

46515-48

05-24-2011

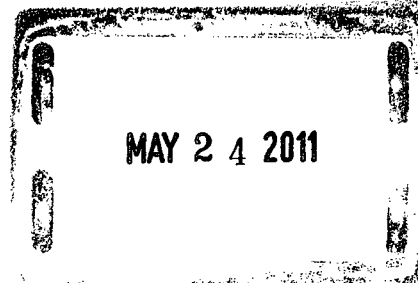
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Mr. Eric Smith
Celex, Div. of United Industries Corp.
P.O. Box 142642
St. Louis, MO 63114



Dear Mr. Smith:

Subject: Application for Pesticide Notification (PRN 98-10)
Comply with Agency pyrethroid labeling letter dated June 4, 2009
House & Garden Bug Killer 4
EPA Reg. No. 46515-48
Your submission dated May 17, 2010

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated May 17, 2010 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds the action requested falls within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions regarding this letter, please contact Dana Pilitt, PhD of my staff at (703) 305-7071 or via e-mail at pilitt.dana@epa.gov.

Sincerely,

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

Richard Gebken
Product Manager 10
Insecticide Branch
Registration Division (7505P)

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 11-30-93



United States Environmental Protection Agency
Office of Pesticide Programs (H7505C)
Washington, DC 20460

Application for Pesticide:

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Section I

1. Company/Product Number 46515-48	2. Product Manager R. Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) House & Garden Bug Killer 4	PM# 13	
5. Name and Address of Applicant (include ZIP Code) Celex, Div. Of United Industries Corp. P.O. Box 142642 St. Louis, MO 63114	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labelling to: NOTIFICATION MAY 4 2010	
<input type="checkbox"/> Check if this is a new address	EPA Reg. No. _____	Product Name _____

Section II

<input type="checkbox"/> Amendment - Explain below	<input type="checkbox"/> Final printed label 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.)
Label Notification per PR Notice 98-10 & EPA's June 4, 2009 General Labeling for Pyrethroid Notification letter. (Please see cover letter for details.)

Section III

1. Material in Which This Product Will Be Packaged:				2. Type of Container	
Child-Resistant Packaging <input checked="" type="checkbox"/> Yes * <input type="checkbox"/> No	Unit Packaging <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Water-Soluble Packaging <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<input checked="" type="checkbox"/> Metal	
* Certification must be submitted	If "YES," Unit package wgt	No. per container	If "YES," Package wgt	No. per container	<input type="checkbox"/> Plastic
					<input type="checkbox"/> Glass
					<input type="checkbox"/> Paper
					<input type="checkbox"/> Other (Specify) _____
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) of Retail Container 10,12, 15, 18.75 fl oz		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"/> Lithographed <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		<input type="checkbox"/> Other _____	

Section IV

1. Contact Point (Complete items directly below for identification of the individual to be contacted, if necessary, to process this application)		
Name Eric D. Smith	Title Regulatory Affairs Manager	Telephone No. (include Area Code) 314-683-2455
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) RECEIVED ON JUN 4 2010
2. Signature 	3. Title Regulatory Affairs Manager	
4. Typed Name Eric D. Smith	5. Date May 17, 2010	

United Industries Corp.

May 17, 2010

Document Processing Desk (NOTIF)
Office of Pesticide Programs
United States Environmental Protection Agency
Room S4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

Attention: Mr. Richard Gebken
Product Manager Team 13

Subject: **NOTIFICATION: Label Notification per PRN 98-10 &
EPA's June 4, 2009 General Labeling for Pyrethroid Notification letter
House & Garden Bug Killer 4
EPA Reg. No. 46515-48**

Please find the enclosed application for notification of the following registration amendment:

A. Environmental Hazard and General Labeling for Pyrethroid Non-Agricultural Outdoor Products per the June 4, 2009 Letter from EPA:

We have adopted the appropriate label statements to be included in the "Directions for Use" section of the label.

This notification is consistent with the guidance in the June 4, 2009 letter and the requirements of EPA's regulations at 40 CFR part 156. 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 EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR part 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.

B. Pesticide Registration (PR) Notice 98-10:

We have updated the label warranty statement in accordance to the EPA's October 17, 2006 Guidance on Warranty Statements, and added a consumer Guarantee claim and warranty statement. Also added to the label was a fragrance claim.

