

50932-13

10/24/2008

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

October 24, 2008

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Mark Mongiovi
Regulatory Affairs
Woodstream Corporation
69 N. Locust Street
Lititz, PA 17543-0327

RE: Product Name: Deer and Rabbit Repellent RTU Formula II
EPA Reg. No: 50932-13
Your Response to Agency Letter Dated August 27, 2008 to Revise the Language
Under "Satisfaction Guaranteed"

Dear Mr. Mongiovi:

The Biopesticides and Pollution Prevention Division is in receipt of your application for Notification under Pesticide Registration (PR) Notice 98-10 dated above. A preliminary screen of this request has been conducted for its applicability under PR Notice 98-10 and it has been determined that the action requested falls within the scope of PR Notice 98-10. Our records have been duly noted, and the label submitted with this application has been stamped "Notification, received and reviewed" and will be placed in our records accordingly.

Questions concerning this action should be directed to Ms. Diana Hudson at (703) 308-8713 or email at hudson.diana@epa.gov.

Sincerely,

Linda A. Hollis

Linda A. Hollis, Chief
Biochemical Pesticides Branch
Biopesticides and Pollution Prevention
Division (7511P)

2/a



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

August 27, 2008

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: Ms. Linda Hollis

SUBJECT: Woodstream Corporation
Deer And Rabbit Repellent RTU Formula II (EPA Reg. No. 50932-13)
Response to June 17, 2008 Agency Comments

Dear Ms. Hollis,

Please find enclosed one copy of the highlighted revised master label and one clean copy as per the subject notice dated June 17, 2008. A copy of the subject notice is also enclosed. This revised master label incorporates the label Notifications of December 11, 2007, January 17, 2008 and February 26, 2008.

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
Regulatory Affairs
Woodstream Corporation

Enclosures:

- Agency Letter dated June 17, 2008
- Copy of revised master label with changes highlighted
- Clean copy of revised master label



EPA Reg. No. 50932-13
Notification of Label Action – Response to June 17, 2008 Agency Comments
August 27, 2008
Page 1 of 7

Date Reviewed: 10/24/08
Reviewed By: D. Hudson

MASTER LABEL – FRONT PANEL (Page 1 of 1)

DEER AND RABBIT REPELLENT RTU FORMULA II

[Additional Brand Names]

Havahart® Deer & Rabbit II -Deer Away®
DeFence by Havahart® Rabbit & Deer Repellent

[Optional Logos/Marketing Claims]

- FOR organic gardening [LOGO]
- OMRI™ Listed Organic Materials Review Institute [LOGO]

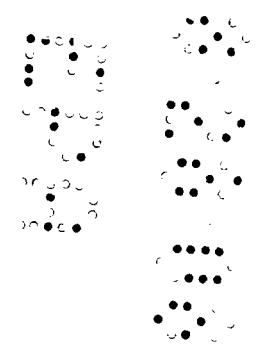
ACTIVE INGREDIENT:	By Wt.
Putrescent Whole Egg Solids.....	4.63%
OTHER INGREDIENTS:	95.37%
TOTAL:.....	100.00%

KEEP OUT OF REACH OF CHILDREN

CAUTION: (See other panel for additional precautionary statements)

Shake Well Before Using.
For Residential Use Only
Do Not Spray Directly On Plants Intended for Human Consumption

Net Contents: 16 Fl. Oz., 32 Fl. Oz., 50 Fl. Oz., 64 Fl. Oz., 128 Fl. Oz.



MASTER LABEL – BACK PANEL (Page 1 of 4)

PRECAUTIONARY STATEMENTS:

HAZARDS TO HUMANS & DOMESTIC ANIMALS

CAUTION: Causes moderate eye irritation. Avoid contact with skin, eyes, 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.

FIRST AID	
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 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 contact the National Pesticide Information center at 1-800-858-7378 for emergency medical treatment information.	

ENVIRONMENTAL HAZARDS

For terrestrial uses: Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwater or rinsate.

DIRECTIONS FOR USE:

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

USE RESTRICTIONS:

For home & garden use only. **IMPORTANT:** This product contains egg solids, which may cause allergic reactions in some individuals. Not for direct use on plants intended for human consumption (i.e. food plants). Do not allow spray to drift onto plants intended for human consumption. Use this product to repel black-tailed deer (mule deer), white-tailed deer and Roosevelt elk that browse or uproot conifer seedlings. This product can be used to repel white-tailed deer from yew, Scotch pine, arborvitae, Douglas fir, flowering crabapple, hemlock, honeysuckle, azalea, rhododendron, landscape gardens and plantings, ornamental shrubs, garden vegetables, and fruit and citrus trees. Use this product to repel rabbits from ornamentals, landscape plantings and garden vegetables. Before applying, read specific application directions and use cautions below. Store at room temperature. Protect from heat and freezing. Freezing makes Deer and Rabbit Repellent RTU Formula II unusable. This product will stain structural surfaces. Do not apply to siding, roofing, decks, fences, driveways, painted surfaces or other structural material. Do not allow spray to drift onto structural surfaces in areas of application.

MASTER LABEL – BACK PANEL (Page 2 of 4)

APPLICATION DIRECTIONS:

Before applying, read and understand all label instructions. **SHAKE WELL BEFORE USING!**

Weather Conditions: Do not apply at temperatures below 40°F, or in wet, windy conditions. Apply only in dry conditions and only under conditions favoring prompt drying of spray (lightly breezy, mild dry weather with low relative humidity). If spray is used in wet conditions or in damp, cold, foggy or misty weather, or if precipitation or freezing occurs before spray can dry, protection may be partially or completely lost.

