

42697-7

10/16/2009

10/10



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OCT 6 2009

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Mark Mongiovi, Product Compliance Specialist
Safer, Inc.
Woodstream Corporation
69 North Locust Street
Lititz, PA 17543-0327

Subject: Notification per PR Notice 98-10
Safer® Brand Moss & Algae Attack Concentrate
EPA Registration Number: 42697-7
Application Date: September 9, 2009
Receipt Date: September 11, 2009

Dear Mr. Mongiovi:

This acknowledges receipt of your notification, submitted under the provisions of PR Notice 98-10 and FIFRA section 3(c) 9.

Proposed Notification:

Label revision as per PR Notice 2007-4 and revised warranty statements as per EPA Warranty Statement Guide.

General Comments:

The notification is not acceptable for the following reason:

The Storage and Disposal section must be revised as follows:

Pesticide Storage: ...

Pesticide Disposal: ...

Container Handling:

Should you have further questions concerning this letter, please contact me by telephone at 703-308-6427 or by email at carlisle.sharon@epa.gov or Killian Swift by telephone at 703-308-6346 or by email at swift.killian@epa.gov. When submitting information or data in response to this letter, a copy of this letter should accompany the submission to facilitate processing.

Sincerely,


A handwritten signature in black ink that reads "ShaRon Carlisle".

ShaRon Carlisle
(Acting) Product Manager 34
Regulatory Management Branch II
Antimicrobials Division (7510P)

20910

Please read instructions on reverse before completing form.

Form Approved OMB No. 2070-0060, Approval expires 05-31-98

 EPA United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration	OPP Identifier Number
	<input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other: Notification	

Application for Pesticide - Section I

1. Company/Product Number 42697-7	2. EPA Product Manager Dan Kenny	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Safer® Brand Moss & Algae Attack Concentrate	PM# <u>34</u> Branch Chief	
5. Name and Address of Applicant (Include ZIP Code) Safer, Inc. a wholly owned subsidiary of Woodstream Corporation 69 North Locust Street Lititz PA 17543-0327 <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. _____ 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 of Label Action Per PR-Notice 2007-4: Please reference the attached explanation

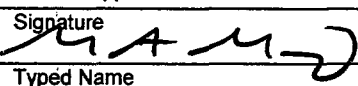
Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of 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.

Revision of Warranty Statements (Updated As Per EPA Warranty Statement Guidance Document Dated October 17, 2006): Please reference attached explanation

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
*Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 32oz		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input checked="" type="checkbox"/> 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 Chad Mateer	Title Regulatory Affairs Manager	Telephone No. (Include Area Code) 717-626-2125 x426
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 Product Compliance Specialist	
4. Typed Name Mark Mongiovi	4. Date 9-9-09	

ATTACHMENT TO NOTIFICATION DATED 9-9-09

EPA Reg. No. 42697-7

NOTIFICATION OF LABEL ACTION PER PR-NOTICE 2007-4:

Storage & Disposal Statements

MASTER LABEL- BACK PANEL (Page 3 of 4)

STORAGE AND DISPOSAL

PESTICIDE STORAGE: Store only in original container in a cool, dry area inaccessible to children and pets. Do not store full or partial containers in direct sunlight. Keep container tightly sealed when not in use.

PESTICIDE DISPOSAL AND CONTAINER HANDLING: Non-refillable container. Do not reuse or refill this container. **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 or (800)-
~~CLEANUP~~ CLEANUP for disposal instructions. Never place unused product down any indoor or outdoor drain.

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.

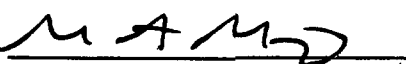
Warranty Statements

(As per EPA Warranty Statement Guidance Document Dated October 17, 2006)

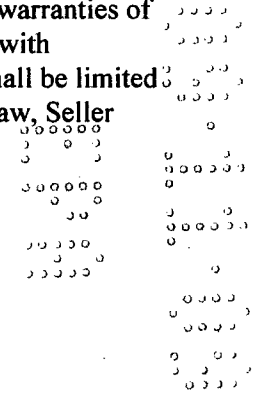
MASTER LABEL- BACK PANEL (Page 3 of 4)

