

28293-328

05-19-2010

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Phaeton Corporation
c/o Ms. Rebecca Horton
Registrations by Design, Inc.
P.O. Box 1019
Salem, VA 24153

MAY 19 2011

Dear Ms. Horton:

Subject: Application for Pesticide Notification (PRN 98-10)
Comply with Agency pyrethroid labeling letter dated June 4, 2009
and Update per PR Notice 2007-4
Unicorn .25% Permethrin Granules
EPA Reg. No. 28293-328
Your submission dated May 19, 2010

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated May 19, 2010 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds the action requested falls within the scope of PRN 98-10. The label submitted with the application has been 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 nonrefillable 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 regarding this letter, please contact Dana Pilitt, PhD of my staff at (703) 305-7071 or via e-mail at pilitt.dana@epa.gov.

Sincerely,

A handwritten signature in cursive script that reads "Richard Gebken".

Richard Gebken
Product Manager 10
Insecticide Branch
Registration Division (7505P)



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 28293-328	2. EPA Product Manager Suarez	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Unicorn .25% Permethrin Granules	PM# 13	
5. Name and Address of Applicant (Include ZIP Code) Phaeton Corporation P.O. Box 290 Madison, GA 30650 <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.

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

NOTIFICATION: of label change per PR Notice 2007-4, and per June 4, 2009 letter from EPA

This notification is consistent with the guidance in the June 4, 2009 letter, the provisions of PR Notices 2007-4 and 98-10, and the requirements of EPA's regulations at 40 CFR part 156 & 152.46. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. Phaeton Corporation understands that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA, and further understands that if the amended label is not consistent with the requirements of PR Notices 2007-4 and 98-10, and 40 CFR part 156 & 152.46, this product may be in violation of FIFRA and Phaeton Corporation may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

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 type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	Other (Specify) _____
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1, 2, 5, 10, 20, 30 LB		5. Location of Label Directions <input checked="" type="checkbox"/> on label	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input checked="" type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Rebecca M. Horton	Title Consultant/Agent for Phaeton Corporation	Telephone No. (Include Area Code) (540) 375-8E23
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 <i>Rebecca M Horton</i>	3. Title Consultant/Agent for Phaeton Corporation	
4. Typed Name Rebecca M. Horton	5. Date May 20, 2010	

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

Re: Notification
EPA Reg. No. 28293-328, Unicorn .25% Permethrin Granules

Attn: Linda Arrington, Team Leader
Notifications & Minor Formulations

On behalf of Phaeton Corporation of Madison, Georgia, enclosed is notification for the above-referenced product. The purpose of this notification is to revise the label for compliance with PR Notice 2007-4, and the June 4, 2009 EPA-required label changes. No changes have been made to the CSF.

The following documents are enclosed:

- 1) EPA Form #8570-1, Application for Pesticide – Notification (2 copies)
- 2) Copy of the proposed revised label with revisions highlighted in blue.

If further action or information is required on behalf of Phaeton Corporation, please advise.

Best regards,



Rebecca M. Horton
Consultant/Agent for
PHAETON CORPORATION
e-mail: hortonb@ntelos.net

RMH/shk

Enclosures

cc: DRowe/PC

MAILING ADDRESS:
P.O. Box 1019, Salem, VA 24153

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Unicorn .25% Permethrin Granules