New Conifer Seedlings: New seedlings to be protected from winter browsing must be dormant and frost hardy before treatment. Assure complete coverage of new seedlings to the point of run-off. Once planted, retreat seedlings every 6 weeks during root establishment or as needed if previous treatment appears to be fading. **Note:** Browning and drop of old needles may occur on some evergreen species after using this product.

Established Conifer Seedlings: Treat each established seedling to be protected. Hold sprayer about 10” vertically above tip of terminal shoot. Spray the terminal and first whorl to run-off. Treat each seedling to be protected.

Yew, Scotch Pine, Arborvitae, Douglas Fir, Ornamental Crabapple, Hemlock, Honeysuckle, Azalea and Rhododendron*:

To protect against winter browsing: apply repellent upon onset of browsing. If browsing extends beyond two months, seedlings may be re-treated. Apply only to vegetation that is within animals reach. Apply to the point of run-off.

To protect against spring browsing of new growth: apply repellent upon onset of browsing, but preferably after bud break and before new shoots exceed 1” in length. Do not re-treat new growth. If spring browsing reaches unacceptable proportions before bud break, repellent may be applied to unopened buds, but must then be re-applied after new growth averages 4” in length if browsing still persists. Apply to terminal to point of run-off. For large trees, apply Deer and Rabbit Repellent RTU Formula II only to lateral branches that are within animals reach.

Note: Browning and drop of old needles may occur on some evergreen species after using this product.

Ornamental Shrubs*: Do not apply during bud break or flower bloom, as foliage injury and petal drop may occur. Apply only to areas of vegetation that are within animals reach. Apply to the point of run-off.

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MASTER LABEL – BACK PANEL (Page 3 of 4)

Non-Bearing Fruit and Citrus Trees*: For use on non-bearing fruit & citrus trees only. Use when trees are dormant, not when actively growing. Do not apply during bud break or flower bloom, as foliage injury and petal drop may occur. Apply only to vegetation that is within animals reach. Apply to the point of run-off.

Landscape Gardens*: Do not apply to landscape plantings during bud break or flower bloom, as foliage injury and petal drop may occur. Apply to areas of vegetation that are within animals reach. Apply to the point of run-off.

Vegetable Gardens*: This product is not for direct application to plants intended for human consumption (i.e. food plants). For use as a perimeter spray around the area where food plants are grown. To create a repellent barrier, apply this product to soil, ground cover, bark mulch, perimeter vegetation and non-food vegetation adjacent to food plants. Do not allow spray to drift from application site onto any part of the plant that is intended for human consumption.

*Reapply every 14 days or as needed if the previous treatment appears to be fading.

STORAGE AND DISPOSAL:

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

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

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL:

If Empty: Non-refillable container. Do not reuse or refill this container. 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.

MASTER LABEL – BACK PANEL (Page 4 of 4)

Satisfaction Guaranteed

If for any reason you are not 100% satisfied, Woodstream will refund the suggested retail price or replace this product. To the extent consistent with applicable law, Woodstream will not be liable for consequential damages any damage, direct or incidental. Refund or replacement product is our only obligation under this guarantee. Call 1-800-800-1819 ext. 490.

Manufactured For:



Woodstream Corporation
69 North Locust Street
Lititz, PA 17543
For Information call 800-800-1819

Made in USA, Printed in USA

EPA Reg. No. 50932-13
EPA Est. No. 63416-MO-001
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MASTER LABEL – OPTIONAL CLAIMS (Page 1 of 2)

[Additional - Optional Marketing/Advertising Claims]

- FOR ORGANIC GARDENING [LOGO]
- OMRI LISTED™ ORGANIC MATERIALS REVIEW INSTITUTE [LOGO]
- For repelling Black-Tailed deer (mule deer), White-Tailed deer and Roosevelt elk from seedlings, ornamentals, garden vegetables, and fruit and citrus trees.
- Repels rabbits from ornamentals
- Repels by odor
- Creates an odor barrier to protect garden vegetables
- Protects garden and landscape plantings
- Protects ornamental trees and shrubs
- Ready-To-Use
- [16 Fl. OZ. (1 QT.) (946 ml)] Treats 7-9 ornamental shrubs 4' high.
- [32 Fl. OZ. (1 QT.) (946 ml)] Treats 15-18 ornamental shrubs 4' high.
- [50 Fl. OZ. (1 QT.) (946 ml)] Treats 23-28 ornamental shrubs 4' high.
- [64 Fl. OZ. (1 QT.) (946 ml)] Treats 30-36 ornamental shrubs 4' high.
- [128 Fl. OZ. (1 QT.) (946 ml)] Treats 60-72 ornamental shrubs 4' high.
- Prevent Rabbit Damage
- Protects your flower garden, ornamentals, and landscape for up to 3 months.*

*Repels deer for up to 3 months

- Works year round. **

** When used as directed

MASTER LABEL – OPTIONAL CLAIMS (Page 2 of 2)

- Ready to use – no mixing.
- Fast acting.
- Satisfaction Guaranteed
- Protects more plants than standard quart size
- Adjustable nozzle for multiple spray patterns
- 56% More Than the Quart Size
- Ready To Use Pump Sprayer
- LARGE 50oz. SIZE WITH PUMP SPRAYER