~~Woodstream Corp. and its subsidiaries will not accept liability for damage or injury resulting from misuse. For information on this pesticide product (including health concerns, medical emergencies, or pesticide incidents) call the National Pesticide Information Center at 1-800-858-7378.~~

Note: Seller warrants that this product complies with the specifications expressed in this label. To the extent consistent with applicable law, Seller makes no other warranties, and disclaims all other warranties, express or implied, including but not limited to warranties of merchantability and fitness for the intended purpose. To the extent consistent with applicable law, Seller's liability or default, breach or failure under this label shall be limited to the amount of the purchase price. To the extent consistent with applicable law, Seller shall have no liability for consequential damages.


 Mark Mongiovi
 Product Compliance Specialist
 Woodstream Corporation

9/9/09



40810



69 N. Locust Street
P.O. Box 327
Lititz, PA 17543-0327
(717) 626-2125
Fax: (717) 626-5350
www.woodstreamcorp.com
www.saferbrand.com
www.victorpest.com
www.havahart.com
www.perkypet.com
www.fishock.com

September 9, 2009

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

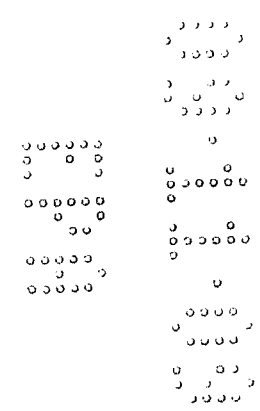
ATTN: Notification Division
SUBJECT: Safer, Inc., a wholly owned subsidiary of Woodstream Corporation
Safer® Brand Moss & Algae Attack Concentrate (EPA Reg. No. 42697-7)
Notification of Label Action Per PR-Notice 2007-4
Revision of Warranty Statements as Per EPA Warranty Statement Guide

Enclosed please find a Notification of Label Action Per PR-Notice 2007-4 and Revised Warranty Statements as per EPA Warranty Statement Guide for the subject product. Also enclosed please find a copy of our revised master label with changes highlighted and a clean copy for your records.

If you have any questions and/or need any additional information, please call me at (717) 626 -2125 ext: 219 or email mmongiovi@woodstream.com.

Sincerely,

Mark Mongiovi
Product Compliance Specialist
Woodstream Corporation



Enclosures:
Notification of Label Action
Revised master label copy with changes highlighted
Clean copy of revised master label



50910

MASTER LABEL – FRONT PANEL (Page 1 of 1)

**SAFER® BRAND MOSS AND ALGAE ATTACK
CONCENTRATE**

[Additional Brand Names]

Safer® Brand Moss & Algae Killer & Surface Cleaner Ready To Spray!

[Optional Marketing Claims]

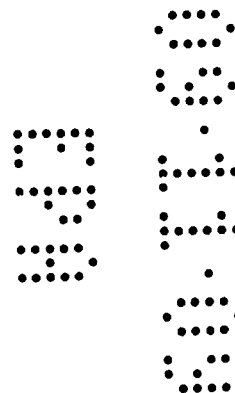
- Treats up to 500 square feet
- Use on Decks, Fences, Roofs & Lawns
- Won't Harm Border Plants (When used according to directions)
- Beautifies Wood Decks
- Non-Staining (On most surfaces)
- Ready-To-Spray!

ACTIVE INGREDIENT	BY WT.
Potassium salts of fatty acids	40.0%
INERT INGREDIENTS	60.0%
TOTAL	100.0%

KEEP OUT OF REACH OF CHILDREN

WARNING

(See back panel for Additional Precautionary Statements)



NET CONTENTS: 32 FL.OZ.

MASTER LABEL –BACK PANEL (Page 1 of 4)

PRECAUTIONARY STATEMENTS

Hazards To Humans And Domestic Animals

WARNING: Causes substantial but temporary eye injury. Causes skin irritation. Harmful if absorbed through skin. Do not get in eyes, on skin or on clothing. Wear goggles or safety glasses. Wash thoroughly with soap and water after handling. Remove and wash contaminated clothing before reuse.

