

42697-17

10/2/2009

1/10



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mark Mongiovi
Woodstream Corporation
69 N. Locust Street
Litiz, PA 17543-0327

OCT 2 2009

Subject: Label Notification(s) for Pesticide Registration Notices 2007-4 and 98-10
1. Updated warranty statement

Dear Mr. Mongiovi:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 and 98-10 dated September 9, 2009 for:

EPA Registration 42697-33
EPA Registration 42697-17

Safer Brand Soap & Pyrethrum Ready-To-Use
Safer Brand Garden Fungicide Ready-To-Use

The Registration Division (RD) has conducted a review of this request for applicability under PR Notice 2007-4 and 98-10 and finds that the label changes requested falls within the scope of PR Notice 2007-4 and 98-10. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.


If you have any questions, please contact me directly at 703-305-6249 or Nicole Williams of my staff at 703-308-5551.

Sincerely,

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

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

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

1. Company/Product Number 42697-17	2. EPA Product Manager Mary Waller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Safer® Brand Garden Fungicide Ready-To-Use	PM# 21	
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"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application <input type="checkbox"/> Other - Explain below
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NOTIFICATION
OCT - 2 2009

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

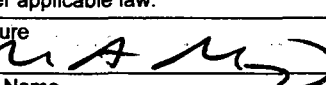
Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of 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 <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify)	
*Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container		
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 type="checkbox"/> Other <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled					

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
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	

EPA Reg. No. 42697-17

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

NOTIFICATION

Storage & Disposal Statements

OCT - 2 2009

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~~ 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

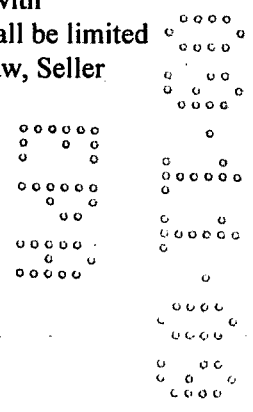
(As per EPA Warranty Statement Guidance Document Dated October 17, 2006)

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 9/9/09
Mark Mongiovi
Product Compliance Specialist
Woodstream Corporation





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 Garden Fungicide Ready To Use (EPA Reg. No. 42697-17)
Notification of Label Action Per PR-Notice 2007-4
Revision of Warranty Statements as Per EPA Warranty Statement Guide

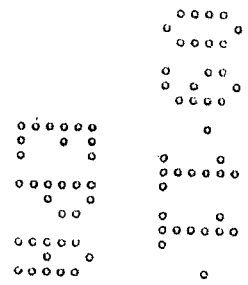
Enclosed please find a Notification of Label Action Per PR-Notice 2007-4 and Revised Warranty Statements as per EPA Warranty Statement Guide for the subject product. Also enclosed please find a copy of our revised master label with changes highlighted and a clean copy for your records.

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



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MASTER LABEL- FRONT PANEL (PAGE 1 of 1)

SAFER® BRAND GARDEN FUNGICIDE READY-TO-USE

NOTIFICATION

OCT - 2 2009

[Additional Brand Names]

Safer® Brand Garden Fungicide For Flowers, Fruit, and Vegetables Ready-To-Use

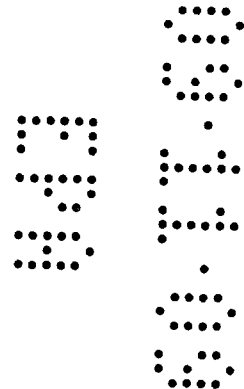
[Optional Claims]

- Controls POWDERY MILDEW, BLACK SPOT, LEAF SPOT and RUST on Fruits, Vegetables, Flowers and Foliage

ACTIVE INGREDIENT:	BY WT.
Sulfur.....	0.40%
OTHER INGREDIENTS:.....	<u>99.60%</u>
TOTAL.....	100.00%

KEEP OUT OF REACH OF CHILDREN
See back panel for additional Precautionary Statements

NET CONTENTS: 32 FL. OZ.



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MASTER LABEL- BACK PANEL (Page 1 of 4)

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

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

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.
<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

Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters or rinsate.

DIRECTIONS FOR USE

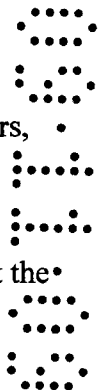
It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

WHAT IT IS: Safer® Brand Garden Fungicide Ready-To-Use is specially formulated with sulfur which inhibits the attack of fungal diseases by creating an environment which is not optimal for disease growth.

WHAT IT CONTROLS: Powdery mildew, black spot, leaf spot and rust.

WHERE TO USE IT: Roses, Flowers, Foliage Plants, Ornamentals, Beans, Peas, Broccoli, Cabbage, Cauliflower, Collards, Kale, Peppers, Strawberries, Apples, Pears, Potatoes, Cucumbers, Squash, Grapes, Blackberries, Blueberries, Raspberries, Loganberries, Currants, Melons and Tomatoes.

HOW TO USE IT: Spray at first sign of infection. Spray plants thoroughly to wet the upper and lower surfaces of foliage.



MASTER LABEL- BACK PANEL (Page 2 of 4)

ROSES, FLOWERS, FOLIAGE PLANTS & ORNAMENTALS: Apply at first sign of disease infestation. Spray at 7 to 10 day intervals, following rain, or as needed to control powdery mildew, leaf spot, black spot, and rust. Be sure to treat new growth and buds.