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 U.S.C. Sec. 1001 to willfully make any false statement 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.

The following documents are enclosed in support of this submission:

1. Application for Pesticide (EPA Form 8570-1)
2. One copy of the proposed label with changes highlighted
3. One clean copy of the proposed label

Please call me at 1-800-242-1166, Ext. 2455 or via email: eric.smith@spectrumbrands.com, if you have questions or need further information. Thank you very much for your attention to our application.

Sincerely,



Eric D. Smith
Regulatory Affairs Manager

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House & Garden Bug Killer 4

Combines quick knockdown and residual killing action of crawling insects for up to 4 weeks · Kills Fast! · Kills fast plus keeps killing up to 4 weeks · Kills fast plus kills insects landing on treated surfaces [for] up to 4 weeks · Kills flying & crawling bugs [pests] [insects] · Kills over 50 insects [pests] [bugs] · Kills 50+ insects [pests] [bugs] · Kills over 50 types of insects [pests] [bugs] · Kills flying and crawling insects [pests] [bugs] including roaches, ants, spiders, fleas, waterbugs, silverfish, mosquitoes, and other listed insects · Water-based · For Use Indoors & Outdoors · GreenThumb® Satisfaction Guarantee · Guaranteed Quality by Albertsons · Guaranteed* [Results] [To work or your money back] · Clean Fresh Scent

For use around the home only.

NOTIFICATION

MAY 24 2011

Active Ingredients:	
Permethrin	0.15%
d-Trans Allethrin	0.25%
Other Ingredients:	99.60%

KEEP OUT OF REACH OF CHILDREN

CAUTION See back [panel] for additional precautionary statements. [Read entire label]

NET WEIGHT 10 OZ. (283 g)

[Bracketed Text] = Optional Language

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STOP. READ ENTIRE LABEL BEFORE USE.

DIRECTIONS FOR USE

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

General Precautions and Restrictions

Do not allow adults, children, or pets to enter the treated area until sprays have dried.

- Do not water the treated area to the point of run-off.
- Do not make applications during rain.
- All outdoor applications must be limited to spot or crack-and-crevice treatments only, except for the following permitted uses:
 1. Treatment to soil or vegetation around structures
 2. Applications to lawns, turf, and other vegetation
 3. Applications to building foundations, up to a maximum height of 3 feet. Other than applications to building foundations, all outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches and structural surfaces (such as windows, doors, and eaves) are limited to spot and crack-and-crevice applications, only.
- Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during or after application.

In the home, all food processing surfaces and utensils should be covered during treatment or thoroughly washed before use. Exposed food should be covered or removed.

SHAKE WELL BEFORE USING. Do not use on surfaces that can be harmed or stained by water. [Remove protective cap,] hold container upright, and aim spray away from face and body. [This product combines quick knockdown and residual killing action of crawling insects for up to 4 weeks.]

INDOORS

AS A SURFACE SPRAY

To kill cockroaches (waterbugs), crickets, silverfish (firebrats), clover mites, millipedes, centipedes, earwigs, sow-bugs (pillbugs), spiders, ants, clothes moths, carpet beetles, box elder bugs, scorpions, spider beetles, grasshoppers, houseflies, mosquitoes, gnats, fruit flies, cluster flies, flying moths, confused flour beetles, sawtoothed grain beetles, shiny spider beetles, grain mites, red flour beetles, angoumois grain moths, grain weevils, Indian meal moths, Mediterranean flour moths, lesser grain borers, cigarette beetles, drug store beetles, and chocolate moths: Spray thoroughly into hiding places such as cracks, crevices, moist areas, openings around pipes and sinks, under refrigerators,

baseboards, and storage areas. Spray directly on insects where possible. Remove feed and foodstuffs and thoroughly clean before spraying. Dispose of any infested products. Cover shelves and drawers with fresh shelf paper after spray has dried. Repeat as necessary.

To kill spiders: Spray directly on pests. Use repeated applications to webbing and cracks and crevices which harbor spiders.

To kill ants: Spray trails, nests and points of entry within homes and buildings. Spray directly on ants where possible. Repeat as necessary.

