

39039-7

12/27/2012

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Michael Fletcher
Y-TEX Corporation
1825 Big Horn Ave,
P.O. Box 1450
Cody, WY 82414

DEC 27 2012

Dear Dr. Fletcher:

Subject: Application for Pesticide Notification (PRN 98-10)
Minor change to directions for getting product out of container
BRUT Pour-on for Cattle
EPA Reg. No. 39039-7
Your submission dated November 13, 2012

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated November 13, 2012 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, Ph.D. of my staff at (703) 305-7071 or via e-mail at pilitt.dana@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Gebken".

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



United States Environmental Protection Agency Washington, DC 20460

Registration [] Amendment [] Other [x]

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 39039-7
2. EPA Product Manager Richard Gebken
3. Proposed Classification [x] None [] Restricted
4. Company/Product (Name) BRUTE Pour-on for Cattle
PM# 10
5. Name and Address of Applicant Y-TEX Corporation
6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(ii), my product is similar or identical in composition and labeling to: EPA Reg. No. NOTIFICATION DEC 27 2012

Section - II

Amendment - Explain below. []
Resubmission in response to Agency letter dated []
Notification - Explain below. [x]
Final printed labels in response to Agency letter dated []
'Me Too' Application. []
Other - Explain below. []

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

Notification of minor label change to reflect packaging the product in a new style bottle, requiring the consumer to Tilt the bottle rather than Squeeze to fill the measuring chamber. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula for this product.

Section - III

1. Material This Product Will Be Packaged In:
Child-Resistant Packaging [x] No
Unit Packaging [x] No
Water Soluble Packaging [x] No
2. Type of Container [x] Plastic
3. Location of Net Contents Information [x] Label
4. Size(s) Retail Container 1 pint & 1 gallon
5. Location of Label Directions [x] on label
6. Manner in Which Label is Affixed to Product [x] Lithograph Paper glued Stenciled

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)
Name Michael G. Fletcher, Ph.D. Title Vice President - Specialty Products Telephone No. 307-587-5515
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete.
2. Signature [Handwritten Signature] 3. Title Vice President - Specialty Products
4. Typed Name Michael G. Fletcher, Ph.D. 5. Date Nov 13, 2012
6. Date Application Received (Stamped)

TRANSMITTAL DOCUMENT
NOTIFICATION

November 13, 2012

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Attn: Mr. Richard Gebken

Re: Notification of minor label change per PR Notice 98-10 and 40 CFR 152.46
Submission of final printed labels
Product Name: BRUTE Pour-on for Cattle
EPA Reg. No.: 39039-7
Active Ingredient: Permethrin

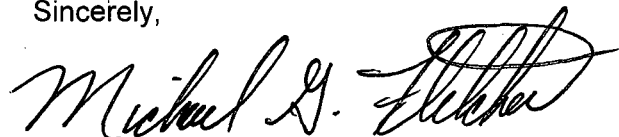
Dear Mr. Gebken:

Enclosed is EPA form 8570-1 with minor label change notification along with paper and final printed labels for the above mentioned product.

1. Form 8570-1, Application for Pesticide Notification
2. Copy of accepted Master Label for Brute Pour-on for Cattle, EPA Reg. no. 39039-7
3. One highlighted copy of the Master Label with minor label changes regarding directions to get the product out of the container. (Remove "Loosen cap, squeeze" bottle and replace it with "Tilt" bottle).
4. ~~Five~~ copies of Master Label text.
5. Three final printed labels in two sizes, 16 oz. and 1 gallon.

If I need to supply further information, please contact me at the address or phone number provided above, or by e-mail at mfletcher@ytex.com.

Sincerely,



Michael G. Fletcher, Ph.D.
Vice President - Specialty Products

Enclosures
cc: Kathy Skates, kskates@ytex.com

Master Label

Ready-to Use
Y-TEX®

BRUTE®

Pour-on for Cattle

- Long-lasting control of lice, horn flies and Gulf Coast ticks on lactating and non-lactating dairy cattle and beef cattle.
- Concentrate for dilution with diesel fuel or oil for backrubbers.
- Precise dose dispensed directly from container or dispensing gun.
- Long-lasting control of lice and mange mites on swine.
- Aids in control of biting flies, including mosquitoes, and nuisance flies on swine.
- Controls horn flies on horses for up to 2 weeks.
- Repels mosquitoes, including those that may transmit equine encephalitis and West Nile virus, for up to 5 days.
- Rain-resistant formulation.

