

36272-14

04/24/2008

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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

April 24, 2008

John Gedeon
Mystic Chemical Products Co.
3561 West 105th Street
Cleveland, Ohio 44111

Subject: Apicide, EPA Reg. No. 36272-14
Carbaryl Product Reregistration
Your Revised Labels Dated February 19, 2008

Dear Mr. Gedeon,

The label referred to above, submitted in connection with the registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable with the following changes:

Commercial (Bulk) Label:

- Revise USER SAFETY RECOMMENDATIONS to read USER SAFETY REQUIREMENTS.
- Revise the text under USER SAFETY REQUIREMENTS to read:

“Wash thoroughly before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove clothing/PPE immediately if pesticide gets inside. Wash the outside of gloves before removing. Remove clothing/PPE immediately after handling the product, and change into clean clothing.”

- Revise the text under PERSONAL PROTECTIVE EQUIPMENT (PPE) language to read:

“PERSONAL PROTECTIVE EQUIPMENT (PPE)
Handlers using this product must wear long-sleeved shirt and long pants, shoes, socks, chemical-resistant gloves (such as or made out of any waterproof material, selection category

A), and NIOSH-approved dust filtering respirator with NIOSH/MSHA approval number prefix TC-21C or a NIOSH-approved respirator with any N, R, P, or HE filter, plus chemical resistant apron, if mixing, loading, or cleaning equipment or spills. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions exist, use detergent and hot water. Keep and wash PPE separately from other laundry."

BOTH COMMERCIAL (BULK) AND HOMEOWNER (Dispenser) LABEL

- Revise the heading GENERAL INFORMATION AND PRECAUTIONS to read RESTRICTIONS.
- Under the heading APPLICATION DIRECTIONS add the sentences "This product will only kill pests present at the time of application. Pest must be directly contacted to be effective. Contact as many pests as possible. Non-residual treatment."
- Under the heading APPLICATION DIRECTIONS revise the sentence "It is for use in wall voids and in-ground/above ground nests..." to read "It is for use in outside wall voids and in-ground/above ground nests..."
- Under Honey Bees revise the phrase "...listening with ear to the wall (inside or outside)..." to read "...listening with ear to the outside wall".
- Under Honey Bees revise the phrase "Drill a 1/4" hole into that section of the wall from either the inside or outside..." to read "Drill a 1/4" hole into that section of the wall from the outside..."
- Under Honey Bees revise the phrase "Once the bees are killed, the wall void..." to read "Once the bees are killed, the outside wall void..."
- Under Honey Bees, add the sentence "This product may not be used indoors."
- Under Carpenter bees, add the sentence "This product may not be used indoors."
- Under Yellow Jackets, Wasps, revise the phrase "...For Void Nests in Buildings" to read "For Void Nests on Outside of Buildings".
- Under Yellow Jackets, Wasps, add a sentence "This product may not be used indoors."
- Under Hornets, add a sentence "This product may not be used indoors."

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- Delete reference to the website on the label.

Homeowner (Dispenser) product:

- Under the Environmental Hazards statement add the sentence "This product is extremely toxic to aquatic invertebrates."

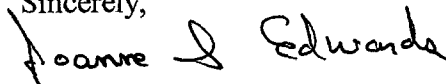
Please note we are still waiting for submittal of storage stability and corrosion characteristics (not yet provided by the parent product). Also, if you wish to amend your Confidential Statement of Formula, you must submit a formal application for amended registration.

A stamped copy is enclosed for your records. Please submit one copy of the final printed label before releasing the product for shipment.

Approval of this label does not constitute approval of your application for reregistration of this product. Product reregistration is currently pending, and future labeling changes and/or additional data may be required.

If you have questions, email me at edwards.joanne@epa.gov or by telephone at (703) 305-6736

Sincerely,



Joanne S. Edwards, Entomologist
Insecticide-Rodenticide Branch
Registration Division (7505P)

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Center Panel

Apicide
EPA Reg. No. 36272-14
(Dispenser Container - 10 oz)

Contents may settle during storage and shipping
Shake container to loosen dust before using.



