

40849-77

04/17/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms Kellie Dixon
Enforcer Products
A Division of Acuity Specialty Products Groups, Inc
1310 Seaboard Industrial Blvd,
Atlanta, GA30318

APR 17 2009

SUBJECT: Application for Pesticide Notification (PRN 2007-4)
Product name: **Enforcer Instant Knockdown Wasp & Hornet Killer**
EPA Reg. No.40849-77
Application Dated February 18, 2009

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated 2/18/2009 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 2007-4 and finds that the action(s) requested does not clearly fall within the scope of PRN 2007-4 and will require additional administrative review of the related files. A summary of our findings include:

Changes to the precautionary statements can not be made as a notification. They can be changed as an amendment.

Therefore, the RD has determined that this action is denied and will be further processed as an amendment and our records have been updated accordingly. The label submitted with the application is considered proposed drafts and has been forwarded to Richard Gebken (PM 13) for further processing.

If you have any questions, please call me directly at 703-305-6249 or Banza Djapao of my staff at 703-305-7269.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number Enforcer Products / 40849-77	2. EPA Product Manager Richard Gebkin	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Enforcer Instant Knockdown Wasp & Hornet Killer	PM# 10	
5. Name and Address of Applicant (Include ZIP Code) Enforcer Products A Division of Acuity Specialty Products Group, Inc. 1310 Seaboard Industrial Blvd. Atlanta, GA 30318 <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>NOTIFICATION</u> Product Name <u>APR 17 2009</u>	

Section - II

Amendment - Explain below. Final printed labels in response to Agency letter dated _____

Resubmission in response to Agency letter dated _____ "Me Too" Application.

Notification - Explain below. 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 regulation at 40 CFR 156.10, 156.140, 1546.144, 156.146, and Formula for this product. I understand that it is a violation of 18 the amended label is not consistent with the requirements of 40 FIFRA and I may be subject to enforcement action and penalties the requirements of EPA's Confidential Statement of PA. I further understand that if product may be in violation of

completed by Banja

4/17/09

Check B's folder

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	
* Certification must be submitted		If "Yes" Unit Packaging wgt.		No. per container	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container			4. Size(s) Retention		
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithographic Paper <input type="checkbox"/> Stencil			7. Other Information (Specify)		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Kellie Dixon	Title Chemist / Compliance Services	Telephone No. (Include Area Code) 404-352-1686 x0421P
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 both under applicable law.		6. Date Application Received (Stamped)
2. Signature <i>Kellie Dixon</i>	3. Title Chemist / Compliance Services	
4. Typed Name Kellie Dixon	5. Date <i>1/30/09</i>	

ENFORCER® Instant Knockdown Wasp & Hornet Killer

Non-conductive up to 47,300 Volts

Jet Blast 22 Feet

Kills The Entire Nest

Kills Wasps, Hornets and Yellow Jackets

Kills With Residual Action As Wasps & Hornets Return To Nest

ACTIVE INGREDIENTS

Tetramethrin	0.10%
Permethrin*	0.25%
Piperonyl Butoxide**	0.50%
OTHER INGREDIENTS:	<u>99.15%</u>
Total	100.00%

Contains Petroleum Distillate

*Cis/trans ratio: min. 35% (+/-) cis and max. 65% (+/-) trans.

**Equivalent to min. 1.4% (butylcarbityl)(6-propylpiperonyl) ether and 0.1% related compounds.

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

See Back Panel for Additional Precautions

Net Weight: 16 Oz. (454 g)

{Back Panel}

DIRECTIONS FOR USE

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

Read Entire Label.

Avoid use on shingles and vinyl siding. Damage may occur. Do not spray on trees, shrubs, ornamental plants or grass. If spray accidentally contacts these surfaces immediately rinse with water.

Do Not Shake Before Using. Hold Can Upright. Apply in Short Bursts.

To Kill Wasps: For best results, spray in early morning or late evening when insect activity is minimal. Stand a safe distance from nest and not directly underneath. Hold can upright and point spray opening toward nest with wind at your back. Spray until nest is thoroughly saturated to kill the entire nest population. Residual action will kill wasps returning to the nest. Wait at least 24 hours before removing the nest.

To Kill Yellow Jackets: Yellow Jackets make their nests in the ground, dead tree stumps, railroad ties, walls or similar structures. During daylight hours, watch them closely to determine location of nest entrance. Wait until dusk or early morning when insects are at rest. Spray for about 1-2 seconds or until surfaces are moist.

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To Kill Hornets: Unless you can clearly see the opening at the bottom of the hornets nest, never use a hornet spray on the nest as hornets may escape and attack you. Hornets usually make their nests in trees, shrubs and under eaves. During daylight hours, determine location of nest entrance. Wait until dusk or early morning when insects are at rest. Direct spray into entrance hole. As hornets fall out, continue spraying until no more are visible or the can is empty. Leave area immediately.

To prevent entrance of insects into the house, spray around points where insects enter such as outside plumbing, faucets, windows, doors, etc. and cracks and crevices in foundation.

Do not apply to pets or contaminate feed, foodstuffs, dishes or utensils. Avoid spraying vegetation directly.

FIRST AID	
If in eyes:	Call a poison control center or doctor for treatment advice. 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.
If swallowed:	Immediately call a poison 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.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment [In case of Medical emergencies or health and safety inquiries, or in case of fire, leaking or damaged containers, information may be obtained by calling ()].	
NOTE TO PHYSICIAN: Contains petroleum distillate-- vomiting may cause aspiration pneumonia.	

PRECAUTIONARY STATEMENTS

Hazards To Humans and Domestic Animals

CAUTION. Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Do not use in commercial food/feed handling establishments, restaurants or other sites where food/feed is commercially prepared or processed. Not for use in Federally inspected meat and poultry plants.

Environmental Hazards

This product is toxic to fish and aquatic invertebrates. Do not apply directly to water.

Physical and Chemical Hazards

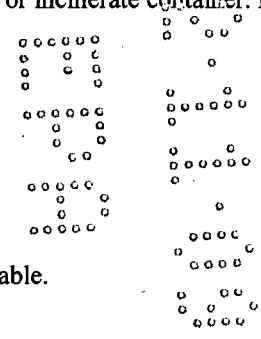
Flammable. Contents under pressure. Keep away from heat, sparks and open flame. Do not puncture or incinerate container. Exposure to temperatures above 130 F may cause bursting.

STORAGE AND DISPOSAL

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

Storage: Do not store near heat or open flame. Store in cool dry area away from children and pets. Do Not Puncture or Incinerate!

Disposal: Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available.



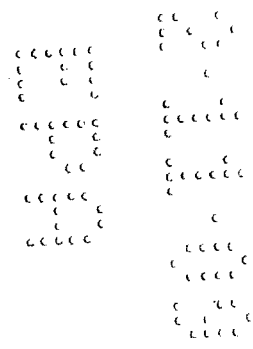
Products must bear a batch code. This is a lot number or other code used by the registrant or producer to identify the batch of the pesticide product distributed and sold.

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Copy _____
EPA Reg. No. 40849-77
EPA Est. _____

Postscript is first letter of code # on bottom of can.

Product Code: _____
Enforcer Products
A division of Acuity Specialty Products Group, Inc.
P.O. Box 1060
Cartersville, GA 30120-1060
Questions? Call (770) 386-0801, Monday through Friday, 9am-5pm EST.
www.enforcer.com



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