To kill wasps, hornets, yellow jackets and bees: Use in late evening or early morning when insects are at rest. Spray liberally into hiding and breeding places, especially under attic rafters, contacting as many insects as possible. Repeat as necessary.

To kill carpet beetles and clothes moths: To treat carpets, hold container 14-18 inches from carpet. Apply spray evenly, covering the entire surface until slightly moist. Spray underside of carpet when possible. Avoid wetting or soaking. To treat clothing, blankets, carpets and other fabrics before storage, dry clean or wash before treatment and after storage. Apply spray evenly, covering the material on both sides until slightly moist. For best results, place treated materials in plastic bags after drying and store in a dark place. Also spray floor and baseboards, closets, cracks, crevices, infested areas of shelving and or wherever these insects are seen or suspected.

FOR USE ON HOUSE PLANTS

Remove infested plants from living areas prior to use. Spray plants in a area not likely to be occupied by children or pets. Cover or spray away from fish aquaria. When leaves are dry, return plants to original location. Use caution when spraying ferns palms and fuchsia. As with all plants, especially carnations, chrysanthemums and roses, there are a wide variety of species and cultivars, and a wide variety of resistance to injury. To help prevent injury to plants, spray a few leaves as directed and wait 24 hours to check for possible injury.

To kill leafrollers, armyworms, cutworms, cabbage worms on chrysanthemums, and fungus gnats on velvet plants: Spray directly on insects and to cover all foliage. Avoid heavy wetting.

To kill aphids, armyworms, corn earworms, fall cankerworms, inchworms, Japanese beetles, leafminers, leafrollers, and whiteflies on ageratum, ardisia, aster, azalea, baby's breath, begonia, birds-nest fern, bleeding heart, carnation, coleus, crown of thorns, cockscomb, cyclamen, dracaena, dumbcane, English ivy, fuchsia, gladiolus, grape ivy, hypoestes, ivy, juniper, lily, marigold, orchid, palms, parsley, piggy-back plant, poinsettia, portulaca, pothos, prayer plant, purple passion, pipe-omia, petunia, philodendron, rabbits foot fern, rose, schefflera, snapdragon, snake plant, statice, velvet plant, verbena and zinnia: Spray directly on insects and to cover all foliage. Avoid heavy wetting. Repeat applications may be necessary to control Japanese beetles on roses.

ASA SPACE SPRAY

To kill houseflies, mosquitoes, cluster flies, gnats, fruit flies and flying moths:

Close all doors and windows. Point nozzle upward. Direct spray mist to all parts of room, especially windows and other light sources which attract insects. Fill room with mist, then leave treated area immediately. Keep room closed for at least 15 minutes. Ventilate room when treatment is completed. Repeat as necessary.

FOR CONTACT APPLICATION ONLY (no residual control)

To kill fleas, brown dog ticks, deer ticks, bear ticks, black legged ticks (which carry Lyme disease), and lone star ticks on dogs, cats and surfaces: Spray animals along back, under forelegs and on other areas, except scrotum and anus. Part fur to contact skin and insure good coverage. Hold nozzle about one foot away while spraying. Apply until fur is thoroughly moist. Do not spray directly in eyes, mouth or nose of animal. To prevent re-infestation, thoroughly spray animals bedding and other resting areas until surface is slightly moist, contacting as many insects as possible. Treat the floor areas, crack, crevices, along baseboards and the entire inside surface of pet houses. Apply at a rate of 2 seconds per foot at a distance of 12 to 18 inches from the surface. Do not use this product on old, sick or debilitated animals.

To kill bedbugs: Apply as a spot treatment to cracks and crevices, around baseboards, floor boards, bed boards and walls. Thoroughly clean and air mattresses, springs and bedding before spraying. Spot treat only the areas where bedbugs hide, concentrating on tufts, folds and seams. Repeat as necessary. For persistent infestation, consult a professional applicator.

OUTDOORS

To kill ants, clove mites, crickets, earwigs, millipedes, and sowbugs (pillbugs): To help prevent infestation of buildings, treat building foundations to a height of 2 to 3 feet where pests are active and may find entrance. Also apply as a residual spray on outside surfaces of buildings, including porches, screens, window frames, eaves, patios, garages, refuse dumps, and other areas where these pests congregate. Repeat as necessary.