Kills
BEES • WASPS
YELLOW JACKETS
HORNETS
CARPENTER BEES

ACCEPTED
with COMMENTS
In EPA Letter Dated:
4/24/08
*Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
36272-14*

APICIDE®

KEEP OUT OF REACH OF CHILDREN

CAUTION
READ ENTIRE LABEL
BEFORE EACH USE

See side panel for Additional Precautionary Statements

ACTIVE INGREDIENTS:	
Carbaryl (1-naphthyl N-methylcarbamate).....	5%
INERT INGREDIENTS:.....	95%
TOTAL.....	100%

Manufactured by
Mystic Chemical Products
3561 W. 105th St. Cleveland, OH 44111
contact us at: www.apicide.com

Net Contents 10 oz.

EPA Reg. No. 36272-14

EPA Est. No. 4-NY-1

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Left Panel

Apicide
EPA Reg. No. 36272-14
(Dispenser Container- 10 oz.)

DIRECTIONS FOR USE

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

APPLICATION DIRECTIONS

To kill bees, wasps, yellow jackets, hornets, carpenter bees.

Bees, wasps, yellow jackets and hornets can attack savagely. When attempting to kill these pests cover exposed body parts. Wear heavy protective clothing including veil, gloves, and long sleeved coveralls. Persons who are especially sensitive to insect stings should not apply this product. Treatment is best done at dusk when activity around the nest site is minimum.

This product is for homeowner use only. It is for use in voids and in-ground/above ground nests to kill bees, wasps, yellow jackets, and hornets.

This product may not be applied indoors.

GENERAL INFORMATION AND PRECAUTIONS

Use only in areas where there is little or no flow of air that could disturb the dust. Do not apply this product in a way that will contact any person or pet, either directly or through drift. Keep children and pests out of the area during application. Do not allow people or pets to enter the treated area until dusts have settled. Stand upwind while applying APICIDE into the entrance of the colony. Do not eat any honey taken out of the wall after bees have been killed. Contents may settle during storage and shipping. Shake container to loosen dust before using.

STORAGE AND DISPOSAL

Storage: Store pesticide in original container and place in a locked storage area.
Disposal: If Empty: Do not reuse empty container. Place in trash or offer for recycling if available.
If partly filled: Call your local solid waste agency or 1-800-CLEAN-UP for disposal instructions.
Never place unused product down any indoor or outdoor drain.

Honey Bees: Honey bees are beneficial insects and must not be indiscriminately killed. Application must only be done where there is an immediate threat to people and their pets. Consider contacting an experienced beekeeper to determine if a swarm or nest of honey bees can be saved and relocated. Locate the brood nest or center of the colony by listening with ear to the wall (inside or outside) or use another listening device to determine where the buzzing and clicking sounds are the loudest. Drill a 1/4" hole into that section of the wall from either inside or outside and push the drill bit on through to clear a hole into the brood area. Insert the nozzle of the Apicide dispenser into the 1/4" hole and squeeze the dispenser to apply three to five ounces of Apicide into the brood area. Seal the drilled hole immediately after treatment with wood putty, plaster patch, or other impervious material. Allow 72 hours for Apicide to completely kill the colony. Once the bees are killed, the wall void in which they have been nesting should be opened and the comb removed. If not, the untended honey may seep through the walls and attract other pests.

Carpenter Bees: Apply Apicide directly into the gallery entrances. Do not plug up these holes immediately. Allow the bees to pass through the entrance where they will contact the dust and distribute it into the galleries. Wait until all adult activity ceases or until autumn before sealing the hole(s). Use caulking or wood putty to seal openings and then paint, stain, or varnish wood surfaces.

Yellow Jackets, Wasps: Locate the entrance hole used by these pests by observing their activity and flight patterns during the daytime. Treatment is best done at dusk or later when activity around the nest is at a minimum. Approach the opening to the nest cautiously. Use background lighting if possible. Do not hold a flashlight or spot light in your hands. Lighting should be set and focused on the nest opening from a distance and off to the side. For Void Nests in Buildings: Insert the nozzle of the Apicide dispenser and squeeze the dispenser to apply three to five ounces of Apicide into the opening. Allow 72 hours for Apicide to completely kill the colony. After all activity has ceased seal opening with wood putty, caulking or other impervious material.

Hornets: (Aerial Nest - tan to gray in color and are completely enclosed except for the entrance at the bottom); Locate the entrance hole used by these pests by observing their activity and flight patterns during the daytime. Treatment is best done at dusk or later when activity around the nest is at a minimum. Approach the opening to the nest cautiously. Use background lighting if possible. Do not hold a flashlight or spot light in your hands. Lighting should be set and focused on the nest opening from a distance and off to the side. Insert the nozzle of the Apicide dispenser into the opening at the bottom of the nest and squeeze the dispenser to apply three to five ounces of Apicide into the opening. Allow 72 hours for Apicide to completely kill the colony. After all activity has ceased the nest may be removed. Place nest in a plastic garbage bag and discard in the trash.

