

43576-6

10-19-2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460-0001

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

October 19, 2010

Ms. Kim Davis,
Consultant/Agent for GPS Group
c/o RegWest Company, LLC
8203 West 20th Street, Suite A
Greeley, CO 80634-4696

**Subject: Label Notification(s); Pesticide Registration Notifications (PRNs) 98-10 & 2007-4
Scalex® Mite & Lice Spray for Birds, EPA Reg. No. 43576-6
Your Submission Dated August 11, 2010**

Dear Ms. Davis:

The Agency is in receipt of your application for Pesticide Notification under Pesticide Registration Notifications (PRNs) 98-10 & 2007-4, dated August 11, 2010, for the referenced product. The Registration Division has conducted a review of this request for its applicability under PRNs 98-10 & 2007-4, and finds that the action(s) requested fall within the scope of PRNs 98-10 & 2007-4.

Please be reminded that 40 CFR §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 non-refillable containers. The code may appear either on the label (and can be added by non-Notification/PRN 98-10) or durably marked on the container itself.

The label submitted with this application has been time-stamped "Notification," and will be placed within the administrative file for this product. If you have any questions, please contact Mr. Carmen Rodia at (703) 306-0327 or via e-mail at Rodia.Carmen@epa.gov.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Richard J. Gebken".

Richard J. Gebken
Product Manager (10)
Insecticide Branch
Registration Division (7504P)



United States
Environmental Protection Agency
401 M Street, S.W.
Washington, DC 20460-0001

- Registration
- Amendment
- Other

OPP Identifier Number
Notification

Application for Pesticide – Section I

1. Company/Product Number 43576-6	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Scalex® Mite & Lice Spray for Birds	PM # 10	
5. Name and Address of Applicant (Include ZIP Code) GPS Group c/o RegWest Company, LLC 8203 West 20th St., Suite A Greeley, CO 80631-4696 <input checked="" 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: <div style="text-align: center;">NOTIFICATION</div> EPA Reg. No. _____ Product Name OCT 19 2010	

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. |
|--|---|

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

**Submit label revision notification per PR Notices 98-10 and 2007-4:
Refer to the Reference Label for an illustration of all revisions.**

This notification is consistent with the provisions of PR Notices 98-10 and 2007-4 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 U.S.C. Sec. 1001 to willfully make any false statement to the EPA. I further understand that if this notification is not consistent with the terms of PR Notices 98-10 and 2007-4 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 Wt.	No. Per Container	If "Yes" Packaging Wt.	No. Per Container	<input type="checkbox"/> Glass
					<input type="checkbox"/> Paper
					<input type="checkbox"/> Other (Specify): _____
3. Location of Net Contents Information		4. Size(s) Retail Container		5. Location of Label Directions	
<input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4 fl. oz. through 1 gallon		<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"/> Stenciled <input checked="" type="checkbox"/> Paper glued <input checked="" type="checkbox"/> Other Self-adhesive					

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application).					
Name Kim Davis	Title Consultant/Agent	Telephone No. (Include Area Code) 970.353.0311 kim@regwest.com			
Certification					6. Date Application Received (Stamped)
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.					
2. Signature 		3. Title Consultant/Agent			
4. Typed Name Kim Davis		5. Date August 11, 2010			

Non-PRIA Label Revision Notification



August 11, 2010

Mr. Richard Gebken, Product Manager 10
Document Processing Desk - NOTIF
Office of Pesticide Programs - 7504P
U.S. Environmental Protection Agency
One Potomac Yard (South Building), Room S-4900
2777 South Crystal Drive
Arlington, VA 22202

NOTIFICATION

OCT 19 2010

Dear Mr. Gebken:

Subject: GPS Group
Scalex® Mite & Lice Spray for Birds
EPA Reg. No. 43576-6

On behalf of GPS Group, RegWest Company, LLC is submitting the attached materials as a notification of label revisions per PR Notices 98-10 and 2007-4. RegWest will act as sole agent in this endeavor.

