

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

11 JUN 1992

Ms. Susan Watson
Amrep, Incorporated
990 Industrial Park Drive
Marietta, GA 30062

Dear Ms. Watson::

Subject: Label Revision; Unacceptable Inert Ingredient (Methylene Chloride)
Misty Accur-Spray Wasp & Hornet Killer
EPA Registration Number 10807-16
Submission dated May 26, 1992

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is not acceptable for the reasons listed below.

1. The compound methylene chloride is no longer acceptable as a formulation component in any pesticide product (refer to the Agency inert policy "Inert Ingredients in Pesticide Products: Policy Statement", as put forth in the Federal Register, Volume 52, Number 77; dated Wednesday, April 22, 1987; [OPP-36140; FRL-3190-1]). This substance is a List 1 Toxic Inert Ingredient, and is not being supported in pesticide formulations. A revised formula statement deleting methylene chloride should be submitted. This is an important issue and should receive your immediate attention.
2. The following issues must be addressed regarding the label ingredients declaration:
 - a. The ingredients statement should be positioned on the front panel of the product label.
 - b. Delete the technical name of the active ingredient from the ingredients statement and substitute the chemical common name "Resmethrin".
 - c. Delete the term "related compounds" from the label ingredients declaration. Unless otherwise substantiated, these isomers should be considered inert compounds. If the "related compounds" are determined

~~to have pesticidal activity, they should be incorporated into the~~

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declaration for the active ingredient, and not distinguished separately as "related compounds" or "other isomers".

- d. Delete "aromatic petroleum hydrocarbons" from the active ingredients declaration and add this percentage to the total for the inert ingredients. Do not list "aromatic petroleum hydrocarbons" separately.
- 3. Add the following statement directly below the heading **DIRECTIONS FOR USE**: It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.
- 4. In the paragraph which begins "Harmful if swallowed...", delete the sentence which begins "When using the product in these areas....".
- 5. Add the following text to the product label:

ENVIRONMENTAL HAZARDS

This pesticide is highly toxic to fish. Do not apply directly to water. Drift and runoff from treated sites may be hazardous to fish in adjacent waters.

- 6. All of the precautionary text should appear under the heading shown below:

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

- 7. Add an appropriate **STATEMENT OF PRACTICAL TREATMENT** section to the product label which provides directions for the treatment of individuals which have been exposed to the toxicologically significant routes of exposure.
- 8. Delete the term **WARNING** which appears under the statement **KEEP OUT OF REACH OF CHILDREN**. The paragraph which begins "Do not puncture or incinerate..." should appear under the heading **PHYSICAL AND CHEMICAL HAZARDS**.
- 9. Resolve the contradiction in text regarding food handling areas. In one column, the user is directed not to spray in areas where food is exposed or handled. In another column, the text directs the user to protect food and food handling surfaces. One or the other is appropriate, but not both.

Sincerely,

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Richard F. Mountfort

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Product Manager 10

Insecticide/Rodenticide Branch

Registration Division

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DIRECTIONS FOR USE

For outdoor use. May also be used in attics, warehouses and other storage areas where foods and foodstuffs are not exposed. Kills Hornets, Wasps and Bees -outdoors and indoors.

FOR OUTDOOR USE: Application should be made in late evening when insects are at rest. Hold can upright, point valve opening away from face. With wind at back, aim at nests in trees, bushes, under eaves, chimneys, cracks or crevices, telephone and power lines.

FOR INDOOR USE: Point valve opening away from face. Aim directly at nests or under eaves and windows. Do not spray in areas where food and foodstuffs are exposed or handled. Thoroughly saturate nest with spray, contacting as many insects as possible. To prevent insects from falling on skin and clothes, do not stand under nest. If reinfestation occurs, repeat treatment.

CAUTION: Do not use in areas where children play or work.

DISPOSAL: Do not reuse empty container. Wrap container and put in trash collection.

EPA Reg. No. 108-11-16
EPA Est. No. 10807 GA-1

**ACCEPTED
with COMMENTS
in EPA Letter Dated**

11 JUN 1992

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

10807-16



**Accur-Spray
Wasp & Hornet
KILLER**

**Jet Stream Up to 15 ft. range!
NON-CONDUCTIVE
up to 16,000 volts**

CAUTION
KEEP OUT OF REACH OF CHILDREN
WARNING: Do not puncture or throw
container into fire or incinerator. Do not
use or store near heat or open flame.
Exposure to temperatures above 130°F
may cause bursting. Contents under
pressure. See additional cautions on
back panel.

NET WT. 14 OZ.

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