Street
Arlington, VA 22202

Subject: EPA Registration No. 10088-95
Product Name: Permicide
Notification of additional language

Dear sir or madam:

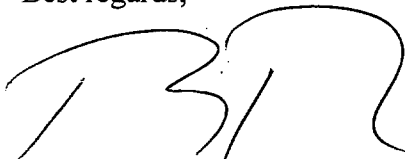
Athea Laboratories, Inc. would like to add 3 additional statements on the abovementioned label. One (1) Application for Pesticide (8570-1) and three (3) copies of the label are included with the added statements highlighted.

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.

If there are any questions or comments on this labeling, please contact me by phone: (414) 354-6417, fax: (414) 354-9219 or by e-mail: patrick@athea.com.

Thank you for your attention to this matter.

Best regards,



Patrick Rego, CHMM
Athea Laboratories, Inc.

Enclosures

PRECAUTIONARY STATEMENTS

Wash thoroughly after handling and before smoking or eating.

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

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage and disposal.

Pesticide Storage and Spill Procedures: Store upright at room temperature. Avoid exposure to extreme temperatures. In case of spill or leakage, soak up with an absorbent material such as sand, sawdust, earth, fuller's earth, etc. Dispose of with chemical waste.

Pesticide Disposal: Pesticide or rinse water that cannot be used according to label instructions must be disposed of at or by an approved waste disposal facility.

Container Disposal:

CONTAINERS ONE GALLON AND SMALLER: Do not reuse container. Wrap container in several layers of newspaper and discard in trash.

CONTAINERS LARGER THAN ONE GALLON:

Metal Containers - Triple rinse or equivalent. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved of by State and local authorities.

Plastic Containers - Triple rinse or equivalent. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by incineration, or if allowed by State and local authorities, by burning. If burned, stay out of smoke.

Glass Containers - Triple rinse or equivalent, then dispose of in a sanitary landfill or by other approved State and local procedures.

NOTIFICATION
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PERMICIDE

READ ENTIRE LABEL BEFORE EACH USE.

FOR COMMERCIAL/AGRICULTURAL USE ONLY.

A READY-TO-USE STABLE EMULSION INSECTICIDE.

FOR USE OUTDOORS, IN HOMES AND NON-FOOD AREAS OF FOOD/FEED PROCESSING ESTABLISHMENTS, KENNELS, COMMERCIAL BUILDINGS, WAREHOUSES, THEATERS, OFFICE BUILDINGS, SCHOOLS, MOTELS AND HOTELS.

FOR CONTROL OF FLEAS, BROWN DOG TICKS AND LICE ON PREMISES AND ON DOGS.

FOR CONTROL OF TICKS WHICH MAY CAUSE LYME DISEASE ON PREMISES.

CONTROLS FLEAS AND TICKS ON DOGS FOR 35 DAYS.

AIDS IN CONTROL OF TICKS ON DOGS FOR AN ADDITIONAL 2 WEEKS.

ACTIVE INGREDIENT:

* Permethrin	0.50%
INERT INGREDIENTS:	99.50%
TOTAL	100.00%

*(3-phenoxyphenyl) methyl (±) cis/trans 3-(2,2-dichloroethenyl) 2,2-dimethylcyclopropanecarboxylate. Cis/trans ratio: min. 35% (±) cis and max. 65% (±) trans.

KEEP OUT OF REACH OF CHILDREN

See Side Panel For Additional Precautionary Statements.

EPA REG. NO. 10088-95 EPA EST. NO. 10088-WI-1

NET CONTENTS: One Quart
 1 5 20 30 35 55 GALLONS

Manufactured By:

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

DIRECTIONS FOR USE

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

Avoid contamination of feed and feedstuffs. Remove pets and birds and cover fish aquaria before spraying or surface applications. Do not use on humans. Vacate room after treatment and ventilate before re-occupying. Do not allow children or pets to contact treated areas until surfaces are dry.

Not for use on plants being grown for safe or other commercial use, or for commercial seed production or for research purposes. For use on plants intended for aesthetic purposes or climactic modification and being grown in ornamental gardens or parks, or on golf courses or lawns and grounds.

SHAKE WELL BEFORE USING.

INDOOR APPLICATION:

Do not use in food/feed areas of food/feed handling establishments, restaurants or other areas where food/feed is commercially prepared or processed. Do not use in serving areas while food is exposed or facility is in operation. Serving areas are areas where prepared foods are served such as dining rooms but excluding areas where foods may be prepared or held. In the home, all food processing surfaces and utensils should be covered during treatment or thoroughly washed before use. Exposed food/feed should be covered or removed.

Nonfood/feed areas are areas such as garbage rooms, lavatories, floor drains (to sewers), entries and vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, mop closets and storage (after canning or bottling).

Vacate treated areas and ventilate before reoccupying. For maximum effectiveness, a combination of spot, surface treatment and fogging is recommended.

