

46813-69

05/03/2007

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
 Registration Division (7505C)
 1200 Pennsylvania Ave., N.W.
 Washington, D.C. 20460

EPA Reg. Number:

46813-69

Date of Issuance:

MAY 3 2007

NOTICE OF PESTICIDE:

Registration
 Reregistration
 (under FIFRA, as amended)

Term of Issuance:

Conditional

Name of Pesticide Product:

Flying Insect Killer I

Name and Address of Registrant (include ZIP Code):

K-G Packaging, Inc.
 c/o RegWest Company, LLC
 30856 Rocky Road
 Greeley, CO 80631-9375

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA section 3(c)(7)(A) provided that you:

1. Submit and/or cite all data required for registration of your product under FIFRA sec 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of your product under FIFRA section 4.

(continued on page 2)

Signature of Approving Official:

Please see page 5.

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

Date:

MAY 3 2007

2. Make the following change to the label:

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- a. Change the product registration number to "EPA Reg. No. 46813-69"
- b. Make the following label revisions:

Use Site Header section comment(s), page 1 of 2:

1. Per the reregistration eligibility decision (RED) documents for pyrethrins, piperonyl butoxide and MGK 264, delete the use sites "**Homes, Hospitals and Schools**" from the existing use site header beginning with "**For use in Food Processing Plants...**"¹
2. For the use site listed at the end of the use site header, "**Other Public Buildings,**" you must clarify this statement, since this site could potentially include day-care facilities, nurseries and nursing homes, which have also been deleted as per the REDs for pyrethrins, piperonyl butoxide and MGK 264. If you cannot clarify this statement, then it should be deleted from the label.
3. Revise the use site header introduction currently starting with "**For use in Food Processing Plants,...**" with "**For indoor use in the following areas: Food Processing Plants,...**"

Precautionary Statements, Use Restrictions section comment(s), page 1 of 2:

4. Per the REDs for pyrethrins, piperonyl butoxide and MGK 264, add the following new subsection at the beginning of the Directions for Use section, immediately following the statement "**It is a violation of...**" as follows:

"Use Restrictions:

- DO NOT remain in treated area. Exit areas immediately and remain outside the treated area until aerosols, vapors and/or mists have dispersed.
- Not for use in residential areas.
- DO NOT use in nurseries or rooms where infants, ill or aged persons are confined.
- Remove or cover all food and drinking water before application.
- Remove or cover dishes, utensils, food processing equipment and food preparation surfaces before use or wash them before reuse.
- All food processing surfaces and equipment should be covered or washed with an effective cleaning compound followed by a potable water rinse after use of this product.
- DO NOT use in areas where fish or reptiles may be exposed to the spray.
- DO NOT place metering device directly over or within 8 feet of exposed food, dishes, utensils, food processing equipment and food handling or preparation.
- DO NOT install within 3 feet of air vents.
- Carefully follow directions for the dispenser unit when installing the dispenser and replacing cans or conducting maintenance."²

¹ For more information, please refer to page 95 of 108 of the pyrethrins RED.

² For more information, please refer to page 96 of 108 of the pyrethrins RED.

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5. On the paragraph starting with "Flying Insect Killer I is designed for use..." delete the words or phrases indicated by the "~~lined-out~~" text in the attached copy of stamped approved label.
 6. Delete the 7.5 minute application interval since there are no data to support this timing.
 7. Remove flies from the proposed label and decrease the application rate applied every 15 minutes to 40.59 mg.
 8. If K-G Packaging, Inc. desires to add flies to this label, they must provide sufficient information that the proposed container delivers ≥ 71.66 mg of product every 15 minutes.
 9. Delete the 3rd sentence and replace with: "Within 24 hours following treatment, a decrease in the number of flies, gnats, mosquitoes and small flying moths should be noticed and with continued use, annoyance from these pests should also be reduced."
 10. In the 8th sentence, insert the words "of choice" following the word "unit."
 11. In the 8th sentence, insert the word "required" following the word "conducting."

Storage and Disposal section comment(s), page 1 of 2:

12. Due to the flammability concern of this product, replace the "Storage" subsection with: "Keep this product dry in a tightly closed (preferably locked) container, when not in use. Store in a cool, dry, well-ventilated area inaccessible to children and pets and away from heat, sparks or open flames."
13. Insert the following text as a new subsection immediately following the "Storage" subsection: "**Pesticide Disposal:** Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste Representative at the nearest EPA Regional Office for guidance."
14. Re-label the existing "Disposal" subsection as "Container Disposal."

