

44446-8

05/13/2010

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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

May 13, 2010

Mr. Mitch Whitney
Quest Chemical Corporation
12255 F.M. 529 Northwoods Industrial Park
Houston, TX 77041

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Mr. Whitney:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice PRN 2007-4 dated April 22, 2010 for the following product(s):

Duel Flying & Crawling Insect Killer EPA Reg. No. 44446-8

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN 2007-4. 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 Regina Foushee'-Smith at 703-605-0780.

Sincerely,

A handwritten signature in black ink that reads "Richard J. Gebken".

Richard J. Gebken
Product Manager
Insecticide Branch
Registration Division (7505P)



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

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

Application for Pesticide - Section I

| | | |
|--|---|--|
| 1. Company/Product Number 44446-8 | 2. EPA Product Manager Richard Gebken | 3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted |
| 4. Company/Product (Name) Duel Flying & Crawling Insect Killer | PM# 10 | |
| 5. Name and Address of Applicant (Include ZIP Code) Quest Chemical Corporation 12255 FM 529 Houston, TX 77041 <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: <div style="text-align: center; font-size: 1.2em; font-weight: bold;">NOTIFICATION</div> EPA Reg. No. _____ <div style="text-align: center; font-size: 1.5em; font-weight: bold;">MAY 13 2010</div> 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 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 40CFR156.10, 156.40, 156.44, 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.

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 checked="" type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____ |
| <i>* Certification must be submitted</i> If "Yes" Unit Packaging wgt. No. per container | | If "Yes" Package wgt. No. per container | | | |
| 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 | | 16, 20 oz aerosol cans | | <input checked="" type="checkbox"/> _____ | |
| 6. Manner in Which Label is Affixed to Product | | | <input checked="" type="checkbox"/> Other Silkscreen | | |

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

| | | |
|------------------------------|--------------------------------|--|
| Name Mitch Whitney | Title Vice-President | Telephone No. (Include Area Code) 713-896-8188 |
|------------------------------|--------------------------------|--|

| | | |
|--|-----------------------------------|---|
| 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 Vice-President | |
| 4. Typed Name Mitch Whitney | 5. Date April 20, 2010 | |



April 22, 2010

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

RE: Label Changes per PR Notice 2007-4
Duel Flying & Crawling Insect Killer
EPA Reg. No. 44446-8

Enclosed you will find a notification for the above noted product incorporating the label changes mandated by PR Notice 2007-4. One copy of the labeling is enclosed with the changes in italics. Also enclosed is an application form with the necessary information regarding this notification.

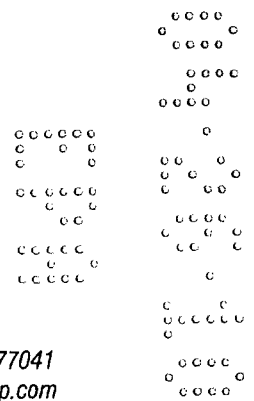
If you should need any additional information please don't hesitate to contact me at extension 123.

Sincerely,

QUEST CHEMICAL CORPORATION

Mitch Whitney

MW/mac
Enclosures



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DUEL

Flying
& Crawling
Insect Killer

NOTIFICATION

MAY 13 2010

Double Action Insecticide
Residual & Contact Spray

KILLS: Houseflies, Mosquitoes, Gnats, Wasps, Roaches, Earwigs, Grain Mites, Sowbugs, Ants, Biting Flies, Aphids (Plant Lice), Fleas, Leafhoppers, Adult Whiteflies, Plant Bugs, Japanese Beetles, Spiders, Centipedes, Exposed Thrips and Spittlebugs.

FOR USE IN NON-FOOD AREAS IN
HOMES, INSTITUTIONS, RESTAURANTS
AND FOOD PROCESSING PLANTS

ACTIVE INGREDIENTS:

*+°Resmethrin (5-(phenylmethyl)-3-furanyl) methyl 2,
2-dimethyl-3-(2-methyl-1-propenyl)
cyclopropanecarboxylate0.35%

OTHER INGREDIENTS:99.65%

TOTAL:100.00%

* Cis/trans isomers ratio: max. 30% (±) Cis and min 70% (±) trans

+ U.S. Patent Nos. 3,465,007 and 3,542,928

° Penick's SBP-1392® brand of resmethrin insecticide

Penick Corp., 1050 Wall Street West Lyndhurst, NJ 07071

EPA Reg. No. 44446-8

EPA Est. No. 44446-TX-1

KEEP OUT OF REACH OF CHILDREN

CAUTION:

See Additional Cautions on Back Panel

NET WT. 15 OZ. (425 g)

MANUFACTURED BY:

QUEST CHEMICAL CORPORATION

12255 FM 529 • HOUSTON, TX 77041

PRECAUTIONARY STATEMENTS

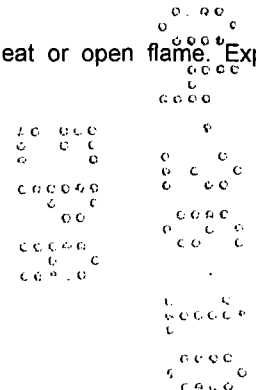
HAZARDS TO HUMANS & DOMESTIC ANIMALS

CAUTION

Harmful if swallowed or absorbed through the skin. Avoid contact with eyes, skin or clothing. Cover or remove exposed foods. Avoid contamination of cooking utensils & food preparation surfaces. Remove pets, birds & cover fish aquariums before spraying. Avoid contamination of food & foodstuff. In commercial food handling facilities, cover or remove any food during treatment. All food processing surfaces should be thoroughly cleaned with an effective cleaning compound followed by a potable water rinse before using. When using the product in these areas, apply only when the facility is not in operation.