Do not apply in classrooms while in use. Do not apply this product in occupied patient rooms or in any rooms/areas while occupied by patients, the elderly or infirm. Do not apply to institutions (including libraries, sports facilities, etc.,) in the immediate area when occupants are present.

SURFACE SPRAYING:

TO CONTROL COCKROACHES, WATERBUGS, PALMETTO BUGS, SCORPIONS, MILLIPEDES, CENTIPEDES, SOWBUGS, PILLBUGS, ANTS, SILVERFISH, FIREBRATS, SPIDERS, CRICKETS, CLOVER MITES, CHEESE MITES, GRANARY WEEVILS, RICE WEEVILS, CONFUSED FLOUR BEETLES,

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RUST RED FLOUR BEETLES, DRUGSTORE BEETLES, MEAL WORMS, GRAIN MITES AND CADELLES: Direct the spray into hiding places, cracks and crevices, and behind shelves and drawers. For silverfish, spray bookcases. For ants, spray trails, nests and points of entry.

TO CONTROL CARPET BEETLES: Spray edges of carpeting and under carpeting and rugs. Make localized application to floor and baseboards. Spray directly into cracks, crevices and infested areas of shelving.

TO CONTROL BEDBUGS: Spray mattresses lightly, particularly around tufts and seams. Take beds apart and spray in all joints. Treat baseboards, moldings and floors. Allow all treated articles to dry thoroughly before use.

TO CONTROL FLEAS (ADULTS AND LARVAE) AND TICKS, INCLUDING TICKS WHICH MAY CARRY LYME DISEASE (ADULTS AND LARVAE): Thoroughly spray infested areas, pet beds, resting quarters, nearby cracks and crevices, along and behind baseboards, moldings, window and door frames, and entire areas of floor and floor covering. Fresh bedding should be placed in animal quarters following treatment. Allow to dry thoroughly before allowing pets to contact treated areas.

TO CONTROL CLOTHES MOTHS: Remove any infested articles from storage, brush thoroughly, and air for several hours in sunlight, if possible. Apply spray liberally to empty chests, closets, bureaus and other storage, directing the spray into cracks, joints and crevices. After airing, infested articles may be treated lightly, keeping nozzle at least three feet from fabric to avoid staining.

TO KILL LICE AND LOUSE EGGS: Spray in an inconspicuous area to test for possible staining or discoloration. Inspect again after drying, then proceed to spray entire area to be treated. Spray from a distance of 8 to 10 inches. Treat only those garments and parts of bedding, including mattresses and furniture that cannot be either laundered or dry cleaned. Allow all treated articles to dry thoroughly before use.

SPACE SPRAYING:

Close doors and windows and shut off ventilating systems. Apply with a good machine adjusted to deliver a fine mist or fog. For rapid control of *House Flies, Fruit Flies, Gnats, Mosquitoes, Skipper Flies, Wasps, Hornets, Bees, Black Flies, Angoumois Grain Moths, Mediterranean Flour Moths, Indian Meal Moths and Tobacco Moths:* Direct spray at an upward angle, distributing it uniformly throughout the entire area at a rate of 1 ounce per 1000 cubic feet of space. Keep area closed for 2 hours. Ventilate before reoccupying.

Athea Laboratories, Inc.

Product Name: Permicide
EPA REG. NO. 10088-95

FOGGING:

To kill exposed or accessible stages of the above named crawling insects, use at rate of 1 gallon to 20,000 to 40,000 cubic feet of space. Contact insects directly when possible. Keep area closed for 2 hours. Ventilate before reoccupying.

ON LIVESTOCK:

To protect cattle (beef and dairy), goats, sheep, hogs and horses from *Horn Flies, Face Flies, House Flies, Mosquitoes and Gnats:* Apply a light mist sufficient to wet the surface of the hair. For face flies, spray face and head, but do not spray into eyes.

TO CONTROL STABLE FLIES, HORSE FLIES AND DEER FLIES:

Apply at a rate of 2 ounces per adult animal, sufficient to wet the hair thoroughly.

TO CONTROL BLOOD-SUCKING LICE: Apply to the infested areas of the animal, using a stiff brush to get the spray to the base of the hair. Repeat every 3 weeks if required.

TO CONTROL POULTRY LICE: Spray roosts, walls and nests or cages thoroughly. This should be followed by spraying over the birds with a fine mist.

TO CONTROL BEDBUGS AND MITES IN POULTRY HOUSES: Spray crevices of roost poles, cracks in walls, and cracks in nests where the bedbugs and mites hide.