- [KILLS INSECTS IN LAWNS] • [New Easy-to-Use Shaker Bag! (editor's note: for applicable container)]
 - [LAWN & GARDEN INSECT CONTROL] • [Kills Cockroaches, Ants, Spiders, Ticks and other Listed Insects]
 - [TREATS [COVERS] UP TO 5,000 10,000 15,000 SQ.FT.] • [Resealable Bag (editor's note: for applicable container)]
 - [PROTECTS YOUR HOME FROM INVADING PESTS] • [Perimeter Defense]
 - [10 POUNDS TREATS 5,000 SQ.FT.] • [For Perimeter Treatment Around Your House Foundation]
 - [CONTROLS SURFACE AND FOLIAGE FEEDING PESTS]
 - [FOR GRASS AND DICHONDRA LAWNS] • [Provides Contact and Long-Lasting Insect Control]
 - [CONTAINS SYNTHETIC PYRETHROID] • [FOR OUTDOOR USE ON HOME LAWNS]
 - [CONTAINS PERMETHRIN] • [READY TO USE]
 - [KILLS: Ants, Armyworms (Inc. Fall, Yellow-striped, etc.), Bear Tick, Bermudagrass mites, Billbugs (adult), Black Legged Tick, Boxelder Bugs, Brown Dog Ticks, Centipedes, Chiggers, Chinch Bugs, Clover mites, Cockroaches, Crickets, Cutworms, Darkling Ground Beetles, Deer Tick (Ixodes dammini), Digger wasps, Dung Beetles (Ateenius Spretulus), Earwigs, Essex Skipper, European Crane Fly Larvae, Field Crickets, Fiery Skipper, Fire Ants, Flea Beetle (In dichondra), Fleas, Grasshopper, Grubs, Hyperodes (Turfgrass Weevil), Japanese Beetle (adult), Lawn Moths, Leafhoppers, Lone Star Tick, Scorpions, Silverfish & Firebrats, Sod Webworms, Sowbugs, Spiders (Inc. Black Widow), Spittlebugs, Springtails, Ticks, Vegetable Weevils (In dichondra), Western Black Legged Tick (Ixodes pacificus)]
 - [PROVIDES CONTACT AND RESIDUAL CONTROL FOR UP TO 4 WEEKS]
 - [CONTAINS PERMETHRIN, A LONG LASTING INSECTICIDE WHICH PROVIDES CONTACT AND RESIDUAL CONTROL OF OUTDOOR INSECT PESTS.]
 - [KILLS ANTS, FLEAS, BROWN DOG TICKS, [TICKS], CRICKETS, CHINCH BUGS, CUTWORMS, BILLBUGS, SOD WEBWORMS, [SPIDERS, SCORPIONS], GRUBS AND OTHER LISTED INSECTS.] • [No spreader required]
 - [LONG LASTING INSECT CONTROL] • [BROADCAST AND MOUND TREATMENT]
 - [KILLS 30+ INSECTS] • [KILLS FIRE ANTS PLUS INSECTS IN LAWNS]
- * [BONUS [VALUE] SIZE 25% more than [the] 14 oz. [size.]] (editor's note: for use on customer change to 17.5 oz packaging)

Product Usage: Kills Ants, Fleas, Ticks, Spiders, Scorpions, [Sowbugs], Chinch Bugs, Grubs, Sod Webworms and other listed insects
 Use on: Lawns and around shrubbery and house foundations
 Amount to Use: 2-3 Lbs. per 1000 sq.ft. [1 Lb. per 500 sq.ft.] for lawn and garden insects
 1-2 tsp. for spot treating ants

ACTIVE INGREDIENT:

*Permethrin.....0.25%
 INERT [OTHER] INGREDIENTS:99.75%
 TOTAL 100.00%

*Cis/trans ratio: Maximum 55% (±) cis and minimum 45% (±) trans

KEEP OUT OF REACH OF CHILDREN

CAUTION

See Side/Back Panels (Label) for Additional Precautionary Statements. [See additional precautionary statements on back of bag.]

Net Contents [Weight] [WT]:

Manufactured by:
 Phaeton Corporation
 P.O. Box 290
 Madison, GA 30650

FIRST AID	
IF ON SKIN OR CLOTHING	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
IF IN EYES	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. -- Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
IF INHALED	<ul style="list-style-type: none"> • 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 further treatment advice.
<p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment.</p>	

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Harmful if absorbed through skin. Avoid contact with skin, eyes or clothing. Wash thoroughly after handling. Avoid contamination of food or feed. Utensils such as teaspoons and measuring cups should not be used for food purposes after use with insecticides.

ENVIRONMENTAL HAZARDS

This product is extremely toxic to fish. Drifts and runoffs from treated areas may be hazardous to aquatic organisms in treated areas. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Sweeping any product that lands on a driveway, sidewalk, or street, back onto the treated area of the lawn or garden will help to prevent run off to water bodies or drainage systems.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Food utensils such as teaspoons and measuring cups should not be used for food purposes after use with pesticides.

Apply this product directly to the lawn or garden area. Water treated area as directed on this label. Do not water to the point of run off. Do not make applications during rain.

READ ENTIRE LABEL. USE STRICTLY IN ACCORDANCE WITH LABEL PRECAUTIONARY STATEMENTS AND DIRECTIONS.

Unicorn .25% Permethrin Granules is recommended for the control of lawn insects, fleas, and ticks outdoors in residential areas. Repeated applications are made by broadcast treatment with a spreader to lawns, under shrubbery, and other ornamental

and turf grass areas, band treatments are recommended around house foundation and spot applications are made to ant mounds and wasp nests.

