

42697-58

11/6/2009

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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

NOV 6 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 17, 2009 for:

EPA Registration 47629-5	Victor Liquid Ant Killer
EPA Registration 47629-6	Victor Ant Trap
EPA Registration 47629-7	Victor Liquid Ant Killing System
EPA Registration 42697-58	Safer Brand Garden Fungicide, Insecticide, & Miticide Ready-to-Use Spray

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,

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

2009

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 42697-58	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) SAFER® BRAND GARDEN FUNGICIDE, INSECTICIDE, & MITICIDE READY-TO-USE SPRAY	PM# 10	
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

NOTIFICATION

NOV - 6 2009

Explanation: Use additional page(s) if necessary. (For Section I and Section II.)

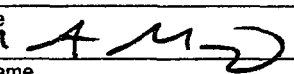
Notification of Label Action Per PR-Notice 2007-4: Please reference the attached explanation
 Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, 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
 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:				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 16oz, 32oz, 128oz		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 9-17-09 REVISED 10/27/09 mm	

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ATTACHMENT TO NOTIFICATION DATED 9-17-09

EPA Reg. No. 42697-58

NOTIFICATION

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

NOV - 6 2009

Storage & Disposal Statements

MASTER LABEL- BACK PANEL (Page 3 of 3)

<p>STORAGE AND DISPOSAL</p> <p>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.</p> <p>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.</p>

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 3)

~~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.

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.


Mark Mongiovi
Product Compliance Specialist
Woodstream Corporation

10/27/09

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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

September 17, 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, Insecticide, & Miticide Ready-To-Use Spray
(EPA Reg. No. 42697-58)
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, INSECTICIDE, &
MITICIDE READY-TO-USE SPRAY**

NOTIFICATION

[Additional Brand Names]
Safer ® Brand 3-in-1 Garden Spray

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[Optional Claims]

- Controls POWDERY MILDEW, BLACK SPOT, LEAF SPOT and RUST On Fruits, Vegetables, Flowers and Foliage
- Kills APHIDS, MEALYBUGS, MITES, WHITEFLIES AND OTHER LISTED PESTS On Roses, Flowers, Shade Trees and Ornamental Plants
- [Insect Killer] [Fungus Killer] [Mite Killer]

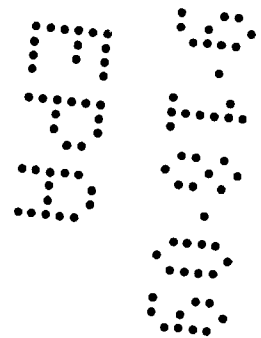
ACTIVE INGREDIENTS	BY WT.
Potassium Salts of Fatty Acids.....	0.75%*
Sulfur.....	0.40%
INERT INGREDIENTS.....	98.85%
TOTAL.....	100.00%

*Includes 0.55% as potassium oleate and 0.20% as potassium salts of other fatty acids

KEEP OUT OF REACH OF CHILDREN
See Back Panel For Additional Precautionary Statements

www.victorpest.com

NET CONTENTS: 16 FL. OZ., 32 FL. OZ., 128 FL. OZ.



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EPA Reg. No. 42697-58

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

September 17, 2009

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MASTER LABEL – BACK PANEL (Page 1 of 3)

Safer® Brand Garden Fungicide, Insecticide and Miticide Ready-To-Use Spray is used to kill pests and for prevention and control of fungal diseases, but is gentle on most flowers, plants and produce. It treats foliage with the naturally occurring sulfur and soaps derived from natural fats and plant oils, to kill pests and 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 to the day before harvest.

PRECAUTIONARY STATEMENTS

Environmental Hazards: This product may be hazardous to aquatic invertebrates. Do not apply directly to water, areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water by cleaning of equipment or disposal of rinsate.

DIRECTIONS FOR USE

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

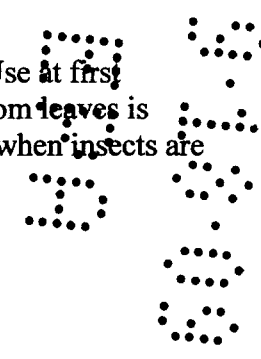
WHAT IT IS: Safer® Brand Garden Fungicide, Insecticide, and Miticide Ready-To-Use Spray provides three garden solutions in one: fungicide, insecticide and miticide. Its formulation kills garden insects and mites and controls fungal diseases. Contains a patented formulation to help reduce injury to most plants.