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Right Panel

Apicide
EPA Reg. No. 36272-14
(Dispenser Container - 10 oz.)

PRECAUTIONARY STATEMENTS
Hazards to Humans & Domestic Animals
CAUTION

Harmful if swallowed. Harmful if absorbed through the skin. Avoid contact with eyes, skin, 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.

ENVIRONMENTAL HAZARDS

Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters or rinsate. This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area.

FIRST AID	
This product is an N-methyl carbamate and is a cholinesterase inhibitor.	
If Swallowed-	<ul style="list-style-type: none"> • Call poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If in Eyes	<ul style="list-style-type: none"> • 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. • Call a poison control center or doctor for treatment advice.
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.
HOTLINE 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 1-800-858-7378 for emergency medical treatment information.	
NOTE TO PHYSICIAN:	
Carbaryl is a N-methyl carbamate insecticide which is a cholinesterase inhibitor. Specific antidote consists of atropine. Narcotics and other sedatives should not be used. Drugs like 2-PAM (pyridine-2-aldoxime methiodide) are not recommended.	

Notice: Manufacturer warrants that this product conforms to the chemical description on the label and is reasonably fit for the specific purposes referred to in the Directions for Use, subject to the inherent risks referred to above. To the extent consistent with applicable law, manufacturer makes no other express or implied warranty of fitness or merchantability, or any other express or implied warranty. To the extent consistent with applicable law, in no case shall manufacturer be liable for consequential, special, or indirect damages resulting from the use, handling, or application of this product. To the extent consistent with applicable law, buyer assumes all risks of use, storage or handling of this material not in strict accordance with directions and cautions stated on this label.

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Apicide
EPA Reg. No. 36272-14
(Dispenser Container - 10 oz.)

APICIDE
36272-14

10 oz Dispenser Container
(for homeowner use)

Label Format

left panel

center panel

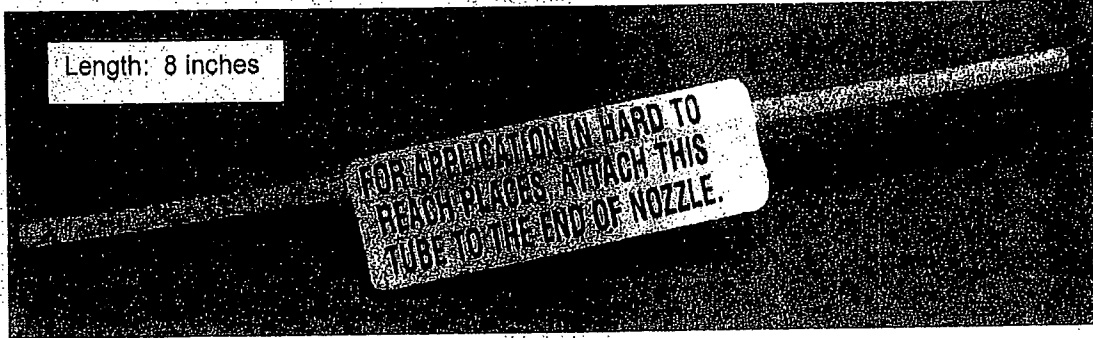
right panel

Directions for Use	APICIDE	PRECAUTIONARY STATEMENTS
Storage and Disposal		Environmental Hazards
General Information and Precautions		First Aid
Application Directions	CAUTION	
Ingredient Statement	Ingredient Statement	
Manufactured by:	Manufactured by:	
EPA Reg. No.	EPA Reg. No.	EPA Est. No.
EPA Est. No.	EPA Est. No.	