ON DOGS:

TO CONTROL FLEAS, TICKS, AND LICE: Start spraying at the tail, moving the dispenser rapidly and making sure that the animal's entire body is covered, including the legs and underbody. While spraying, fluff the hair so that the spray will penetrate to the skin. Make sure spray wets thoroughly, but do not saturate animal. Do not spray into eyes or face. Avoid contact with genitalia. Use protective gloves or mitts when applying product. NOTE: Do not use on puppies less than twelve (12) weeks old. Do not use on old, sick, debilitated, medicated, pregnant, or nursing animals. DO NOT USE ON CATS OR KITTENS. Sensitivities may occur after using ANY pesticide product for pets. If signs of sensitivity occur, bathe your pet with mild soap and rinse with large amounts of water. If signs continue, consult a veterinarian immediately.

OUTDOOR APPLICATION:

TO CONTROL TICKS, INCLUDING TICKS WHICH MAY CARRY LYME DISEASE (PERIMETER TREATMENT): Use this product as a residual treatment to control *Ticks* including the *Deer Tick (Ixodes dammini)*, *Lone Star Tick (Amblyomma americanum)*, *Brown Dog Tick (Rhipicephalus sanguineus)*, *American Dog Tick (Dermacentor variabilis)* and *Western Black-legged Tick (Ixodes pacificus)*.

For each area listed below, apply until surface is wet but not to the point of runoff (approximately 1 gallon/750-1,000 ft²).

Treat around windows and doors, porches, screens, eaves, patios, garages, under stairways and in crawl spaces where these pests may enter.

Treat a band of vegetation and leaf litter 6 to 10 feet wide around and the outside of buildings to help control ticks occurring there.

To help control ticks in outdoor activity areas, treat a band of vegetation and leaf litter 6 to 10 feet wide and adjacent to activity areas, especially where dense vegetation occurs.

FOR CONTROL OF GARDEN INSECTS:

For use on roses, dahlias, asters and other ornamentals to kill Japanese Beetles hit by spray as well as Whiteflies, Aphids, Exposed Thrips, Spiders, Red Mites and Leafminers. May be used on plants as a multi-purpose spray in small gardens and for spot treatments of incipient insect infestations to prevent spreading in large garden areas. May also be used on other plants such as African violets, asters, azaleas, begonias, camellias, carnations, chrysanthemums, dahlias, delphiniums, dogwoods, English ivy, eunonymus, fuschia, geraniums, crassula, grape vines, Kentia palms, laurels, marigolds, rhododendrons, roses, rubber plants, snapdragons, stocks, wandering Jews and zinnias.

EFFECTIVE WHEN USED AS DIRECTED AGAINST WHITEFLIES, APHIDS, SPIDER AND RED MITES, EXPOSED THRIPS, LACE BUGS, JAPANESE BEETLES, PAVEMENT ANTS, CLOVER MITES AND ARMYWORMS: When spraying plants, do not operate closer than 18 inches. Use sweeping motion. Be cautious about wetting tender foliage, young plants and new growth. Do not spray plants when temperatures exceed 90°F. Contact insects directly whenever possible.

Not for use in residential automatic misting systems in New York State.

ADULT MOSQUITO CONTROL: Apply as a fine mist to thoroughly treat the entire area. For best results, treat when the wind velocity does not exceed 5 miles per hour, but do not apply when wind speeds exceed 10 miles per hour. Treat shrubbery or vegetation where mosquitoes may rest. Apply at a rate of 2.5 pints per acre (0.9 ounce per 1000 sq. ft.) Using truck mounted conventional misting (Ultra Low Volume or ULV) equipment traveling at 5 mph to treat a 300 foot swath, calibrate equipment to deliver 0.95 gallons per minute. Under no conditions should open water be treated with this product. Not to be used within 100 feet (30 meters) of lakes and streams.

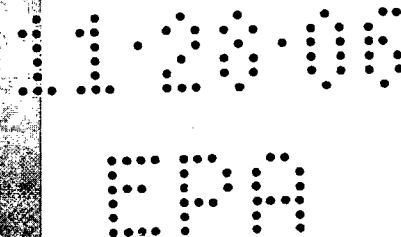
Buyer assumes all risks of use, storage or handling of this product not in strict accordance with directions given herewith.

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*Words in Italics are for reference only.
Words in [] are alternative language.
Words in { } are optional language.*

OPTIONAL INFORMATION AND GRAPHICS

- Crack and Crevice Insecticide
- Ready-To-Use Insecticide
- To Control Fleas, Mosquitoes, Ticks and Lice
- An Insecticide For Dogs
- To Control Stable Flies, Horse Flies, Deer Flies, Mosquitoes, Fleas, Ticks, Gnats and Lice
- An Insecticide For Horses
- Kills [Controls] flying and crawling insects
- Just spray where they [insects] crawl
- Kills [Controls] *any or all of the following:* cockroaches, centipedes, ants, spiders, wasps, hornets, bees, houseflies, mosquitoes, black flies, Japanese beetles, carpet beetles, bedbugs {and many others}



Athea Laboratories, Inc.
Product Name: Permicide
EPA REG. NO. 10088-95

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