Additional/alternate marketing language section comment(s), page 1 of 2:

15. Delete the words or phrases indicated by the "~~lined-out~~" text in the attached copy of stamped approved label as these are implied claims.
16. For the two highlighted comments related to VOC, these claims can remain on the label if the appropriate VOC percentages are specified. If not, delete them.
17. Delete the marketing claim "No unpleasant odor," since a fragrance is listed on the CSFs for this product.

Additional/alternate marketing language section comment(s), page 1 of 2 (continued):

- 18. Replace the last marketing claim with: "Contains the botanical insecticide Pyrethrins [an extract of the Chrysanthemum flower]."

Top of Back Panel comment(s), page 2 of 2:

- 19. Please clarify what is meant by "{Logo}" at the top of this page.

Precautionary Statements, Hazards to Humans and Domestic Animals section comment(s), page 2 of 2:

- 20. Replace the first four (4) sentences from this section with: "Harmful if swallowed, inhaled or absorbed through skin. Avoid breathing vapors or spray mist. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Remove and wash contaminated clothing before reuse. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals."
- 21. Delete the last seven (7) sentences from this section, starting with "Do not use in nurseries...", as indicated by the "~~lined out~~" text in the attached copy of stamped approved label.

Precautionary Statements, First Aid section comment(s), page 2 of 2:

- 22. Replace this section with the following:

First Aid	
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 further treatment advice.
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 further treatment advice.
If Swallowed:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give any liquid to the person. • 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. For additional information on this pesticide product (including health concerns, medical emergencies or pesticide incidents), you may call 1-800-xxx-xxxx or the National Pesticide Information Center at 1-800-858-7378. ³	
Note To Physician: Contains petroleum distillate. Vomiting may cause aspiration pneumonia.	

Precautionary Statements, Physical or Chemical Hazards section comment(s), page 2 of 2:

- 23. Delete the two (2) **BOLDED** statements found at the end of this section, as indicated by the "~~lined out~~" text in the attached copy of stamped approved label.

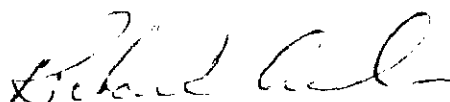
³ Please note that the "1-800-xxx-xxxx" must be substituted with a valid phone number that is available twenty-four (24) hours per day, seven (7) days per week for answering and responding to any medical emergencies or health concerns.

24. The listing for "[{website; }]" at the bottom of this page cannot reference any collateral labels other than what is being approved by EPA for this product.
 25. Data deficiencies were identified for storage stability and corrosion characteristics in the product chemistry review for this product. Therefore, K-G Packaging, Inc. is obligated to submit a One Year Storage Stability (830.6317) study and a Corrosion Characteristics (830.6320) study on this product in support of this registration within one year from the date of this registration. ⁴
3. Submit two (2) copies of the revised final printed label for the record before the product is released for shipment.

K-G Packaging, Inc. should note that a notice of availability of EPA's reregistration eligibility decision (RED) document for products containing pyrethrins was published in the *Federal Register* on July 26, 2006 (Volume 71, Number 143, Pages 42387-42389). EPA's RED for products containing piperonyl butoxide was published in the *Federal Register* on July 26, 2006 (Volume 71, Number 143, Pages 42385-42386). Further, EPA's RED for products containing MGK 264 was published in the *Federal Register* on July 26, 2006 (Volume 71, Number 143, Pages 42381-42383). As a result, additional data and/or labeling changes may be required for products containing pyrethrins, piperonyl butoxide and MGK-264.

If the above conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A stamped copy of the approved label is enclosed for your records.



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

Enclosure: Label stamped "Accepted with Comments"

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⁴ For more information, please refer to page 2 of 4 of the product chemistry review for this product.

