

39039-8

10/21/2013

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Mr. Michael G. Fletcher, Ph.D.
Y- Tex Corporation
P.O. Box 1450
1825 Big Horn Avenue
Cody, Wyoming 82414-1450

OCT 21 2013

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

Dear Dr. Fletcher:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated September 23, 2013 for the following product(s):

**GardStar 40% Livestock
and Premise Insecticide**

EPA Registration Number 39039-8

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)



United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 39039-8	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) GardStar 40% EC Livestock and Premise Insecticide	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: <div style="text-align: center; font-weight: bold; font-size: 1.2em;">NOTIFICATION</div> EPA Reg. No. _____ <div style="text-align: center; font-weight: bold; font-size: 1.5em;">OCT 21 2013</div> 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 consistent with CFR 40 156.10(d) labeling requirements to add the unit of measure in U.S. units along with the metric units.

"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."

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			
* 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 4 fl. oz. (118 ml) and 1 Quart (946 ml)		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 <input 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 Kathy Skates	Title Regulatory Affairs Coordinator	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 	3. Title Vice President - Specialty Products	
4. Typed Name Michael G. Fletcher, Ph.D.	5. Date 9-23-13	

September 23, 2013

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 OR CHEMICAL HAZARDS

Combustible. Do not use or store near heat or open flame.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

Pesticide Storage And Spill Procedures:

Store upright at room temperature, preferably under lock and key. Avoid exposure to extreme temperatures. Post as a pesticide storage area. Always store pesticides in the original container. Store away from food, pet food, feed, seed, fertilizers, and veterinary supplies. Place liquid formulations on lower shelves and dry formulations above. 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 wastes are acutely hazardous. To avoid wastes, use all material in this container by application according to label directions. If wastes cannot be avoided, offer remaining product to a waste disposal facility or pesticide disposal program (often such programs are run by state or local governments or by industry).

CONTAINER HANDLING:

CONTAINERS 5 GALLONS OR SMALLER:

Nonrefillable container. Do not reuse or refill this container.

Triple rinse container (or equivalent) promptly after emptying.

Triple rinse as follows: Empty the remaining contents into application equipment or a rinse tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling if available, or puncture and dispose of in a sanitary landfill or by incineration. Do not burn unless allowed by state and local ordinances.

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.

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READ ENTIRE LABEL BEFORE EACH USE

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

FOR PET USE – USE ONLY ON DOGS.

Except when applying to dogs or livestock, do not enter or allow others to enter treated area until sprays have dried.

Except when applying to dogs or livestock, do not enter or allow others to enter until vapors, mists, and aerosols have dispersed, and the treated area has been thoroughly ventilated.

Except when applying to dogs or livestock, do not apply this product in a way that will contact workers or other persons, either directly or through drift.

Except when applying to dogs or livestock, only protected handlers may be in the area during application.

Do not breathe dust, vapors, or spray mist.

Not for use in outdoor residential misting systems.

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 or crack-and-crevice treatments only, except for the following permitted uses:

- (1) Treatment to soil or vegetation around structures;
- (2) Applications to lawns, turf, and other vegetation;
- (3) Applications to building foundations, up to a maximum height of 3 feet.

Other than applications to building foundations, all outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches and structural surfaces (such as windows, doors, and eaves) are limited to spot and crack-and-crevice applications, only.

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

Do not use this or any other pesticide on sick, old or debilitated animals.

Do not use on dogs under 4 months old. Consult a veterinarian before using this product on medicated, debilitated, aged, pregnant or nursing animals. Sensitivities may occur after using any pesticide product for pets. If signs of sensitivity occur, bathe your pet with mild soap and rinse with large amounts of water. If signs continue, consult a veterinarian immediately.

Directions for use in commercial animal premise automatic misting systems:

Not for use in outdoor residential misting systems (indoor or outdoor).

Do not apply this product in barns or stables where animals intended for slaughter or human consumption will be maintained.

Do not apply when food, feed or water is present.

Do not apply directly to animals.

When using this product, installers and service technicians must comply with the license, certification, or registration requirements of the state(s), tribe(s), or local authority(ies) where they are installed.

When applying via a remote activation device, do not apply when people and pets are present. If possible, when applying via automatic timer, set the timing for application when people and pets are unlikely to be present.

Direct nozzles to spray towards the target area and away from areas where people are typically present.

Do not use in an evaporative cooling system.

Do not use in misters located within 3 feet of air vents, air conditioner units, or windows.

If used in a system with a reservoir tank for the end use dilution, the system reservoir tank must be locked. Securely attach the end use pesticide label and a dilution statement to the system reservoir tank in a weather protected area or plastic sleeve. The dilution statement must be phrased as follows: this container holds ___ parts GardStar 40% EC Livestock and Premise Insecticide to ___ parts water.

