

39039-7

10/18/2010

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

OCT 18 2010

Mr. Joe D. Kellerby
Y- Tex Corporation
P.O. Box 1450
1825 Big Horn Avenue
Cody, Wyoming 82414-1450

Subject: Label Notification(s) for Pesticide Registration Notice 98-10

Dear Mr. Kellerby:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated September 21, 2010 for the following product(s):

BRUTE Pour-On

EPA Registration Number 39039-7

The Registration Division (RD) has conducted a review of this request for applicability under PR Notice 98-10 and finds that the label change(s) requested falls within the scope of PRN 98-10. The label has been date-stamped "Notification" and will be placed in our records.

If you have any questions, please contact Linda A. DeLuise at 703-305-5428.

Sincerely,

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

Richard J. Gebken
Product Manager
Insecticide Branch
Registration Division (7504P)

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0080, Approval expires 2-28-95

<p align="center">United States Environmental Protection Agency Washington, DC 20460</p>	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 39039-7	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) BRUTE Pour-on for Cattle	PM# 10	
5. Name and Address of Applicant (Include ZIP Code) Y-TEX Corporation 1825 Big Horn Ave., PO Box 1450 Cody, WY 82414 <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. <u>OCT 18 2010</u> 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.)

See attached page for notification statement.

- 1) Notification of minor label changes 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.
- 2) Notification to add the word Insecticide on front label, along with new artwork for marketing purposes.
- 3) Notification of duplication of number of animals treated information from back panel onto front label.

Section - III

1. Material This Product Will Be Packaged In:					
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	2. Type of Container		
* Certification must be submitted			If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt No. per container	<input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 pint and 1 gallon		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 Paper glued Stenciled <input type="checkbox"/> Other _____					

Section - IV

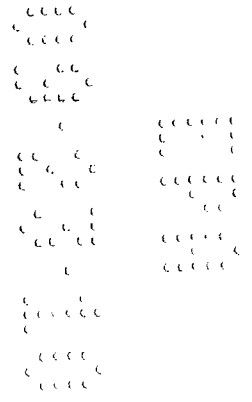
1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Joe D. Kellerby	Title Vice President - Specialty Products	Telephone No. (Include Area Code) 307-587-5515
Certification I certify that the statements I have 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>Joe D. Kellerby</i>	3. Title Vice President - Specialty Products	
4. Typed Name Joe D. Kellerby	5. Date <i>September 21, 2010</i>	

Y-TEX Corporation
Notification of Minor Label Changes
EPA Reg. No. 39039-7
Attachment to EPA Form 8570-1 (Section II)
U.S. EPA OPP Identifier # _____

Explanation (continued):

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of 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 this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, 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.

Joe D. Kellerby
9/21/2010



TRANSMITTAL DOCUMENT
NOTIFICATION PER PR NOTICE 98-10

September 22, 2010

Mr. Richard Gebken, PM-10
OPP Registration Division (H7505C)
U.S. Environmental Protection Agency
One Potomac Yard (South Building)
2777 S. Crystal Drive
Arlington, VA 22202
Phone: 703-305-6100

SUBJECT: NOTIFICATION of minor label changes, addition of a word to front label and duplication of label information from back panel to front panel label.

Product Name: BRUTE Pour-on for Cattle
EPA Reg. No.: 39039-7
Active Ingredient: Permethrin

Dear Mr. Gebken:

Please find enclosed a NOTIFICATION per PR Notice 98-10 to show minor label changes, the addition of the word insecticide to the front label and duplication of label information from back panel to front label for the above mentioned product.

I have enclosed the following:

1. Form 8570-1
2. One copy of revised label with changes highlighted
3. Five copies of revised label

If I need to supply any further information or can be of any further assistance in this matter, please contact me at the address or phone number provided above or on EPA form 8750-1.

Sincerely,



Joe D. Kellerby
Vice President – Specialty Products

Enclosures

cc: Mike Fletcher

NOTIFICATION

OCT 8 2010

Y-TEX
BRUTE[®]

**Pour-on Insecticide
for Cattle and Swine
Wipe-on for Horses**

**TREATS 32 COWS
TREATS 78 CALVES, 399 LBS.
TREATS 32 HORSES**

**TREATS 40 SOWS
TREATS 78 PIGS, 199 LBS.**

Concentrate for dilution with diesel fuel or oil for backrubbers

ACTIVE INGREDIENT
Permethrin (o-Phenoxyphenyl)methyl (cis/trans) (2-(2-dichlorophenyl)-2,2-dimethylpropane carboxylate) 10.0%

INERT INGREDIENTS 90.0%

cis/trans ratio: Min. 35% (s) cis and Max. 65% (s) trans 100.0%

Contains Petroleum Distillates

KEEP OUT OF REACH OF CHILDREN
CAUTION
SEE INSIDE BACK PANEL FOR
ADDITIONAL PRECAUTIONARY STATEMENTS

NET CONTENTS: 16 fl. ozs. (473 ml)

Y-TEX CORPORATION, 1825 Big Horn Avenue, Cody, WY 82414

YTP-271-6-01

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DIRECTIONS FOR USE ON CATTLE

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

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 (lb.)
	5.0 200-399
	7.5 400-599
	10.0 600-799
	12.5 800-999
	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.

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 IN AND AROUND LIVESTOCK PREMISES

For use in and around livestock premises as a spot treatment. Shake well before using. Tilt bottle to fill measuring chamber with required dosage. Remove cap and apply.

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. • 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.

DIRECTIONS FOR USE ON SWINE

Apply to Swine (100lbs. and over). Shake well before using. Tilt bottle to fill measuring chamber with required dosage. Remove cap and apply to animal.

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: (lb.)
	5.0	170-254
	7.5	255-335
	10.0	340-424
	12.5	425-509
	15	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.

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: 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 highly toxic to fish. 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 contaminate water when disposing of equipment washwaters.

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.

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

CAUTION

Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling.

FIRST AID

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.

NOTICE OF WARRANTY:

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.

YTP-275-610

PULL HERE TO OPEN
PRESS TO RESEAL

As a pour-on, 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

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

EPA Est. No. 39578-TX-01 EPA Reg. No. 39039-7
Y-TEX Corp., 1825 Big Horn Ave., Cody, WY 82414

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