

10088-115

5/11/2010

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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: 10088-115      Wasp and Hornet Killer**

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

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

### Application for Pesticide - Section I

1. Company/Product Number 10088-115	2. EPA Product Manager	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Wasp and Hornet Killer	PM# 10	
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 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	If "Yes" Unit Packaging wgt. No. per 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" 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 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 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
<b>Certification</b> 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 both under applicable law.		6. Date Application Received: (Stamped) 
2. Signature 	3. Title Regulatory Comp Spec.	
4. Typed Name Adam Swader	5. Date Mar 25, 2010	

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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  
Wasp and Hornet Killer  
EPA Registration No. 10088-115**

To Whom It May Concern:

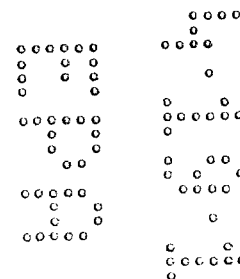
Please find the enclosed one label marked with changes and Form 8570-1 stating the following:

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](mailto:aswader@athea.com).

Thank You,

Adam Swader  
Regulatory Compliance Specialist  
Enclosures



APR 3 2 2010

P.O. Box 240014 | Milwaukee, WI 53224 | TEL 414.354.6417 | 800.743.6417 | FAX 414.354.9219 | [www.athealaboratories.com](http://www.athealaboratories.com)

**PRECAUTIONARY STATEMENTS  
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

**CAUTION**

Harmful if absorbed through skin. 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. Remove and wash contaminated clothing before reuse. Avoid contamination of food and feedstuffs.

Do not use in commercial food/feed processing, preparation, food/feed storage or serving areas. In the home, all food/feed processing surfaces and utensils should be covered during treatment, or thoroughly washed before use. Exposed food/feed must be covered or removed.

Remove pets and birds and cover fish aquariums before spraying.

FIRST AID	
<b>IF IN EYES:</b>	<ul style="list-style-type: none"> <li>Hold eye open and rinse slowly and gently with water for 15 - 20 minutes.</li> <li>Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>
<b>IF ON SKIN OR CLOTHING:</b>	<ul style="list-style-type: none"> <li>Take off contaminated clothing.</li> <li>Rinse skin immediately with plenty of water for 15 - 20 minutes.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>
<b>IF SWALLOWED:</b>	<ul style="list-style-type: none"> <li>Immediately call a poison control center or doctor for treatment advice.</li> <li>Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>Do not give any liquid to the person.</li> <li>Do not give anything by mouth to an unconscious person.</li> </ul>

**HOT LINE NUMBER**  
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact the National Pesticide Information Center at 1-800-858-7378 for emergency medical treatment information.

**NOTE TO PHYSICIAN**  
Contains petroleum distillate. Vomiting may cause aspiration pneumonia.

**ENVIRONMENTAL HAZARDS**  
This product is toxic to fish and other aquatic invertebrates. Do not apply directly to water. Do not contaminate water when disposing of equipment wash waters or rinsate. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas.

**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.

# Wasp and Hornet Killer

THIS PRODUCT CAN BE USED BOTH INDOORS (ATTICS AND OTHER PLACES WHERE NESTS ARE BUILT AND WHERE FOOD OR FEED ARE NOT EXPOSED) AND OUTDOORS ON WASP, HORNET, AND YELLOW JACKET NESTS.

**NOTIFICATION**

**MAY 11 2010** KILLS WASPS, YELLOW JACKETS, AND HORNETS ON CONTACT

GIVES RAPID KNOCKDOWN AND KILL OF WASPS, YELLOW JACKETS, AND HORNETS

REACHES NESTS MORE THAN 20 FEET ABOVE GROUND

DIELECTRIC BREAKDOWN VOLTAGE:  
41.0 KV by ASTM Test Method D-877-87

**ACTIVE INGREDIENTS:**  
Tetramethrin [(1-Cyclohexene-1,2-dicarboximido) methyl 2,2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate] ..... 0.200%  
Phenothrin ..... 0.125%  
\*OTHER INGREDIENTS ..... 99.675%  
100.000%

\*Contains petroleum distillate.