FIRST AID	
If in eyes:	<ul style="list-style-type: none"> – 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. – Call a poison control center or doctor for treatment advice.
If on skin or clothing:	<ul style="list-style-type: none"> – Take off contaminated clothing. – Rinse skin immediately with plenty of water for 15-20 minutes. – Call a poison control center or doctor for treatment advice.
If swallowed:	<ul style="list-style-type: none"> – Call a poison control center or doctor for further treatment advice – Have a person sip a glass of water if able to swallow. – Do not induce vomiting unless told to do so by a poison control center or doctor. – Do not give anything by mouth to an unconscious person.
<p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-858-7378 for emergency medical treatment.</p>	

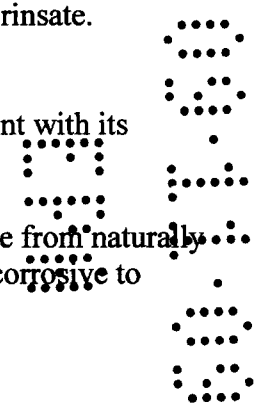
ENVIRONMENTAL HAZARDS

This product may be hazardous to aquatic invertebrates. Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters or rinsate.

DIRECTIONS FOR USE

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

WHAT IT IS: Safer® Brand Moss and Algae Killer Concentrate is made from naturally occurring, biodegradable fatty acids. This water-based product is non-corrosive to metals, contains no zinc or iron, and is non-staining on most surfaces.



MASTER LABEL – BACK PANEL (Page 2 of 4)

WHAT IT ELIMINATES: Safer® Brand Moss and Algae Killer Concentrate effectively eliminates mosses, algae, lichens, liverworts and grime. Safer® Brand Moss and Algae Killer Concentrate effectively eliminates mosses in lawns.

WHERE TO USE IT: Safer® Brand Moss and Algae Killer Concentrate is ideal to use on: roofs, decks, siding, walkways, home greenhouses, growing containers and benches, structural surfaces, hardened bark of trees, lawns and turf. This container will treat up to 500 square feet depending on type of surface treated and degree of infestation.

HOW TO USE IT: SHAKE WELL.

HOSE END SPRAYER: Easy to Use

1. Make sure knob is twisted fully clockwise to OFF position. Shake well before attaching to hose.
2. Turn Product Control Button clockwise until the flat portion is flush with the lock tab, then push button all the way in. Avoid squeezing bottle.
3. Turn water on at faucet, aim nozzle toward surface and turn knob counterclockwise to begin spraying.
4. When finished, push Product Control Button to OFF position from opposite side. Return knob and faucet to OFF position. Discharge water pressure by turning knob ON and OFF again. Turn Product Control Button counterclockwise away from lock tab to prevent accidental discharge. Store out of reach of children.

For Structural Applications: [Add on part concentrate to 20 parts water or, approximately 6 oz. (12 tablespoons) per gallon.] Apply mixed spray at the rate of approximately 1 gallon per 100 square feet. For best results, moisten area to be treated with fresh water before applying product. Spray [affected] area [to thoroughly wet] until thoroughly wet. Treated mosses, algae, lichens and liverworts discolor quickly [and slough off naturally making physical removal unnecessary]. [Discoloration of treated mosses, algae, lichens and liverworts takes longer under cool conditions]. For best results, leave spray on area for 10 minutes following application, then scrub using a push broom or similar type broom, then hose off with fresh water.

For Growing Containers and Hardened Bark of Trees: Spray affected area to wet thoroughly. Use on ornamental trees only. **DO NOT APPLY** to fruit trees, foliage or green bark of conifers or broad-leaf plants.

MASTER LABEL – BACK PANEL (Page 3 of 4)

[For Mosses in Lawns and Turf]

[Mixing Ratios:]

[SHAKE WELL. For application with a standard garden sprayer, mix 4 fl. oz. (8 tablespoons) per gallon of water. For application with a hose end sprayer, select a dial setting that will provide a dilution of one part concentrate and 30 parts water. In areas of hard water, remove the wire screen from the nozzle of your hose-end sprayer.]