If used in a direct injection system, the pesticide container must be locked. Securely attach the end use label to the pesticide container in a weather protected area or plastic sleeve.

This product must only be used in systems that have been calibrated to apply no more than the maximum application rate of 4 fluid ounces per 1000 cubic feet or 10 gallons of diluted product.

TARGET SPECIES	USE	DILUTE (NO. TREATED)	APPLICATION RATE
Lactating and Non-Lactating Dairy Cattle and Goats, Beef Cattle and Sheep			
Horn flies only (for 1 week residual control)	High pressure spray	4 fl. oz. (118 ml) to 50 gals. water (treats 200) 0.025% Active Ingredient (AI)	1 qt. of coarse spray per animal
Horn flies, Face flies, Stable flies, House flies, Horse flies, Deer flies, Black flies, Mosquitoes, Eye gnats, Mange mites, Scabies mites, Ticks, Lice, Sheep keds (1-2 weeks residual control of horn flies)	High pressure spray	4 fl. oz. (118ml) to 25 gals. water. (treats 50-100) 0.05% AI	1-2 qt. of coarse spray per animal over whole body surface. For Mange, Scabies, Ticks and Lice, thoroughly wet animal. Repeat application 10-14 days for Mites and Lice.
Horn flies, Face flies, Stable flies, Ear ticks and Lice (2-3 weeks residual control of horn flies)	Low pressure spray (Hand pump sprayer)	4 fl. oz. (118ml) to 2 1/2 gals. water. (treats 64-80) 0.5% AI	For fly and lice control, spray midline from face to tailhead to point of runoff (4-5 fl. oz.) (118-148 ml). For ear tick control, spray directly into each ear 0.50 fl. oz. (15 ml) each.
Horn flies, Face flies, Stable flies (Season long control of horn flies)	Backrubber, Self Oiler	4 fl. oz. (118ml) to 10 gals. diesel oil or suitable mineral oil. 0.125% AI	Keep rubbing device charged. Results improved by daily forced use.
Poultry			
Northern fowl mites, Lice	High pressure spray	1-4 fl. oz. (30 - 118ml) to 3.75 gals. water. (treats 375) 0.08 - 0.33% AI	1 gal. of coarse spray per 100 birds, paying particular attention to vent area.
Swine (Allow 5 days between last treatment and slaughter)			
Lice, Mange	Sprayer or Dip	4 fl. oz. (118ml) to 25 gals. water. (treats 50-100) 0.05% AI	Thoroughly wet or dip animals including ears. For Mange, spray pen floors, sides and bedding. Repeat at 14 days.
Horses & Dogs (Do not use on cats)			
Horn flies, Face flies, Stable flies, House flies, Horse flies, Black flies, Mosquitoes, Eye gnats, Mange mites, Scabies mites, Ticks, Lice, Fleas	Low Pressure Spray	0.25 fl. oz. (7.5ml) to 1 pt. water. 0.625% AI	1-2 fl. oz. (30-60ml) spray per animal. Spot treat back, face, legs, tail and ears.
	Dip Wash	0.25 fl. oz. (7.5ml) to 1.25 gals. water. 0.0625% AI	Thoroughly wet animal to skin with sponge or rag. Let drip dry.
	Dip (dogs only)	4 fl. oz. (118ml) to 20 gals. water. 0.0625% AI	Make sure all areas are soaked to skin. Let drip dry on animal. Do not rinse off.

DIRECTIONS FOR USE (Continued)