Active Ingredient

Permethrin*	10.0%
(3-Phenoxyphenyl)methyl (±) cis/trans 3-(2,2-dichloroethenyl)-2,2-dimethylcyclopropanecarboxylate	
OTHER INGREDIENTS†	90.0%
	100.0%

*cis/trans ratio: Min. 35% (±) cis and Max. 65% (±) trans.
†Contains Petroleum Distillates

KEEP OUT OF REACH OF CHILDREN

CAUTION

SEE INSIDE OF BACK PANEL FOR
ADDITIONAL PRECAUTIONARY STATEMENTS

NET CONTENTS:

EPA Est. No. 39578-TX-01 EPA Reg. No. 39039-7
Y-TEX CORPORATION • 1825 Big Horn Avenue • Cody • WY 82414

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS
& DOMESTIC ANIMALS

CAUTION

Harmful if swallowed. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.

FIRST AID

IF SWALLOWED

- Immediately call poison control center or doctor.
- Do not induce vomiting unless told to do so by a poison control center or doctor.
- Do not give any liquid to the person.
- Do not give anything by mouth to an unconscious person.

NOTE TO PHYSICIAN: Contains petroleum distillates. May pose an aspiration pneumonia hazard. Have the product container or label with you when calling a poison control center or going for treatment. You may also contact 1-800-255-3924 (CHEM-TEL, INC.) for emergency medical treatment information.

Personal Protective Equipment (PPE)

Mixers, loaders, applicators, and other handlers must wear:

- Long-sleeve shirt and long pants;
- Shoes plus socks;
- Chemical-resistant gloves made of nitrile or neoprene rubber.
- Chemical-resistant apron for mixers/loaders, persons cleaning equipment, and persons exposed to the concentrate.

User Safety Requirements

- Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.
- Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

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.

ENVIRONMENTAL HAZARDS

This product is extremely toxic to aquatic organisms including fish and invertebrates. To protect the environment, do not allow pesticides to enter or to 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.

This pesticide is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds while bees are actively visiting the treatment area.

PHYSICAL & CHEMICAL HAZARDS

Do not use or store near heat or open flame. Do not use this product in or on electrical equipment due to the possibility of shock hazard.

NOTIFICATION

DEC 27 2012

Master Label

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or 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 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:

If empty: Non-refillable container. Do not reuse this container. 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.

Containers large 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 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.

Precautions and Use Restrictions

- When using as a surface spray in and around livestock premises, only protected handlers may be in the area during application. Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Do not enter or allow others to enter treated area until sprays have dried.
- Do not breathe vapors or spray mist.
- Do not apply when food is present.
- When used in dairy barns or facilities: Close milk bulk tank lids to prevent contamination from spray and from dead or falling insects. Remove or cover milking utensils before application. Wash teats of animals before milking.
- All outdoor applications must be limited to spot treatment.
- Not for use in outdoor residential misting systems.
- Not for indoor broadcast use.
- Not for use in commercial animal premise automatic misting systems
- Do not apply by ULV cold foggers or fog/mist generators.
- Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during or after application.

NOTICE OF WARRANTY:

To the extent consistent with applicable law, Y-TEX CORPORATION MAKES NO WARRANTY OF MERCHANTABILITY, FITNESS FOR ANY PURPOSE, OR OTHERWISE, EXPRESSED OR IMPLIED concerning this product or its uses which extend beyond the use of the product under normal conditions in accord with the statements made on this label, and in any case, is limited to replacement of product only.

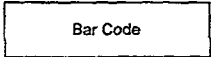
**BACK PANEL LABEL TEXT SPECIFIC TO CONTAINER
WITH MEASURING CHAMBER INCORPORATED INTO CONTAINER:**

- Long-lasting control of biting flies, including mosquitoes that may transmit equine encephalitis and West Nile virus, on horses.
- Reduces bot fly eggs laid on horses for up to 4 days.
- Kills and repels black flies and ticks.
- Precise dose directly from container.
- Use in and around livestock premises as a spot treatment.

One pint treats:

WEIGHT (lbs.)	No. of CATTLE	No. of SWINE	No. of HORSES
199	157	78	78-157
399	78	40	40-78
599	52	32	26-52
799	40	—	20-40
1000	32	—	16-32

Store upright at room temperature. Avoid exposure to extreme temperatures. Do not contaminate water, food or feed by storage. See inside for complete Storage and Disposal instructions.