PHYSICAL OR CHEMICAL HAZARDS

Contents under pressure. Do not puncture or incinerate container. Do not use or store near heat or open flame. Exposure to temperatures above 130°F may cause bursting.



FIRST AID

If Inhaled:

- Move person to fresh air.
- If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.
- Call a poison control center or doctor for further treatment advice.

If on skin or clothing:

- 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:

- 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 swallowed:

- Call poison control center or doctor immediately for treatment advice.
- Have person sip a glass of water if able to swallow.
- Do not induce vomiting unless told to do so by the poison control center or doctor.
- Do not give anything by mouth to an unconscious person.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

ENVIRONMENTAL HAZARDS

This pesticide is highly toxic to fish. Do not apply directly to water or wetlands (swamps, bogs, marshes and potholes). Drift and runoff from treated sites may be hazardous to fish in adjacent water.

DIRECTIONS FOR USE

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

SHAKE WELL BEFORE EACH USE. Remove protective cap, aim spray opening away from persons. Push button to spray. **TO KILL HOUSEFLIES, MOSQUITOES & GNATS: INDOORS:** Close all doors & windows. Point nozzle upwards, direct the spray mist to all parts of the room especially windows & other light sources which attract these insects. Fill the room with mist, then leave the treated area. Keep the room closed for at least 15 minutes. Ventilate room when treatment is completed. **TO REDUCE ANNOYANCE FROM FLYING INSECTS: OUTDOORS:** Reduce mosquitoes, gnats (midges), houseflies, deer flies & flying moths (millers) by spraying their resting areas. Follow precautions listed above. Hold container 14 to 18 inches from shrubs, bushes & grassy areas. Spray these areas with a slow sweeping motion at the rate of 1 to 3 seconds per cubic feet of space while moving away from the treated areas. To reduce annoyance from these flying insects, treat open porches & patios in a similar manner. Spray only when the air is still. Allow spray to dissipate before occupying the treated area. Repeat as necessary. **TO KILL: Roaches, Earwigs, Grain Mites, Sowbugs, Spiders, Fleas & Centipedes: CONTACT SPRAY:** Spray thoroughly into hiding places such as cracks, crevices, moist areas, openings around pipes & sinks, under refrigerators, baseboards & storage areas. Spray directly on insects where possible. Repeat as necessary. **RESIDUAL SPRAY:** Spray baseboards, cracks, crevices, lower walls, dark places. Spray at the rate of 3 to 4 seconds per linear foot at a distance of 12 to 14 inches from the surface. Repeat as necessary. **TO KILL WASPS:** Applications should be made in the late evening when insects are at rest. Spray liberally into hiding & breeding places, contacting as many insects as possible. Repeat as necessary. **TO KILL ANTS:** Apply to ant trails & around door sills, window frames & other places where ants may enter. **ORNAMENTAL PLANT PESTS:** Kill aphids, exposed thrips, leafhoppers, plant bugs, Japanese beetles on smaller evergreens, deciduous trees & shrubs, such as, rhododendrons, pines, spruces, hemlock, yews, arborvitae, junipers, holly, podocarpus, boxwood, laurel lilac, spirea, dogwood, palm tree, toyan, viburnum, maples, locust, forsythia, althea & roses; also kills mimosa webworm larvae on mimosa & oakworm larvae on oaks. Kills aphids, exposed thrips, adult whiteflies, leafhoppers, plant bugs, spittlebugs, Japanese beetles on flowering plants such as peonies, iris, zinnia, snapdragons, ageratum, chrysanthemums, nasturtiums, daisy, geraniums, marigolds, daphne, fatshedera, ivy, tobira, queen sago, broadleaf acacia. Direct spray on insects by holding the container 12 to 18 inches from the infested plants. Spray in short burst of 1 to 3 seconds or spray at the rate of one linear foot of growth per second. Direct spray to all sides, covering foliage until slightly moist. Avoid heavy wetting. Repeat applications as necessary. **USE WITH CAUTION** on the foliage of Flowering Quince, Juniper, Cypress, Mulberry, Ash, Coloneaster, Rose, Camellia, Azalea, Pyracantha & Caenothus, as certain varieties have shown some leaf browning.

STORAGE AND DISPOSAL

Do not store near heat or open flame. Do not puncture or incinerate! **If empty:** *Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available.* **If partly filled:** Call your local solid waste agency or 1-800-CLEANUP for disposal instructions.

WARNING: This product contains chemical(s) known to the State of California to cause birth defects or other reproductive harm.

CONTAINS (CAS#): Water (7732-18-5), Propane-Isobutane (68476-85-7), Resmethrin (10453-86-8), Polyglycerol (9007-48-1), Fragrance Oil (N/A).

HMIS Ratings: Health – 2, Flammability – 1, Reactivity – 1, Personal – A.

NFPA Ratings: Health Hazard – 2, Flammability – 1, Reactivity – 1.

ITEM 451

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