AZALEA, BUTTONBUSH, CHRYSANTHEMUM, HYDRANGEA, MATRIMONY VINE, RHODODENDRON, AND SNAPDRAGON: Apply at first sign of disease infestation. Spray at 7 to 10 day intervals, following rain, or as needed to control powdery mildew, leaf spot, and rust. Be sure to treat new growth and buds.

CATALPA, DELPHINIUM, HONEYSUCKLE, HORSE CHESTNUT, LILAC, LINDEN, PHLOX, SWEETPEA, SYCAMORE, TRUMPET VINE, WITCH HAZEL, AND ZINNIA: Apply at first sign of disease infestation. Spray at 7 to 10 day intervals, following rain, or as needed to control powdery mildew and leaf spot. Be sure to treat new growth and buds.

CARNATION AND STAGHORN SUMAC: Apply at first sign of disease infestation. Spray at 7 to 10 day intervals, following rain, or as needed to control leaf spot and rust. Be sure to treat new growth and buds.

ALDER AND ASTER: Apply at first sign of disease infestation. Spray at 7 to 10 day intervals, following rain, or as needed to control powdery mildew and rust. Be sure to treat new growth and buds.

DAHLIA: Apply at first sign of disease infestation. Spray at 7 to 10 day intervals, following rain, or as needed to control powdery mildew. Be sure to treat new growth and buds.

BEANS, PEAS, BROCCOLI, CABBAGE, CAULIFLOWER, COLLARDS, KALE AND PEPPERS: Apply at first sign of disease infestation. Spray at 7 day intervals, following rain, or as needed to control powdery mildew. Can be used up to the day before harvest.

STRAWBERRIES: Apply at first sign of disease infestation. Repeat at 3 week intervals to control powdery mildew. Do not use on strawberry fruit that will be used for canning. Can be used up to the day before harvest.

APPLES & PEARS: Apply at pre-bloom stage or after petal fall as needed to control powdery mildew. NOTE: Some apple & pear varieties are sulfur sensitive; test for varietal sensitivity prior to full scale treatment.

POTATOES: Apply before disease infestation appears and repeat as necessary to control powdery mildew.

CUCUMBERS & SQUASH: Apply at first sign of disease infestation and repeat as necessary to control powdery mildew. Do not spray young plants.

GRAPES: For control of powdery mildew, apply when new shoots are 6 to 10 inches. Repeat before blooms open and at 14 day intervals as needed. NOTE: Do not apply to wine grapes within 21 days of harvest. Sulfur may damage concord & other labrusca varieties.

BLACKBERRIES, BLUEBERRIES, RASPBERRIES, LOGANBERRIES AND CURRANTS: Apply each week starting at first bloom color to control powdery mildew.

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MASTER LABEL- BACK PANEL (Page 3 of 4)

Continue to spray at 10 to 14 day intervals until fruit is set, then repeat as needed or following rain.

MELONS: Apply at first sign of disease infestation. Spray at 7 to 10 day intervals following rain, or as needed to control powdery mildew. NOTE: Melon foliage is extremely sensitive to sulfur burn. See paragraph on Use Cautions.

TOMATOES: Apply at first sign of disease infestation and repeat as necessary to control powdery mildew. Do not spray young plants.

USE CAUTIONS: Some plants are susceptible to injury from sulfur under certain climatic conditions. Do not use on Boston fern, spinach, apricots, filberts, walnuts and viburnum. Do not apply when temperature exceeds 85° F or in full sun. Do not apply for at least 4 weeks following application of oil spray. Avoid contact with plants until spray has dried.

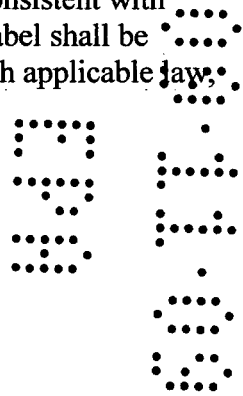
STORAGE AND DISPOSAL

PESTICIDE STORAGE: Store only in original container in a cool, dry area inaccessible to children and pets. Protect from freezing and heat. Keep container tightly closed to prevent evaporation.

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 for disposal instructions. Never place unused product down any indoor or outdoor drain.

~~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 Telecommunications Network 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.



EPA Reg. No. 42697-17

Notification of Label Action – Storage & Disposal Statements/Warranty Statements

September 9, 2009

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MASTER LABEL- BACK PANEL (Page 4 of 4)

Distributed by

Safer®, Inc., a wholly owned subsidiary of Woodstream Corporation

69 North Locust Street

Lititz PA 17543

1-800-800-1819 for information

EPA Reg. No. 42697-17

H

D

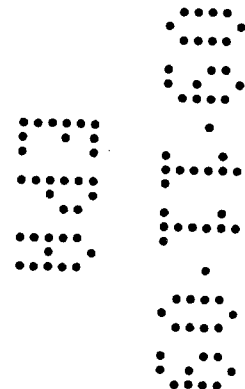
EPA Est. No. 44616-MO-01

63416-MN-01

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

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MASTER LABEL- OPTIONAL CLAIMS (Page 1 of 1)

[Optional Marketing Claims]

- Effective
- Proven effective through University testing
- Water-based
- Made with elemental sulfur
- University Tested
- Use as a preventative treatment.
- Use up to day before harvest.
- Always shake well before using.
- Shake well
- Made in USA
- Printed in USA
- 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 Garden Fungicide Ready-To-Use is used for prevention and control of fungal diseases, but is gentle on flowers, plants and produce. It treats foliage with the naturally occurring essential element sulfur, to create an environment where damaging fungi cannot live.
- Its non-burning, easy to use spray formulation can be used on flowers, fruits and vegetables up until the day before harvest.