DIRECTIONS FOR USE

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

GENERAL PRECAUTIONS AND RESTRICTIONS
Do not make applications during rain.

DIRECTIONS FOR USE ON CATTLE

For Dairy Cattle (lactating and non-lactating) and Beef Cattle. Shake well before using. Tilt bottle to fill measuring chamber with required dosage. Remove cap and apply to animal.

TARGET INSECTS	APPLICATION INSTRUCTIONS
For up to 6 weeks' control of susceptible horn flies.	Apply down midline of back over shoulders.
For control of lice, Gulf Coast ticks and aid in control of other tick species, face flies, stable flies, horse flies, deer flies, house flies, mosquitoes and black flies.	Apply from poll down neck, over shoulders. Dose: (ml or cc) Weight: (lbs.) 3 200 6 400 9 600 12 800 15 1000 & over

For cattle repeat treatment as needed, but not more often than once every 2 weeks. For optimum lice control, two treatments at a 14 day interval are recommended.

Special Note: Brute is non-systemic and will not control cattle grubs.

Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during or after application.

DIRECTIONS FOR USE ON CATTLE CONTINUED

TARGET INSECTS	APPLICATION INSTRUCTIONS
For control of horn flies, lice, face flies, and stable flies.	Backrubber. Dilute 48 ml (1.6 fl. oz.) in 1 gal. diesel fuel or oil. Keep rubbing device charged. Results can be improved by forced use.

DIRECTIONS FOR USE ON SWINE

TARGET INSECTS	APPLICATION INSTRUCTIONS
For control of lice, mange mites and aids in control of biting flies, including mosquitoes, and nuisance flies.	Apply across back of head and ears, then apply down midline of neck, over shoulders. Dose: (ml or cc) Weight: (lbs.) 3 100 6 200 9 300 12 400 15 500 & over

For swine repeat treatment as needed, but not more often than once every 2 weeks. For optimum control, two treatments at a 14 day interval are recommended. Allow 5 days between last treatment and slaughter.

**DIRECTIONS FOR USE
IN AND AROUND LIVESTOCK PREMISES**

TARGET INSECTS	APPLICATION INSTRUCTIONS
For control of house flies, stable flies and other nuisance pests in and around stables and other livestock premises.	Apply undiluted as a coarse spray or wipe directly to surface where pests crawl and alight. One fl. oz. will treat 560 ft ² . One pint will treat 8900 ft ² .

DIRECTIONS FOR USE ON HORSES

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

For dirty horses, shampoo and rinse thoroughly. Wear protective gloves or protective application mitt when using as a wipe-on for horses. Shake well before using. Tilt bottle to fill measuring chamber with required dosage. Remove cap and apply to animal. Apply 3-6 ml per 200 lb. body wt. up to a max. of 30 ml. Do not treat foals under 12 weeks of age.

APPLICATION METHOD	TARGET PEST	APPLICATION INSTRUCTIONS
Ready-to-Use Wipe-on (Preferred method for optimum control of most pest species).	For control of mosquitoes, including those that may transmit equine encephalitis and West Nile virus, black flies, face flies, horn flies, lice and ticks. Aids in control of stable flies, horse flies, deer flies, house flies, bot flies and eye gnats.	Apply as a whole body wipe with cloth or insecticide application mitt. For the first application with a new cloth or mitt apply twice the dosage to charge the application cloth or mitt. Pay special attention to where pests congregate. <ul style="list-style-type: none"> • Face flies and eye gnats – apply to face and around eyes being careful not to get product in the eyes. • Black flies – wipe the inside of the ears, under chin, throat and midline of belly. • Stable flies – wipe legs, lower shoulders and belly. • Bot flies – wipe under chin, throat, chest and legs.
Ready-to-Use Pour-on	For control of horn flies.	Apply over withers and down back. Do not apply to horses that will be ridden within 24 hours of application. Pour-on application may leave an oily residue on the coat of some animals.

Repeat treatment as needed but not more often than once every 7 days.

BACK PANEL LABEL TEXT SPECIFIC TO CONTAINERS WITH A SEPARATE APPLICATOR GUN:

- Long-lasting control of biting flies, including mosquitoes that may transmit equine encephalitis and West Nile virus, on horses.
- Reduces bot fly eggs laid on horses for up to 4 days.
- Kills and repels black flies and ticks.
- Precise dose directly from dispensing gun.
- Use in and around livestock premises as a spot treatment.

