

47629-5

11/6/2009

10 of 7



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
EPA Registration 47629-6
EPA Registration 47629-7
EPA Registration 42697-58

Victor Liquid Ant Killer
Victor Ant Trap
Victor Liquid Ant Killing System
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,

A handwritten signature in black ink, appearing to read "Linda Arrington".

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

2097

	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
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Application for Pesticide - Section I

1. Company/Product Number 47629-5	2. EPA Product Manager Kimberly Nesci	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) VICTOR® LIQUID ANT KILLER	PM# 11	
5. Name and Address of Applicant (Include ZIP Code) 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"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to NOTIFICATION <input type="checkbox"/> "Me Too" Application <input type="checkbox"/> Other - Explain below
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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.

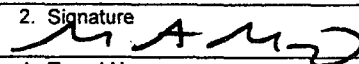
Revision of Warranty Statements (Updated As Per EPA Warranty Statement Guidance Document Dated October 17, 2006): Please reference attached explanation

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 <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify)	
*Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 8oz		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 type="checkbox"/> Other <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled					

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
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. Date 9-17-09 REVISED 10/27/09 MM	
4. Typed Name Mark Mongiovi		

307

ATTACHMENT TO NOTIFICATION DATED 9-17-09

EPA Reg. No. 47629-5

NOTIFICATION

NOV - 6 2009

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

Storage & Disposal Statements

MASTER LABEL- BACK PANEL (Page 2 of 2)

STORAGE AND DISPOSAL

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.

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.

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 2 of 2)

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

9

4067



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

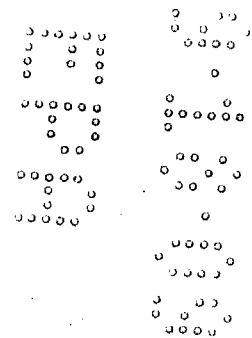
ATTN: Notification Division
SUBJECT: Woodstream Corporation
Victor® Liquid Ant Killer (EPA Reg. No. 47629-5)
Notification of Label Action Per PR-Notice 2007-4
Revision of Warranty Statements as Per EPA Warranty Statement Guide

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



507

MASTER LABEL - FRONT PANEL (Page 1 of 1)

Victor® Liquid Ant Killer

[Optional Claims]

- For the control of sugar feeding ants in homes
- Contains Borax
- Liquid Ant Killer
- No unpleasant odors
- Indoor/Outdoor
- Ready-To-Use

Active Ingredient:	By Wt.
Sodium Tetraborate Decahydrate.....	5.40%
Other Ingredients:.....	94.60%
TOTAL:	100.00%

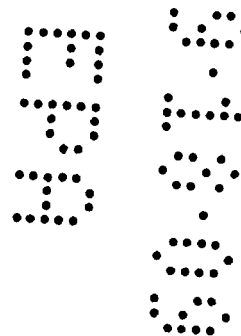
Store In A Cool Place

Keep Out of Reach of Children

CAUTION

See other panel for additional Precautionary Statements

Net Contents: 8.0 fl. oz. (236.60 ml)



6097

MASTER LABEL - BACK PANEL (Page 1 of 2)

Victor® Liquid Ant Killer is formulated with Sodium Tetraborate Decahydrate (Borax) in a special bait matrix which is highly attractive to ants. Foraging worker ants pick up the bait and take it back to the nest where they feed the entire colony- including the queen. Victor® Liquid Ant Killer not only works to kill the ants you see, but also the ones in the colony you don't see.

DIRECTIONS FOR USE:

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

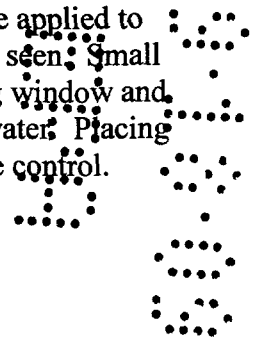
For control of sugar feeding ants including Pharaoh Ants, Argentine Ants, Ghost Ants, Cornfield Ants, Pavement Ants, Acrobat Ants, White-footed Ants, Little Black Ants, Odorous-House Ants, Crazy Ants, Big-Headed Ants, and other sweet-eating ants.

For Use In and Around: Homes, Hospitals, Restaurants, Apartments, Grocery Stores, Institutional Buildings, Schools, Cafeterias, Storage Areas, Food Processing Plants, Mobile Homes, Boats, Military Bases, Theaters, Nursing Homes, and on Military, Commercial, and Cruise Ships.

Do Not Use in edible product areas of food handling establishments, restaurants or other areas where food is commercially prepared or processed. Do not use in serving areas while food is exposed. Avoid contamination of feed or foodstuffs. Do not apply to food or food packaging. Apply only in areas inaccessible to children and pets.

Indoors: Place a few drops of Victor® Liquid Ant Killer along ant trails and in cracks and crevices where ants travel. Victor® Liquid Ant Killer can also be applied to small pieces of waxed paper, cardboard, or foil which can be placed where ants are seen, such as the edges of sinks, tubs, window sills, under food cabinets, in cracks and crevices along floors and baseboards, behind the refrigerator and stove, around water pipes and in corners.

Outdoors: Place a few drops of Victor® Liquid Ant Killer near ant trails, nests or where ants are seen entering the building. Victor® Liquid Ant Killer can also be applied to small pieces of waxed paper, cardboard, or foil and placed where ants are seen. Small drops can be applied directly to ant nests and in cracks and crevices along window and doorsills. Ants typically follow defined trails from the nest to food and water. Placing Victor® Liquid Ant Killer as close to these trails as possible will improve control.



7067

EPA Reg. No. 47629-5

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

September 17, 2009

Page 3 of 3

MASTER LABEL - BACK PANEL (Page 2 of 2)

STORAGE & DISPOSAL

PESTICIDE STORAGE: Store only in original container in a cool, dry area inaccessible to children and pets. Protect from freezing and heat. Keep container tightly closed to prevent evaporation.

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.

Manufactured by:
Woodstream Corporation
69 North Locust Street
Lititz, PA 17543

EPA Reg. No. 47629-5
EPA Est. No. 44616-MO-001

1-800-800-1819 for information

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