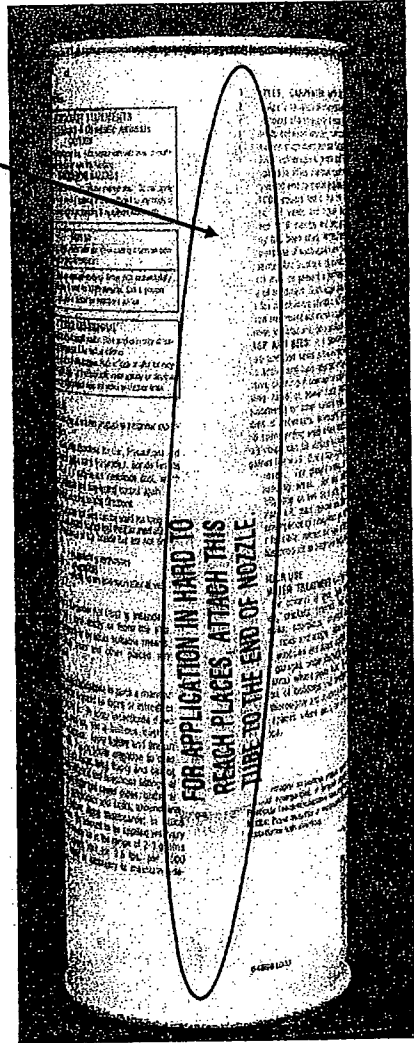
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Apicide
EPA Reg. No. 36272-14
(Dispenser Container – 10 oz.)

Extension Tube attached to 10 oz Dispenser Container



10 oz Dispenser Container with extension tube attached



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Center Panel

Apicide
EPA Reg. No. 36272-14
(bulk container)

Contents may settle during storage and shipping

APICIDE®

EPA Reg. No. 36272-14
EPA Est. No. 36272-OH-1



READ ENTIRE LABEL BEFORE EACH USE

Kills:

- Wasps • Hornets • Honey Bees
- Carpenter Bees • Yellow Jackets

KEEP OUT OF THE REACH OF CHILDREN

CAUTION

Hazards to Humans and Domestic Animals

Harmful if swallowed. Harmful if absorbed through the skin. Avoid contact with eyes, skin, 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.

PERSONAL PROTECTIVE EQUIPMENT (PPE): Handlers using this product must wear long-sleeved shirt and long pants, shoes, socks, and chemical-resistant gloves (such as or made out of any waterproof material, selection category A).

USER SAFETY RECOMMENDATIONS: User should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. User should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ACTIVE INGREDIENT: Carbaryl (1-naphthyl N-methylcarbamate)	5%
INERT INGREDIENTS	95%
TOTAL	100%

NET WT. 6 LBS

Manufactured by:

MYSTIC CHEMICAL PRODUCTS CO.
3561 West 105th Street, Cleveland, OH 44111
800-522-3245 www.apicide.com

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Apicide
EPA Reg. No. 36272-14
(Bulk Container)

Panel 1

DIRECTIONS FOR USE: It is a violation of federal law to use this product in a manner inconsistent with its labeling.

GENERAL INFORMATION AND PRECAUTIONS: Use only in areas where there is little or no flow of air that could disturb the dust. Do not apply this product in a way that will contact any person or pet, either directly or through drift. Keep children and pets out of the area during application. Do not allow people or pets to enter the treated area until dusts have settled. Stand upwind while applying APICIDE into the entrance of the colony. Do not eat any honey taken out of the wall after bees have been killed. Contents may settle during storage and shipping. Shake container to loosen dust before using.

STORAGE AND DISPOSAL: Do not contaminate water, food, or feed by storage or disposal. **Pesticide Storage:** Store only in original container, in a cool, dry area, inaccessible to children and animals. **Pesticide Disposal:** Open dumping is prohibited. Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility. **Container Disposal:** Do not reuse this container. Place in trash or offer for recycling if available. If partly filled: call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

ENVIRONMENTAL HAZARDS: This product is extremely toxic to aquatic invertebrates. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not apply when weather conditions favor drift from area treated. Do not contaminate water by cleaning equipment or disposal of wastes. Do not contaminate water when disposing of equipment washwaters. This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area.

APPLICATION DIRECTIONS: To kill bees, wasps, yellow jackets, hornets, carpenter bees.

Bees, wasps, yellow jackets, and hornets can attack savagely. When attempting to kill these pests, cover exposed body parts. Wear heavy protective clothing including veil, gloves, and long sleeved coveralls. (Continued on next panel.)

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Apicide
EPA Reg. No. 36272-14
(Bulk Container)

Panel 2

APPLICATION DIRECTIONS (continued from left panel): Persons who are especially sensitive to insect stings should not apply this product. Treatment is best done at dusk when activity around the nest site is minimum.

This product is for use only by commercial applicators and other trained personnel. It is for use in wall voids and in-ground/above ground nests to kill bees, wasps, yellow jackets, and hornets.

This product may not be applied indoors.

