

39039-7

2/27/2012

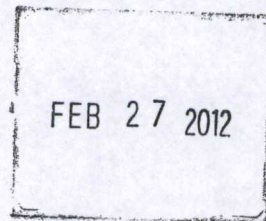
1096



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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

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 2007-4

Dear Mr. Kellerby:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated February 9, 2012 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 2007-4. 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 cursive script, appearing to read "Linda A. DeLuise".

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

2060



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 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: NOTIFICATION EPA Reg. No. _____ Product Name FEB 27 2012	

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. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for 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 the amended label is not consistent with the requirements of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, 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.

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	No. per container
					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>Feb. 9, 2012</i>	

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Y•TEX[®] CORPORATION

P.O. Box 1450, 1825 Big Horn Avenue, Cody, Wyoming 82414-1450 • Phone (307) 587-5515 • FAX (307) 527-6433

February 9, 2012

Mr. Richard Gebken PM-10
OPP Registration Division (7504P)
U.S. Environmental Protection Agency
One Potomac Yard (South Bldg.)
2777 South Crystal Drive
Arlington, VA 22202

Re: Notification of Minor Amendment to a Pesticide Registration
BRUTE[®] Pour-on for Cattle
Active Ingredients: 10% Permethrin
EPA Registration No. 39039-7

Dear Mr Gebken:

I am submitting for Y-TEX Corporation a Notification for a minor amendment to the EPA registration of BRUTE Pour-on for Cattle. The proposed amendment is to bring the labeling into compliance with PR Notice 2007-4 (Container Disposal Instructions).

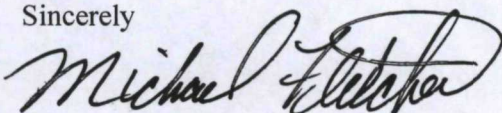
The current label Container Disposal Instructions are "If empty: Do not reuse this container. Place in trash or offer for recycling if available." The amended instructions will be (as per PR Notice 2007-4): "If empty: Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available."

This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for 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 the amended label is not consistent with the requirements of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, 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.

It would be a great help to us if you will begin the review of these materials as soon as possible and contact Dr. Mike Fletcher by phone, 307-578-0115 or email mfletcher@ytex.com, if you find that any items are missing. Y-TEX will respond as quickly as possible.

Thank you for your prompt attention to this notification and your cooperation in processing it. We look forward to hearing from you or a member of your division soon. If you have any questions, don't hesitate to contact me.

Sincerely



Michael G. Fletcher, Ph.D.
Director-Parasiticide Development

Cc Joe Kellerby
00912

Master Label

Ready-to Use
Y-TEX[®]

BRUTE[®]

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

- 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.

NOTIFICATION

FEB 27 2012

Active Ingredient	
Permethrin*	10.0%
(3-Phenoxyphenyl)methyl (±) cis/trans 3-(2,2-dichloroethenyl)-2,2-dimethylcyclopropanecarboxylate.	
INERT 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

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.

ENVIRONMENTAL HAZARDS

This product is highly toxic to fish. Do not apply directly to water 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.

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: Nonrefillable container. Do not reuse or refill 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.

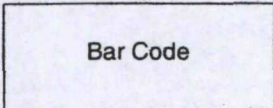
**BACK PANEL LABEL TEXT SPECIFIC TO CONTAINER
WITH MEASURING CHAMBER INCORPORATED INTO CONTAINER:**

- 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.

DIRECTIONS FOR USE ON CATTLE

For Dairy Cattle (lactating and non-lactating) and Beef Cattle. Shake well before using. Loosen cap, squeeze 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.) 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.

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 100 lbs. and over. Shake well before using. Loosen cap, squeeze 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.) 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

For use in and around livestock premises as a spot treatment. Shake well before using. Loosen cap, squeeze 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. Loosen cap, squeeze 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.

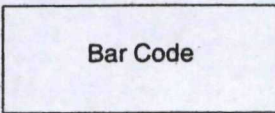
BACK PANEL LABEL TEXT SPECIFIC TO CONTAINERS WITH A SEPARATE APPLICATOR GUN:

- 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 gallon 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.

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 aids 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.) 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: (lb.) 2.5 85 - 169 5.0 170 - 254 7.5 255 - 335 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.

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. • 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.