Attached are the following:

- 1. Application for Pesticide: Notification
2. One Reference Label (illustrating the label revisions)
3. Two New Labels (incorporating the revisions)

In addition to the PR Notices changes we are deleting the web address and moving optional marketing claims to the end of the label. Please refer to the Reference Label for an illustration of all revisions.

Please contact me at 970.353.0611 or kim@regwest.com if you have any questions or comments concerning this submission.

Regards,
RegWest Company, LLC

Handwritten signature of Kim Davis

Kim Davis,
Consultant/Agent

Attachments

cc: GPS - Lucius, D.

Vertical column of small characters on the right side of the page.

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Scalex® Mite & Lice Spray for Birds

[[Select marketing claims from "Marketing Claims" section]]



NOTIFICATION

OCT 19 2010

Active Ingredients:

Pyrethrins (CAS No. 8003-34-7)	0.03%
*Piperonyl Butoxide, Technical (CAS No. 51-03-6)	0.30%
Other Ingredients	<u>99.67%</u>
Total	100.00%

*Equivalent to max. 0.24% (butylcarbityl)(6-propylpiperonyl) ether and min. 0.06% related compounds.

Keep Out of Reach of Children

CAUTION

See back panel for additional precautionary statements.

Net Contents: ___ fl. oz. (___ ml)

{Back Panel}

For Use on Cage and Aviary Birds to Kill Mites and Lice

DIRECTIONS FOR USE

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

Use Directly on Birds to Control Bird Lice. Leave birds in cage. Remove food and water. Lightly spray with 3 or 4 pumps directly on birds from a distance of 12 to 18 inches. Avoid the bird's eyes and face. Repeat twice a week.

Use on Cage and Aviary Surfaces to Control Feather Mites. Remove bird(s)' food and water cups, etc. Thoroughly spray cage and aviary surfaces from a distance of at least one foot, using 5 to 6 pumps per cage. Thoroughly spray outside of the cage bottom as feather mites often live there.

Repeat treatment in aviary, cages and on birds twice a week. Clean bird cages in hot water weekly.

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Pesticide Storage: Store in original container in a cool, dry place (preferably locked) inaccessible to children and pets and away from heat or sunlight. Protect from freezing. **Pesticide/Container Disposal: If empty:** Non-refillable container; do not reuse or refill this container. Offer for recycling, if available; otherwise, discard in trash. **If partly filled:** Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

{Per PR Notice 2007-4 the batch code / lot number will appear on the label or container.}

PRECAUTIONARY STATEMENTS

Hazards to Humans & Domestic Animals

CAUTION: Harmful if swallowed or inhaled. Avoid breathing spray mist. Avoid contact with skin, eyes or clothing. Wash skin with soap and water after using. Avoid spraying food or foodstuffs.

First Aid

If Swallowed	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor for treatment advice. • Have 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.
If Inhaled	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
If on Skin or Clothing	<ul style="list-style-type: none"> • Take off contaminated clothing. • Immediately rinse skin 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 treatment. [You may also call 1-800-755-7056 for emergency medical treatment advice.]	

{Note: The first aid statements' grid format will be used if market label space allows; otherwise a paragraph format will be used.}

[In case of questions or emergencies, call 800-755-7056.]

To the extent permitted by applicable law, buyer assumes all risk of use, storage or handling of this material not in strict accordance with directions given herewith.

Product No. _____

EPA Reg. No. 43576-6 EPA Est. 43576-GA-1

[Manufactured by]

GPS Group

4280 Northeast Expressway

Atlanta, GA 30340 U.S.A.

800-755-7056

© _____

[Made in the U.S.A.]

- [] Denotes alternate/optional language
- { } Denotes language that does not appear on the market label

{Marketing Claims}

Spray for Cage and Aviary Birds
Money Back Guarantee
[Money Back Guarantee
If not satisfied return unused portion to GPS Group for full refund.]

{End of Marketing Claims}