Application Equipment: Use a plunger bellows, or bulb type duster. Transfer a sufficient amount of Apicide to the duster. When treatment is completed empty contents of duster back into the original Apicide container.

Honey Bees: Honey bees are beneficial insects and must not be indiscriminately killed. Application must only be done where there is an immediate threat to people and their pets. Consider contacting an experienced beekeeper to determine if a swarm or nest of honey bees can be saved and relocated. Locate the brood nest, or center of the colony by listening with ear to the wall (inside or outside) or use another listening device to determine where the buzzing and clicking sounds are the loudest. Drill a 1/4" hole into that section of the wall from either inside or outside and push the drill bit on through to clear a hole into the brood area. Insert the nozzle of the duster into the 1/4" hole and apply three to five ounces of dust into the brood area. Seal the drilled hole immediately after treatment with wood putty, plaster patch, or other impervious material. Allow 72 hours for Apicide to completely kill the colony. Once the bees are killed, the wall void in which they have been nesting should be opened and the comb removed. If not, the unattended honey may seep through the walls and attract other pests.

Carpenter Bees: Apply Apicide directly into the gallery entrances. Do not plug up those holes immediately. Allow the bees to pass through the entrance where they will contact the dust and distribute it into the galleries. Wait until all adult activity ceases or until autumn before sealing the hole(s). Use caulking or wood putty to seal openings and then paint, stain, or varnish wood surfaces.

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Apicide
EPA Reg. No. 36272-14
(Bulk Container)

Panel 3

Yellow Jackets, Wasps: Locate the entrance hole used by these pests by observing their activity and flight patterns during the daytime. Treatment is best done at dusk or later when activity around the nest is at a minimum. Approach the opening to the nest cautiously. Use background lighting if possible. Do not hold a flashlight or spot light in your hands. Lighting should be set and focused on the nest opening from a distance and off to the side. For Void Nests in Buildings: Insert the nozzle of the duster and apply three to five ounces of Apicide into the opening. Allow 72 hours for Apicide to completely kill the colony. After all activity has ceased seal opening with wood putty, caulking, or other impervious material.

Hornets: (Aerial Nest - tan to gray in color and are completely enclosed except for the entrance at the bottom): Locate the entrance hole used by these pests by observing their activity and flight patterns during the daytime. Treatment is best done at dusk or later when activity around the nest is at a minimum. Approach the opening to the nest cautiously. Use background lighting if possible. Do not hold a flashlight or spot light in your hands. Lighting should be set and focused on the nest opening from a distance and off to the side. Insert the nozzle of the duster into the opening at the bottom of the nest and injecting dust into the opening. Continue dispensing until most of the Apicide is injected into the opening. Allow 72 hours for Apicide to completely kill the colony. After all activity has ceased the nest may be removed. Place nest in plastic garbage bag and discard in the trash.

Notice: *Manufacturer warrants that this product conforms to the chemical description on the label and is reasonably fit for the specific purposes referred to in the Directions for Use, subject to the inherent risks referred to above. To the extent consistent with applicable law, manufacturer makes no other express or implied warranty of fitness or merchantability nor any other express or implied warranty. To the extent consistent with applicable law, in no case shall manufacturer be liable for consequential, special, or indirect damages resulting from the use, handling, or application of its product. To the extent consistent with applicable law, buyer assumes all risks of use, storage, or handling or this material not in strict accordance with directions and cautions stated on this label.*

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Apicide
EPA Reg. No. 36272-14
(Bulk Container)

Panel 4

FIRST AID	
This product is an N-methyl carbamate and is a cholinesterase inhibitor.	
If Swallowed	<ul style="list-style-type: none"> • Call poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If in Eyes	<ul style="list-style-type: none"> • 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. • Call a poison control center or doctor for treatment advice.
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.
HOTLINE 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 1-800-858-7378 for emergency medical treatment information.	
NOTE TO PHYSICIAN:	
Carbaryl is a N-methyl carbamate insecticide which is a cholinesterase inhibitor. Specific antidote consists of atropine. Narcotics and other sedatives should not be used. Drugs like 2-PAM (pyridine-2-aldoxime methiodide) are not recommended.	

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LABEL FORMAT APICIDE 36272-14 BULK CONTAINER

Panel 1	Panel 2	Center Panel	Panel 3	Panel 4
Directions for Use Storage and Disposal Environmental Hazards	Application Directions (continued)	APICIDE Active Ingredient: Manufactured by:	Application Directions (continued)	First Aid