

42697-23

09/16/2008

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

September 16, 2008

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

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

Subject: Product Name: Safer B.T. Caterpillar Killer Concentrate
EPA Reg. No: 42697-23
Your Application for Label Notification Dated August 15, 2008, Alternate
Brand Name: Caterpillar Killer for Trees, Shrubs & Vegetables Concentrate
and Optional Logos/Marketing Claims: Safer Brand

Dear Mr. Mongiovi:

The Biopesticides and Pollution Prevention Division is in receipt of your application for Notification under 98-10 dated above. A preliminary screen of this request has been conducted for its applicability under PRN 98-10 and it has been determined that the action(s) requested falls within the scope of PRN 98-10. Our records have been duly noted, and the label submitted with this application has been stamped "Notification, received and reviewed" and will be placed accordingly in our records.

Questions concerning this action should be directed to Ms. Diana Hudson at (703) 308-8713 or email at HUDSON.DIANA@EPA.GOV.

Sincerely,


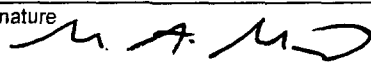
Linda Hollis

Linda Hollis, Chief
Biochemical Pesticides Branch
Biopesticides and Pollution Prevention
Division (7511P)

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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 <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other: NOTIFICATION	OPP Identifier Number
Application for Pesticide - Section I			
1. Company/Product Number 42697-23		2. EPA Product Manager Sheryl Reilly	
4. Company/Product (Name) Safer® B.t. Caterpillar Killer Concentrate		PM# Branch Chief, Microbial Pesticides Branch	
3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted			
5. Name and Address of Applicant (Include ZIP Code) Safer Inc., a wholly owned subsidiary of Woodstream Corporation 69 N. 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 _____ NOTIFICATION	
Section - II Date Reviewed: 9-16-08			
<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	
Explanation: Use additional page(s) if necessary. (For Section I and Section II.) Notification of Label Action Per PR-Notice 98-10: Alternate Brand Name/Other Minor Revisions 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 USC Sec. 1001 to willfully make false statements 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:			
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" No. per Unit Packaging wgt. container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" No. per Package wgt. container	2. Type of Container <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			
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 8oz, 16oz	
		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 checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input 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	
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 Regulatory Affairs	
4. Typed Name Mark Mongiovi		5. Date 8-15-08	

ATTACHMENT TO NOTIFICATION DATED 8-15-08

EPA Reg. No.: 42697-23

NOTIFICATION OF LABEL ACTION PER PR-NOTICE 98-10:

Alternate Brand Name

MASTER LABEL- FRONT PANEL (PAGE 1 of 1)

[Additional Brand Names]

Caterpillar Killer For Trees, Shrubs & Vegetables Concentrate

Other Minor Revisions

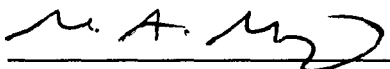
MASTER LABEL- FRONT PANEL (PAGE 1 of 1)

[Optional Logos/Marketing Claims]

Safer® Brand

-[optional logo]

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 USC Sec. 1001 to willfully make false statements 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.



8/15/08

Mark Mongiovi
Regulatory Affairs
Woodstream Corporation



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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

August 15, 2008

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® B.t. Caterpillar Killer Concentrate (EPA Reg. No. 42697-23)
Notification of Label Action Per PR-Notice 98-10

Please find enclosed a Notification of Label Action Per PR-Notice 98-10. 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
Regulatory Affairs
Woodstream Corporation

Enclosures:

Notification of Label Action
Copy of revised master label with changes highlighted
Clean copy of revised master label



NOTIFICATION

EPA Reg. No. 42697-23

Notification of Label Action – Alternate Brand Name/Other Minor Revisions Date Reviewed: 9-16-08

August 15, 2008

Page 1 of 5

Reviewed By: D. Hudson

MASTER LABEL- FRONT PANEL (PAGE 1 of 1)

SAFER® B.t. CATERPILLAR KILLER CONCENTRATE

[Additional Brand Names]

Safer® Brand Caterpillar Killer For Trees, Shrubs, and Vegetables Concentrate

SureFire Caterpillar Killer

Caterpillar Killer For Trees, Shrubs & Vegetables Concentrate

[Optional Logos/Marketing Claims]

For Organic Gardening

-[optional logo]

OMRI™ Listed

-[optional logo]

Safer® Brand

-[optional logo]

KILLS TENT CATERPILLARS, GYPSY MOTH, CABBAGE LOOPERS, TOMATO
HORNWORMS AND OTHER LEAF-FEEDING CATERPILLARS ON TREES &
SHRUBS AND TOMATOES & VEGETABLES.