One pint treats:

WEIGHT (lbs.)	No. of CATTLE	No. of SWINE	No. of HORSES
199	1,514	757	757-1,514
399	757	378	378-757
599	504	252	252-504
799	378	—	189-378
1000	252	—	126-252

Store upright at room temperature. Avoid exposure to extreme temperatures. Do not contaminate water, food or feed by storage. See inside for complete Storage and Disposal instructions.



DIRECTIONS FOR USE

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

GENERAL PRECAUTIONS AND RESTRICTIONS

Do not make applications during rain.

DIRECTIONS FOR USE ON CATTLE

For Dairy Cattle (lactating and non-lactating) and Beef Cattle. Shake well before using.

TARGET INSECTS	APPLICATION INSTRUCTIONS
For up to 6 weeks' control of susceptible horn flies.	Apply down midline of back over shoulders.
For control of lice, Gulf Coast ticks and aid in control of other tick species, face flies, stable flies, horse flies, deer flies, house flies, mosquitoes and black flies.	Apply from poll down neck, over shoulders. Dose: (ml or cc) Weight: (lbs.) 2.5 Birth - 199 5.0 200 - 399 7.5 400 - 599 10.0 600 - 799 12.5 800 - 999 15.0 1000 & over

For cattle repeat treatment as needed, but not more often than once every 2 weeks. For optimum lice control, two treatments at a 14 day interval are recommended.

Special Note: Brute is non-systemic and will not control cattle grubs.

DIRECTIONS FOR USE ON CATTLE CONTINUED

TARGET INSECTS	APPLICATION INSTRUCTIONS
For control of horn flies, lice, face flies, and stable flies.	Backrubber: Dilute 48 ml (1.6 fl. oz.) in 1 gal. diesel fuel or oil. Keep rubbing device charged. Results can be improved by forced use.

DIRECTIONS FOR USE ON SWINE

For Swine (85 lbs. and over). Shake well before using.

TARGET INSECTS	APPLICATION INSTRUCTIONS
For control of lice, mange mites and aids in control of biting flies, including mosquitoes, and nuisance flies.	Apply across back of head and ears, then apply down midline of neck, over shoulders. Dose: (ml or cc) Weight: (lbs.) 2.5 85 - 169 5.0 170 - 254 7.5 255 - 339 10.0 340 - 424 12.5 425 - 509 15.0 510 & over

For swine repeat treatment as needed, but not more often than once every 2 weeks. For optimum control, two treatments at a 14 day interval are recommended. Allow 5 days between last treatment and slaughter.

DIRECTIONS FOR USE IN AND AROUND LIVESTOCK PREMISES

For use in and around livestock premises as a spot treatment. Shake well before using. Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during or after application.

TARGET INSECTS	APPLICATION INSTRUCTIONS
For control of house flies, stable flies and other nuisance pests in and around stables and other livestock premises.	Apply undiluted as a coarse spray or wipe directly to surface where pests crawl and alight. One fl. oz. will treat 560 ft ² . One gallon will treat 71,200 ft ² .

DIRECTIONS FOR USE ON HORSES

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

For dirty horses, shampoo and rinse thoroughly. Wear protective gloves or protective application mitt when using as a wipe-on for horses. Shake well before using. Apply 2.5-5 ml per 166 lb. body wt. up to a max. of 30 ml. Do not treat foals under 12 weeks of age.

APPLICATION METHOD	TARGET PEST	APPLICATION INSTRUCTIONS
Ready-to-Use Wipe-on (Preferred method for optimum control of most pest species).	For control of mosquitoes, including those that may transmit equine encephalitis and West Nile virus, black flies, face flies, horn flies, lice and ticks. Aids in control of stable flies, horse flies, deer flies, house flies, bot flies and eye gnats.	Apply as a whole body wipe with cloth or insecticide application mitt. For the first application with a new cloth or mitt apply twice the dosage to charge the application cloth or mitt. Pay special attention to where pests congregate. <ul style="list-style-type: none"> • Face flies and eye gnats – apply to face and around eyes being careful not to get product in the eyes. • Black flies – wipe the inside of the ears, under chin, throat and midline of belly. • Stable flies – wipe legs, lower shoulders and belly. • Bot flies – wipe under chin, throat, chest and legs.
Ready-to-Use Pour-on	For control of horn flies.	Apply over withers and down back. Do not apply to horses that will be ridden within 24 hours of application. Pour-on application may leave an oily residue on the coat of some animals.

Repeat treatment as needed but not more often than once every 7 days.