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Flying Insect Killer I

For Use in: Food Processing Plants, ~~Homes, Hospitals, Hotels, Motels,~~
Restaurants, ~~Schools,~~ Stores and Other Public Buildings

Use in Barns, Breweries, Dairies, Canneries, Farm Milk Houses and Food Handling Establishments

Kills Flies, Gnats, Mosquitoes and Small Flying Moths

Active Ingredients:

Pyrethrins	0.974%
Piperonyl Butoxide, technical*	1.950%
N-Octyl bicycloheptene dicarboximide**	3.146%
Other Ingredients***	93.930%
Total	100.000%

*Equivalent to 1.56% (butylcarbityl)(6-propylpiperonyl) ether and 0.39% related compound

**MGK® 264, Insecticide Synergist

*** Contains petroleum distillate

MGK is a registered trademark of McLaughlin, Gormley, King Company

**ACCEPTED
with COMMENTS
In EPA Letter Dated**

May 3, 2007

Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No

46813-69

Keep Out of Reach of Children

CAUTION

See back [side] panel for First Aid and additional Precautionary Statements

Net Weight ___ ounces

{Back/Side Panel}

DIRECTIONS FOR USE

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

Flying Insect Killer I is designed for use in a wide range of automatic metered dispensers. The dispenser automatically activates the special metered valve every 7.5 and/or 15 minutes. ~~Within 24 hours the area is relatively free of flies, gnats, mosquitoes and small flying moths; with continued use annoyance from these pests is reduced.~~ Effectiveness of this product is noticeable within one hour after the dispenser is activated. Recommended use is for 24 hours; if less than 24 hours is required, set the dispenser to start one hour before control is desired and to run one hour after control is no longer needed. Factors such as airflow rate, size of space treated, humidity and room temperature affect insect activity and control; therefore, consider one unit per 6,000 cubic feet of unobstructed space ~~as the average application rate~~, making adjustments depending upon specific conditions at the usage site. As with any method of insect control, best results are achieved when ~~sanitation and other positive~~ insect prevention practices are followed. Carefully follow the directions for the specific dispenser unit when installing the dispenser, replacing cans and conducting maintenance.

Storage and Disposal

Do not contaminate water, food or feed by storage or disposal.

Storage: Store in a cool (preferably locked) place inaccessible to children and pets and away from heat, sparks and open flame. **Disposal:** Do not puncture or incinerate! **If empty:** Place in trash or if available offer for recycling. **If partly filled:** Call your local solid waste agency or 1-800-CLEANUP for disposal instructions.

{Additional/alternate marketing language:}

~~{For} Domestic Use. {For} Commercial Use. {For} Agricultural Use.~~ Meets CARB VOC regulations for flying insecticides ~~{[VOC% Content]} {[Percent VOC formulation]}~~. No greasy [oily] residue. ~~No unpleasant odor.~~ Contains the botanical insecticide Pyrethrum [an extract of a Chrysanthemum flower].

{Lo c}

Federal regulations prohibit CFC propellants in aerosols.
Contains no CFCs or other ozone depleting substances

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: May be harmful if swallowed, inhaled or absorbed through skin. Avoid breathing vapors or spray mist. Avoid contact with eyes, skin or clothing. Thoroughly wash with soap and water after handling and before eating, drinking, chewing gum or using tobacco. ~~Do not use in nurseries or rooms where infants, ill or aged persons are confined. Do not install dispenser directly above or within 12 feet of any food handling or serving area, do not install near air ducts. Metering device (dispenser) must be timed to ensure dispensing does not occur while food processing is underway. Remove or cover foods to prevent contamination. Cover all food processing surfaces during treatment or thoroughly wash with an effective cleaning compound, followed by a potable water rinse, before use. Do not use in areas where fish or reptiles may be exposed to the spray. Remove pets, birds and cover fish aquariums before spraying.~~

First Aid

Have the product container or label with you when calling a poison control center or doctor or going for treatment. (You may also call {toll free number} for emergency medical treatment information.)	
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.
If Swallowed	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give any liquid to the person • Do not give anything by mouth to an unconscious person.
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.
Note to Physician: Contains petroleum distillate – vomiting may cause aspiration pneumonia.	

{Note: The grid format will be used if market space allows; otherwise a paragraph format will be used.}

Physical or Chemical Hazards

Flammable. Contents under pressure. Keep away from heat, sparks and open flame. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting.

~~In case of medical emergencies or health and safety inquiries, or in case of fire, leaking or damaged containers, information may be obtained by calling 1-800-{phone number}.~~

~~For product information call toll-free: 1-800-{phone number}. {Questions? Call {phone number}}.~~

Notice: Buyer assumes all responsibility for safety and use not in accordance with directions.

EPA Reg. No. 46813-__ EPA Est. 46813-CAN-3

Manufactured by [for]

K-G Packaging, Inc.

8001 Keele Street; Concord, Ontario L4K 1Y8

[[phone, fax numbers]]

[[website]]

Made in [Product of] Canada

[] Denotes alternate/optional language

{ } Denotes language that does not appear on the market label