For Mosses in Lawns and Turf: For best results, moisten area to be treated with fresh water before applying product. Avoid spraying when precipitation is expected. Spray affected area thoroughly at the rate of approximately 1 gallon per 50 square feet. After 30 minutes, rinse sprayed areas lightly with clean water, then withhold water for two days. Do not treat turf when temperature exceeds 85°F. **PERSISTENT MOSS GROWTH ON LAWNS** is suggestive of too much shade, acid soil and poor drainage. If several sprayings do not reduce moss problem, it may be necessary to reduce shade, aerate and lime the soil.

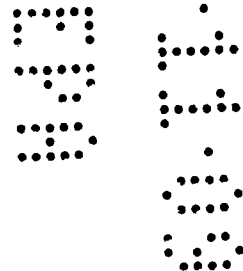
NOTE: Treated areas may be temporarily slippery. Product may leave white residue on cement, brick or dark-colored shingles. This residue may be removed with vinegar.

STORAGE & DISPOSAL

PESTICIDE STORAGE: Store at room temperature, in original container only, out of reach of children and animals. Keep from freezing.

PESTICIDE DISPOSAL AND CONTAINER HANDLING: Non-refillable container. Do not reuse or refill this container. **If Empty:** Place in trash or offer for recycling if available. Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

Note: Seller warrants that this product complies with the specifications expressed in this label. To the extent consistent with applicable law, Seller makes no other warranties, and disclaims all other warranties, express or implied, including but not limited to warranties of merchantability and fitness for the intended purpose. To the extent consistent with applicable law, Seller's liability or default, breach or failure under this label shall be limited to the amount of the purchase price. To the extent consistent with applicable law, Seller shall have no liability for consequential damages.



9 of 10

EPA Reg. No. 4269
Notification of Label Action – Storage & Disposal Statements/Warranty Statements
September 9, 2009
Page 5 of 6

MASTER LABEL – BACK PANEL (Page 4 of 4)

Distributed by:
Safer[®], Inc., a wholly owned subsidiary of Woodstream Corporation
69 N. Locust St
Lititz, PA 17543
(800) 800-1819

All ® and ™ property of Woodstream Corporation

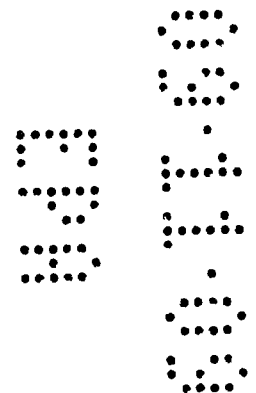
© Copyright 2009 Woodstream Corp.

Made In USA

EPA Reg. No. 42697-7

 K H D
EPA Est. No. 11600-MN-001 44616-MO-001 63416-MN-001

Circled letter corresponds to first letter of lot number on label, or container side or bottom.



100410

MASTER LABEL – Marketing Claims (Page 1 of 1)

[Optional Marketing Claims]

- Eliminates (kills) mosses, algae, lichens, liverworts, and grime
- For use on decks, fences, patios, roofs, walkways, lawns, and more
- Helps prevent regrowth of moss and algae
- Makes over 5 gallons
- Eliminates (kills) moss on lawns
- Non-corrosive to metals (metal sprayers)
- Non-staining on most surfaces
- Makes up to 8 gallons of solution (for mosses in lawns and turf)
- Effective
- No unpleasant odor
- Proven effective through University testing
- Use as a preventive treatment
- Water-based
- Patented formula
- Satisfaction guaranteed. See back panel
- Excellent for spot control
- Home • Lawn • Garden Solutions™ for Pest Control since 1976
- University Tested
- Made with soap derived from natural fats and plant oils
- Always shake well before using
- For use on decks, fences, roofs & lawns
- Won't harm border plants when used according to directions
- Treats up to 500 square feet
- Beautifies Wood Decks
- Si no usted entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)
- The Right Solution™. Safer® Brand Moss and Algae Killer Concentrate uses an ingredient derived from natural fatty acids to selectively disrupt the cell walls and cause the wilting and death of unwanted moss and algae. Leaves grass, plants, trees and shrubs unharmed.
- Non-staining and non-corrosive, this product is commonly used to eliminate moss growth in lawn areas surrounding plants, trees and shrubs. This product is commonly used as a remedy or preventive treatment on roofs, decks, patios, house exteriors and driveways.