ACTIVE INGREDIENT:

Bacillus thuringiensis, subsp. *kurstaki*, strain ABTS-351 solids, spores,
and insecticidal toxins.....12.74%

OTHER INGREDIENTS:.....87.26%

TOTAL:.....100.00%

The percent active ingredient does not indicate product performance and potency rates
are not federally standardized.

For use only in home gardens and lawns.

KEEP OUT OF REACH OF CHILDREN

CAUTION (See back panel for additional Precautionary Statements)

Net Contents: 8 Fl. Oz, 16 Fl. Oz.

MASTER LABEL-BACK PANEL (PAGE 1 of 3)

[WHAT IT IS:] SAFER® B.T. CATERPILLAR KILLER CONCENTRATE is the natural choice for controlling leaf-feeding caterpillars. Caterpillars stop feeding shortly after eating foliage sprayed with SAFER® BRAND B.T. CATERPILLAR KILLER CONCENTRATE and die within a few days.

SAFER® B.T. CATERPILLAR KILLER CONCENTRATE does not harm foraging honey bees or beneficial arthropods used in pest management programs and does not harm earthworms.

DIRECTIONS FOR USE:

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

Thoroughly mix recommended amount of [Safer® B.t. Caterpillar Killer Concentrate] [caterpillar killer] with water. Spray infested plants to provide a thorough coverage of foliage. Treat when larvae are young before extensive feeding damage has occurred. Repeat application at 3 to 14 day intervals as needed.

(For Ornamental Trees and Shrubs) [WHAT IT CONTROLS:] Tent Caterpillars, Gypsy Moth Larvae, Budworms, Bagworms, Spanworms, spring and fall Canker worms and other leaf-eating caterpillars.

[HOW TO USE IT:] Mix 1 to 2 teaspoons of SAFER® B.T. CATERPILLAR KILLER CONCENTRATE per gallon of water. For high population and larger larvae of Gypsy Moths and Budworms, use up to 4 teaspoons per gallon of water.

(For Tomatoes and Vegetables) [WHAT IT CONTROLS:] Imported Cabbage Worms, Cabbage Loopers, Tomato Hornworms, Tent Caterpillars, Webworms and other leaf-eating caterpillars on cole crops, celery*, lettuce, spinach*, peanuts*, peas*, tomatoes and avocados*.

(* For all states except California)

[HOW TO USE IT:] Mix 1 to 2 teaspoons of SAFER® B.T. CATERPILLAR KILLER CONCENTRATE per gallon of water. Repeat as necessary up to day of harvest.

MASTER LABEL-BACK PANEL (PAGE 2 of 3)

STORAGE & DISPOSAL

STORAGE: Store in tightly closed container between 20° -90°F.

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

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

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

FIRST AID

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 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.
Have the product container or label with you when calling a poison control center or doctor or going for medical treatment. You may also contact 1-800-858-7378 for emergency medical treatment advice.	
Note to Physician: Contains petroleum distillate – vomiting may cause aspiration pneumonia.	

ENVIRONMENTAL HAZARDS: This product must not be applied aerially within ¼ mile of any habitats of endangered species or threatened lepidoptera (i.e. moths or butterflies). No manual application can be made within 300 feet of any threatened or endangered lepidoptera. Do not apply directly to water. Do not contaminate water when disposing of equipment washwater or rinsate.

EPA Reg. No. 42697-23

Notification of Label Action – Alternate Brand Name/Other Minor Revisions

August 15, 2008

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MASTER LABEL-BACK PANEL (PAGE 3 of 3)

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.

DIPEL is a registered trademark of Valent Biosciences

Distributed By:

Safer®, Inc. (A wholly owned subsidiary of Woodstream Corporation)

69 North Locust Street

Lititz PA 17543

1-800-800-1812 for information

EPA Reg. No. 42697-23

EPA Est. No. 44616-MO-01

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Made in USA

Printed in USA

EPA Reg. No. 42697-23

Notification of Label Action – Alternate Brand Name/Other Minor Revisions

August 15, 2008

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MASTER LABEL – OPTIONAL CLAIMS (Page 1 of 1)

[Optional Marketing/Advertising Claims]

- Always Shake Well Before Using!
- For Trees, Shrubs, & Vegetables