STORAGE AND DISPOSAL

PESTICIDE STORAGE: Store product in its original container in a cool, dry locked place out of reach of children.

PESTICIDE DISPOSAL: If partly filled – Call your local solid waste agency or 1-800-CLEANUP for disposal instructions. Never place unused product down any indoor or outdoor drain.

CONTAINER DISPOSAL: If empty – Non-refillable container. Do not reuse or refill this container. Place in trash or offer for recycling if available.

GENERAL USE DIRECTIONS [THREE EASY STEPS TO USE THIS PRODUCT]

1. [Step #1] Determine size of area to be treated – measure and multiply length times width.
2. [Step #2] Determine appropriate spreader setting using chart.
3. [Step #3] Treat as directed – thorough coverage is important. Water in where indicated.

Keep children and pets off treated areas until this material is washed into turf and grass is dry.

Treatment Areas	Pests	Use Rate	How to Use
OVERALL LAWN TREATMENT FOR GRASS AND DICHONDRA LAWNS	Ants, Armyworms (Inc. Fall, Yellow-striped, etc.), Bermudagrass mites, Boxelder Bugs, Centipedes, Chiggers, Chinch Bugs, Clover mites, Cockroaches, Crickets, Cutworms, Darkling Ground Beetles, Digger wasps, Earwigs, Essex Skipper, European Crane Fly Larvae, Field Crickets, Fiery Skipper, Flea Beetle (In dichondra), Grasshopper, Hyperodes (Turfgrass Weevil), Lawn Moths, Leafhoppers, Scorpions, Silverfish & Firebrats, Sod Webworms, Sowbugs, Spiders (Inc. Black Widow), Spittlebugs, Springtails, Vegetable Weevils (In dichondra)	Treat when insects first appear using granules at the rate of 2 pounds per 1,000 sq.ft. [14 oz. per 438 sq.ft.] [.75 lb. per 375 sq.ft.] [1 lb. per 500 sq.ft.] [17.5 oz. per 547 sq.ft.] or, for heavy lawns such as St. Augustine grass, 3 pounds per 1,000 sq.ft. [.75 lb. per 250 sq.ft.] using a fertilizer spreader. See spreader setting chart below.	Apply this product uniformly to home lawns and under shrubbery. To help obtain uniform distribution, apply one-half required amount of product in one direction, then apply the balance at a right angle. Immediately after application, water the lawn lightly. European Cranefly larvae (Leatherjackets) – the best time to apply is in May or June when the insects are young. Chinch Bugs – Start treatments when temperatures reach 80°F or above. A second application may be necessary in 6 weeks if insect activity continues.

Treatment Areas	Pests	Use Rate	How to Use
	Billbugs, Grubs, Japanese Beetle (adult), Dung Beetles (Ataenius Spretulus)	Use granules at the rate of 2 ½ pounds per 1,000 sq. ft. [.75 lb. per 300 sq. ft.]	Water grass thoroughly after application. For Billbug control, apply when activity is first observed or when chewed or brown grass indicates damage from these insects. For Grub control, except Dung Beetle, treat any time between late July and early October. For Dung Beetle Grub control, apply in spring or early summer when damage is first noticed. Water grass thoroughly with ¼ to ½ inch of water after application. Treat again in late summer or early fall if a second generation occurs.
SPOT TREATMENT	Ants nesting outdoors including: Acrobat, Argentine, Big Headed, Cornfield, Field, Harvester, Leafcutter, Little Black, Pavement and Pyramid Ants	Product should be applied to thoroughly cover the nest (1 to 2 teaspoons) and sprinkled gently with water.	If possible, it is best to try to locate nest and treat this first. Nests will usually be found in the ground but may be concealed under stones, boards, slabs or in stumps or logs. In addition to treating ant nests or mounds, entry points of buildings (used by ants) and the soil surface along the perimeter of the building should be treated.
	Digger Wasps	Apply 1 to 2 teaspoons of granules in and around each individual ground nest opening.	Make the application at dusk when the wasps are not active.
	Imported Fire Ants	Apply one cup over, and 2 feet around each fire ant mound.	Immediately after application, water the granules into the soil gently with a light sprinkling to avoid disturbing the colony. Use at least 1 gallon of water per mound, but no more than 2 gallons. Use of high pressure watering equipment may disturb the colony and cause migration of the ants, thus reducing the effectiveness of the treatment. Apply in cool weather (65-80°F), or in early morning or late evening for best results. Treat new mounds as they appear.
BAND (PERIMETER) TREATMENT AROUND HOUSE FOUNDATION	Ants, Boxelder Bugs, Brown Dog Ticks, Centipedes, Cockroaches, Clover Mites, Crickets, Earwigs, Field Crickets, Fleas, Scorpions, Sowbugs, Spiders (Inc. Black Widow), Springtails (Collembola) and Ticks	Treat at a rate of 1 lb. per 500 sq. ft. [14 oz. per 438 sq. ft.] [.75 lb. per 375 sq. ft.] [17.5 oz per 547 sq. ft.] or 2 lbs. per 1,000 sq. ft.	To help prevent infestation of buildings, apply a 5 foot band of granules next to the house foundation. Distribute granules uniformly. Water lightly after application.