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

WHAT IT KILLS: Aphids, Beetles (leaf-feeding), Caterpillars (leaf-feeding), Crickets, Earwigs, Lace bugs, Leafhoppers, Mealybugs, Mites, Plant Bugs, Scale Crawlers, Thrips, and Whiteflies.

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

HOW TO USE IT: Apply in the morning or late evening. Shake Well. Use at first sighting of insects or infection. Thorough coverage of both top and bottom leaves is important. Spray leaves to the point of run off. Apply every 5 to 7 days when insects are present.



MASTER LABEL – BACK PANEL (Page 2 of 3)

USE CAUTIONS: Some plants are susceptible to injury from sulfur under certain climatic conditions. DO NOT USE on delicate fern, apricots, filberts, stock, walnuts

nasturtium, stock, sweet pea, violet, mountain ash, Japanese maple, horse chestnut, spinach, viburnum, newly planted cuttings, or plants stressed by drought. Do not apply when plants are in full sun or when temperature exceeds 90° F. Do not apply for at least 4 weeks following application of oil spray.

FUNGICIDE USE

FLOWERS AND 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.

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 day of 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 and pear varieties are sulfur sensitive; test for varietal sensitivity prior to full-scale treatment.

CITRUS: Do not apply within 4 weeks following use of an oil spray.

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

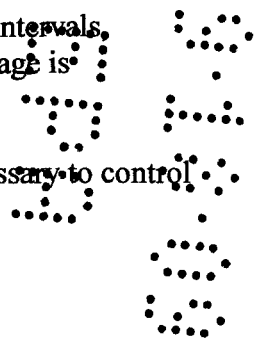
CUCUMBERS AND SQUASH: Apply at first sign of disease infestation and repeat as necessary to control powdery mildew. Do not spray young plants.

GRAPES: For control of powdery mildew, apply when new shoots are 6-10 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 and other labrusca varieties.

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



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MASTER LABEL – BACK PANEL (Page 3 of 3)

INSECTICIDE & MITICIDE USE

Apply at first sighting of insects/mites. Thoroughly moisten top and bottom leaf surfaces where insects/mites are feeding or resting. Apply every 5 to 7 days when insects are present or as needed to prevent damage.

STORAGE & DISPOSAL

PESTICIDE STORAGE: Store in a cool dry area away from heat or open flame and inaccessible to children. 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. **If partly filled:** Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

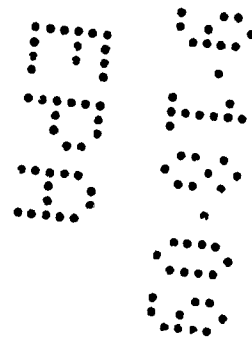
Note: Seller warrants that this product complies with the specifications expressed in this label. To the extent consistent with applicable law, Seller makes no other warranties, and disclaims all other warranties, express or implied, including but not limited to warranties of merchantability and fitness 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.

Distributed by: Safer, Inc., a wholly owned subsidiary of Woodstream Corporation
69 North Locust Street
Lititz, PA 17543
www.victorpest.com
(717) 626-2125

EPA Reg. No. 42697-58

EPA Est. No. 63416-MN-01

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EPA Reg. No. 42697-58

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

September 17, 2009

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MASTER LABEL – OPTIONAL CLAIMS (Page 1 of 1)

[Optional Marketing Claims]

- Patented formula is now even gentler on most plants
- Multipurpose spray contains 3 garden solutions in one!
- Home Lawn & Garden Solutions for Pest Control since 1976
- Effective
- Water-based
- Contains Insecticidal Soap
- Contains Insect Killing Soap
- Made with soaps derived from natural fats and plant oils and elemental sulfur
- Gentle on most plants
- Made in USA
- Highly effective
- Multi-Purpose formula encompasses 3 solutions in 1!
- Patented formula reduces injury to most plants.
- All in one formula contains fungicide, miticide and insecticide.
- Fungicide, miticide and insecticide- all in one!
- All in one garden treatment
- 3 garden solutions in one spray!
- Fungicide
- Controls Powdery Mildew, Black Spot and Rust
- Insecticide
- Controls Aphids, Mealybugs, Caterpillars & other insect pests.
- Miticide
- Controls Spider Mites, Red Mites & other mite pests.
- Controls all stages of mites.
- Controls all stages of mites including eggs.