**KEEP OUT OF REACH OF CHILDREN  
CAUTION**  
See side panel for additional precautionary statements.

EPA REG. NO. 10088-115

EPA EST 10088-WI-1

**NET CONTENTS: (X) 0.2L**  
(with the option to add the metric equivalent)

Manufactured By:

**Athea Laboratories Inc  
PO 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.

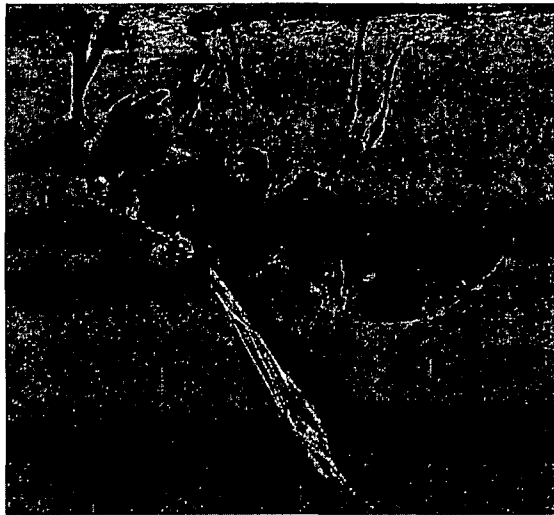
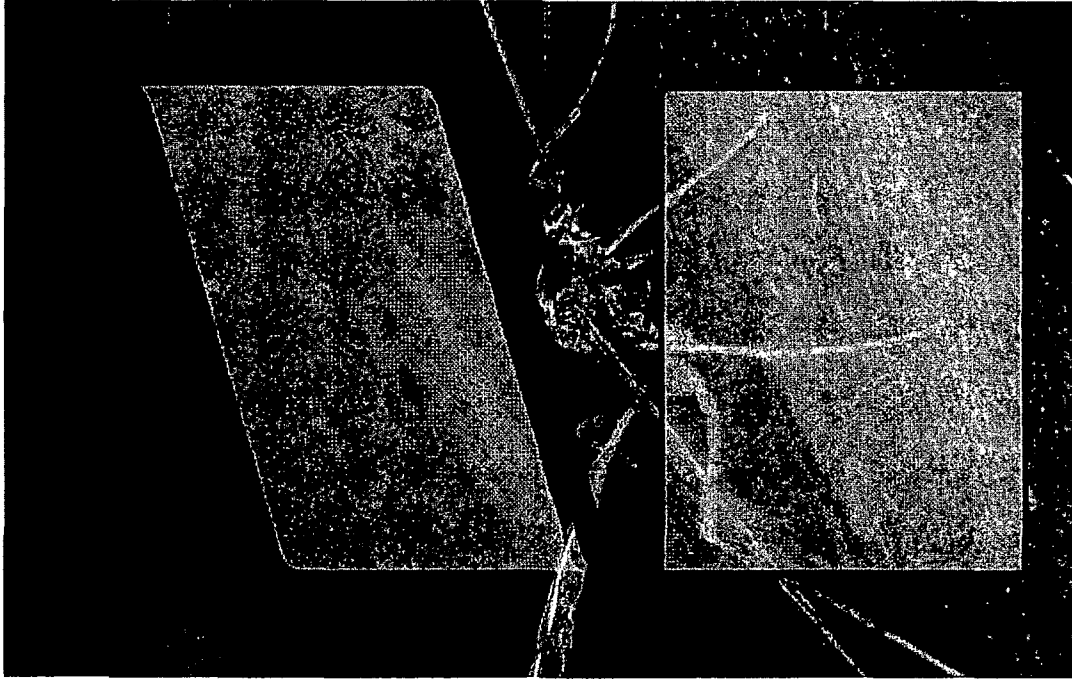
**FOR CONTROL OF NESTS OF WASPS, YELLOW JACKETS AND HORNETS:** The best time to spray the nest is in the early morning or early evening, when air temperature is cooler and most insects are in the nest and little activity is observed around the nest opening. Spray only if the air is still. Stand at a safe distance from the nest, not directly under it. Hold container upright at arms length, point the actuator at the nest and spray in the opening of the nest first. Then spray the rest of the nest until it is saturated. Treated insects may fall out of the nest and die. Wait 48 hours before removing the nest. Hose off foliage of desirable plants that were contacted with spray.

This product may stain or adversely affect vinyl, painted, and plastic surfaces. Avoid application to asphalt roofing shingles as staining may occur. Before using in areas where spray may contact these surfaces, test in an inconspicuous area and re-check in a few hours.

**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.

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