FLEA AND TICK CONTROL (OUTDOORS)

In summer months, fleas and ticks frequently become established in lawns and pet resting areas surrounding the home. For best control of Fleas and Ticks (including but not limited to Bear Tick, Black-legged Tick, Brown Dog Tick, Deer Tick (*Ixodes dammini*), Lone Star Tick, Western Black-legged Tick, Wood Tick): a regular treatment program should be followed. Treat once a month when pests first appear in late spring (May-June) and continue until late summer (September-October). Fall temperatures below 50°F decrease pest activity. Eliminating weeds around the home and mowing lawns frequently reduces the hiding places for these pests.

Note: Dogs, cats, their kennel or bedding area should also be treated with a registered product. In addition, if fleas and ticks are indoors on carpets or pet resting areas, use a registered product [such as (*product brand name*)], ideally in combination with an Insect Growth Regulator [such as (*product brand name*)]. It is very important that all three sites – outdoors, indoors and also the pet be treated with appropriate labeled products to achieve satisfactory control. If any of these areas is not treated, it could serve as a source of reinfestation to the entire premises.

SOD WEBWORMS (CRAMBUS SPP)

Sod Webworms are the light brown caterpillars ¼ to ¾ inch long, that hide in the grass during the day and feed on the grass blades at night. Adult Webworms, usually referred to as Lawn Moths (about 1 inch in length with long snout) emerge from the grass at dusk. They fly over the lawn laying eggs that later hatch into destructive caterpillars. Damage appears first as small brown spots which, if not treated, may rapidly develop into large brown areas of severely damaged or dead grass. If Lawn Moths (Sod Webworm Adults) are noticed in large numbers at dusk, or at first sign of damage to lawn, treat entire lawn evenly.

SPREADER SETTINGS

Spreader Make and Model	Grass or Dichondra Lawns at 2 lbs. per 1000 sq.ft.	White Grubs, Billbugs at 2 ½ lbs. per 1000 sq.ft.	St. Augustine Lawns at 3 lbs. per 1000 sq.ft.
Cyclone Broadcast	3	4	5
Greenview Drop Spred III	3	4	5
Greenview Jet Spred III	4	5	6
Republic Drop EZ530	6 ½	7	8
Republic Broadcast EZ540	2	3	4
Scotts® AccuGreen® 3000	6	6 ½	7
Scotts® SpeedyGreen® 3000	4	4 ½	5
Scotts® EasyGreen® 3000	24	25	26
Scotts PF4	6	6 ½	7
Sears Drop 1927	5 ½	6	7
Sears Broadcast 1922	5 ½	6	7

Note: Spreader settings given are approximate and variation can occur between identical models. User should calibrate spreader by accurately weighing a few pounds into your spreader and applying to a measured area. Then adjust spreader setting if necessary to assure correct rate of application.

[NOTICE: Seller warrants that the product conforms to its chemical description and is reasonably fit for the purposes stated on the label when used in accordance with directions under normal conditions of use, but neither this warranty or any other warranty of Merchantability or Fitness for a Particular Purpose, expressed or implied, extends to the use of this product contrary to label instructions, or under abnormal conditions, or under conditions not reasonably foreseeable to seller, and buyer assumes the risk of any such use.]

[NOTICE: To the extent consistent with applicable law, buyer assumes all risks of use, storage or handling of this product not in accordance with directions.]

[(Phone Icon) Questions, Comments or Medical Information? Call (insert phone number)]

Brackets "[]" denote optional wording.

(Batch Code inserted at production.)