For houseflies, mosquitoes, cluster flies, gnats and flying moths: For use only as an aid in reducing the annoyance from these insects. Spray outside surfaces of screens, doors, window frames or wherever these insects may enter the building. Also treat surfaces around light fixtures on porches, in garages, and other places where insects congregate. Repeat as necessary.

To kill bees, wasps, hornets and yellow jackets: Use in late evening or early morning when insects are at rest. Aim spray at nest openings in ground, bushes, and in crack and crevices which may harbor nests. Saturate nest openings and contact as many insects as possible. Repeat as necessary.

To kill tent caterpillars: Use when caterpillars are young and tents first appear. For best results, apply in late afternoon or evening when caterpillars have returned to their tents. Aim spray directly at tents and saturate all sides. Repeat as necessary.

FOR USE ON PLANTS

[Optional Header: Flowers and Other Ornamentals]

To kill aphids, cicadas, corn earworms, fall cankerworms inchworms,

leafminers, leafrollers, mealybugs, spider mites, exposed thrips and whiteflies on ageratum, aster, azalea, begonia, coleus, common ninebark, common snowberry, exacum, euonymous, English ivy, gladiolus, gold bells, hypoestes, ivy, juniper, lilac, marigold, mock orange, nanny-berry, orchid, palm, pansy, pea shrub, petunia, philodendron, poinsettia, rhododendron, rose, snapdragon, taxus, wax plant, weeping fig and zinnia: Use when temperature range from 50°F to 75°F and when there is little or no wind. Use when pests or their damage first appears. Spray directly on insects and to cover all foliage. Avoid heavy wetting. As with all plants, especially carnations, chrysanthemums and roses, there are a wide variety of species and cultivars, and a wide variety of resistance to injury. To help prevent injury to plants, spray a few leaves as directed and wait 24 hours to check for possible injury. For plants in their flowering season, use before blossoms form or after blossoms fall. Repeat as necessary at intervals of 4 to 8 days. Applications can be made up to the day of collection.

STORAGE AND DISPOSAL

Storage: Do not freeze. Store in a cool, dry area, inaccessible to children and away from heat or open flame. **Disposal:** Do Not Puncture or Incinerate! If empty: Place in trash or offer for recycling if available. If partly filled: Call your local solid waste agency or 1-800-CLEANUP for disposal instructions.

Have the product container or label with you when calling a Poison Control Center or doctor, or going for treatment.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Harmful if absorbed through skin. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse. Avoid contamination of feed or foodstuffs. Remove pets, birds, and cover fish aquaria before spraying.

FIRST AID

If Swallowed: Call a Poison Control Center or doctor immediately for treatment advice. Have a 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 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 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.

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 extremely toxic to aquatic organisms, including fish and invertebrates. Do not apply directly to or near water. Drift and run-off may be hazardous to fish in water adjacent to treated areas. See Directions for Use for additional precautions and requirements.

This pesticide is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds while bees are actively visiting the treatment area.

Physical or Chemical Hazards

Contents under pressure. Do not store near heat or open flame. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting. Do not apply this product in conduits, motor housings, junctions and switch boxes, or other electrical equipment because of possible shock hazard.

[SATISFACTION GUARANTEED: If for any reason you are not completely satisfied by the performance or results of this GreenThumb® product, it will be repaired or replaced free of charge. Simply provide proof of purchase and return the product and/or unused portion to the place of purchase.]

[Albertson's Unconditional Guarantee: If for any reason you are not completely satisfied by your purchase, simply return the product with proof of purchase for a replacement or refund, whichever you prefer. We welcome any comments or questions you may have. When writing, please include the product code found on the back of can.]

[*][Guarantee] If you are not satisfied with this product for any reason, send your written request for a refund to the address below, together with the original dated store receipt showing the price you paid. Please allow 6-8 weeks for processing.]

NOTICE: To the extent consistent with applicable law, buyer assumes all responsibility for safety and use not in accordance with directions.

Questions or comments? Call 1-800-332-5553

[Contains NO CFC's or other ozone depleting substances. Federal regulations prohibit CFC propellants in aerosols.]

Made in the USA for Celex,
Division of United Industries Corporation
P.O. Box 142642, St. Louis, MO 63114-0642

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