TARGET SPECIES	USE	DILUTE (NO. TREATED)	APPLICATION RATE
Premises - in and around Horse, Beef, Dairy, Swine, Sheep and Poultry Premises, Animal Hospitals, Pens and Kennels and Outside Meat and Honey Processing Premises**			
House flies, Stable flies, Little house flies (<i>Fannia spp.</i>). Aids in control of Cockroaches, Ants, Spiders, Mosquitoes and Crickets.	Surface Spray	4 fl. oz. (118ml) to 10 gals. water. 0.125% AI	Spray surfaces until wet or 1 gal. per 750-1000 sq. ft. (Do Not Use in Milk Rooms)
	Space Spray	1.5 fl. oz. (45ml) to 1 gal. water. 0.469% AI	Apply as fog or fine mist until area is filled with mist, using 2 fl. oz. (60ml) per 1000 cubic ft. (Can be used in Milk Rooms)
	Overhead space spray system	4 fl. oz. (118ml) to 10 gals. mineral oil. 0.125% AI	4 fl. oz. (118ml) spray per 1000 cu. ft. of air space. (Do Not Use in Milk Rooms)
Temporary reduction of annoyance from pests mentioned above.	Outdoor space spray	1.5 fl. oz. (45ml) to 1 gal. water. 0.469% AI	Fill area with mist. Apply while the air is still and avoid wetting foliage.
Bed bugs and Chicken mites	Sprayer	4 fl. oz. (118ml) to 10 gals. water. For severe infestation it is permissible to use 4 fl. oz. to 4 gals.	Spray crevices of roost poles, cracks in walls and cracks in nest and nest boxes.
Ticks, including the Deer tick, Fleas	Indoor spray	3 fl. oz. (90ml) to 2 gals. water. 0.469% AI	Treat around windows, doors, porches, screens, eaves, patios, garages, under stairways and in crawl spaces where these pests may occur. Apply until surface is wet but do not let runoff occur (approx. 1 gal. per 750-1000 sq. ft.).
	Outdoor spray	4 fl. oz. (118ml) to 100 gals. water. For longer residual, use up to 8 fl. oz. (236 ml) to 100 gals. water. 0.0125 - 0.025% AI	Use enough finished spray to penetrate foliage, usually 50-100 gals. per acre. To prevent infestation of buildings, treat a band of vegetation 6-10 feet adjacent to the structure.
For Aid in Control of the Small Hive Beetle, <i>Aethina tumida</i> .	Sprinkler Can	0.17 fl. oz. (5 ml) to 1 gal. water. 0.05% AI	For treatment of existing infestations, apply as soon as beetles or larvae are observed in or around the hive. Thoroughly wet ground in an area 18-24 inches wide in front of each hive (1 gal. per 6 hives). Apply spray in late evening after bees become inactive.
	Sprinkler can, hand pump sprayer or other low pressure sprayer	0.17 fl. oz. (5 ml) to 1 gal. water. 0.05% AI	For pre-placement cleanup of apiary, apply to entire ground surface 24-48 hrs. prior to hive placement.
Imported fire ants	Sprinkler Can	3 fl. oz. (90ml) to 1 gal. water. 0.938% AI	Gently sprinkle 1 gal. over the surface of each mound. Thoroughly wet the mound and surrounding area to treat a 4 ft. diameter. For best results, apply in cool weather 65-80°F (early morning or late evening). Pressurized sprayers may disturb ants and cause migration reducing product effectiveness.

DIRECTIONS FOR USE (Continued)

TARGET SPECIES	USE	DILUTE (NO. TREATED)	APPLICATION RATE
Premises - in and around Horse, Beef, Dairy, Swine, Sheep and Poultry Premises, Animal Hospitals, Pens and Kennels and Outside Meat and Honey Processing Premises**			
For prevention of imported fire ant movement in- or out- of honey bee hives positioned on supports such as pallets	Sprinkler can, hand held pump sprayer or other low pressure sprayer	0.17 fl. oz. (5 ml) to 1 gal water, 0.05% AI Soil Drench	For pre-placement of apiary apply to ground surface 24-48 hours prior to hive support placement. Thoroughly wet ground area (1 gal. solution per 16 sq. ft. or 6 gal per 100 sq. ft.) to make a treated square large enough to place the support plus a 2 to 4 ft. treated buffer around the structure, such as a 10 sq. ft. area with a 4 sq. ft. pallet to be placed in the center. Retreat area prior to each season. Prior to moving support pallets onto trailer for transport, assure that no treated soil remains on pallet that may result in bees contacting treated surfaces during transport.
For prevention of imported fire ant movement in- or out- of honey bee hives positioned on supports such as pallets (continued)	Low pressure sprayer	3-4 fl. oz. (90-118 ml) to 10 gals. water, 0.1-0.13% AI Surface spray	Apply to bottom pallet of two support pallets until surface is wet but do not let runoff occur (approx. 0.5 gal per pallet) and let dry before placing pallet supporting bee hives on top. Retreat pallets prior to each season. For transport, move only non-treated hive support pallet onto trailer. Leave treated (bottom) pallet on site, properly discard or transport separately to new site.
NOTE: Permethrin is highly toxic to bees and extreme caution must be taken to avoid contact by spray or spray drift with the bees, hive or any other surfaces that bees may contact. When hives are present, applications may only be made with a sprinkler can. Hand pump sprayers may only be used when hives are <u>not</u> present and only for pre-placement cleanup of apiary. Do not contaminate any water or food source that may be in the area or apply during windy conditions. For better soil penetration and improved efficacy, cut grass around hive prior to application.			

****Do not apply dilutions for premise treatment directly on livestock or poultry. Ensure that feed and water are not contaminated by spray drift. For space spraying, do not remain in treated areas and ventilate the area before reoccupying. Animals should be removed from area prior to treatment. The use of any residual fly spray should be supplemented with proper manure management and general sanitation to reduce or eliminate fly breeding sites.**