



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

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

September 26, 2012

Woodstream Corporation 69 N. Locust Street Lititz, PA 17543-0327 Attn: Mallory Garner

Subject: Notification of Label Action – Alternate Brand Name, per PR Notice 98-10.

Product Name: Deer and Rabbit Repellent RTU Formula II.

Alternate Brand Name: DeFence by Havahart® Caring Control for Pets and

Wildlife.

**EPA Registration Number**: 50932-13. Your Submission dated July 12, 2012.

Dear Ms. Garner:

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

Three (3) copies of final printed labeling must be submitted to the Agency before your product as modified, may be sold or distributed [PR Notice 82-2 and 40 CFR 156.10(a) (6)].

If you have any questions regarding this action, you may contact Mr. Sylvester George at (703) 603-0688 or via e-mail at george.sylvester@epa.gov.

Sincerely,

Linda A. Hollis

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

ease read instructions on reverse before			Form Approve	ed, OMB No. 2070		
EPA ENV	United States		☐ Regist	ration	OPP Num	Identifier
LIA Env	rironmental Protection		☐ Amend	dment	Null	ibei
	Washington, DC 204	60	Other:	NOTIFICATI	ON	
	Application	on for Pesti	cide - Section	n I		
Company/Product Number			duct Manager		3. Proposed (	Classification
50932-13		Linda 1	Hollis – Branc	ch Chief		
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Deer And Rabbit Repellen	t K1 U Formula 11	91				
5. Name and Address of Applicant (I	nclude ZIP Code)		ted Review. In			
Woodstream Corporation 69 N. Locust Street			product is simil	ar or identical	in composition	and labeling
Lititz, PA 17543-0327		to:	No			
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Check it this is a new ac	duress	Section -			9/26	
Π		Section -		Da	te:	10
Amendment – Explain below.		-		bels in response t	o Agency letter di	ated
Resubmission in response to A	agency letter dated		"Me Too" Applic		Same	ster George
Notification – Explain below.  Explanation: Use additional	( ) ' (	<u></u>	Other - Explain		U	/
Notification of Label Action 1					DI	0 11
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3. Title

**Product Compliance Specialist** 

7-12-12

**Mallory Garner** 

2. Signature

4. Typed Name

# **ATTACHMENT TO NOTIFICATION DATED 7-12-12**

EPA Reg No.: 50932-13

Notification of Label Action Per PR-Notice 1998-10:

**Alternate Brand Name** 

MASTER LABEL - FRONT PANEL (Page 1 of 1)

[Additional Brand Names]

Havahart® Deer & Rabbit II -Deer Away®

DeFence by Havahart® Rabbit & Deer Repellent

DeFence by Havahart® Caring Control for Pets and Wildlife Rabbit & Deer Repellent

DeFence by Havahart® Caring Control for Pets and Wildlife

## Other Minor Revisions

[Optional Logos/Marketing Claims]

FOR organic gardening [LOGO]
OMRI® Listed Organic Materials Review Institute [LOGO]
Rabbit & Deer Repellent

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.

7-12-12

Mallory Garner

**Product Compliance Specialist** 

Woodstream Corporation



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

## July 12, 2012

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** 

Deer And Rabbit Repellent RTU Formula II (EPA Reg. No. 50932-13)

Notification of Label Action per PR-Notice 1998-10

Enclosed please find a Notification of Label Action per PR-Notice 1998-10 to add an alternate brand name and for other minor revisions to the subject product. Also please find one copy of the highlighted revised master label and one clean copy for your records.

If you have any questions and/or need any additional information, please call me at (717) 626 -2125 ext: 209 or email mgarner@woodstream.com.

Sincerely,

Mallory Garner

**Product Compliance Specialist** 

Woodstream Corporation

**Enclosures:** 

Notification of Label Action Copy of revised master label with changes highlighted Clean copy of revised master label



























EPA Reg. No. 50932-13 Notification of Label Action – Alternate Brand Name/ Other Minor Revisions July 12, 2012 Page 1 of 7

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
DeFence by Havahart® Caring Control for Pets and Wildlife Rabbit & Deer Repellent
DeFence by Havahart® Caring Control for Pets and Wildlife

# [Optional Logos/Marketing Claims]

- FOR organic gardening [LOGO]
- OMRI® Listed Organic Materials Review Institute [LOGO]
- Rabbit & Deer Repellent

**Notification Accepted** 

Date: 9/26/2012
Reviewer: Sylvyta George

ACTIVE INGREDIENT:	By Wt.
Putrescent Whole Egg Solids	4.63%
OTHER INGREDIENTS:	
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> <li>Take off contaminated clothing.</li> <li>Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>			
If in eyes:	<ul> <li>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.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>			
going for treatment. You r	or or label with you when calling a poison control center or doctor, or may also contact the National Pesticide Information center at 1-800-nedical 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.

EPA Reg. No. 50932-13 Notification of Label Action – Alternate Brand Name/ Other Minor Revisions July 12, 2012 Page 3 of 7

## 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 runoff. 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\*:

<u>To protect against winter browsing</u>: 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.

EPA Reg. No. 50932-13 Notification of Label Action – Alternate Brand Name/ Other Minor Revisions July 12, 2012 Page 4 of 7

## 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:

**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

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

**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.

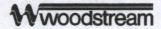
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# MASTER LABEL - BACK PANEL (Page 4 of 4)

#### **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 any consequential damages. 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-MN-001 © Copyright 2007 Woodstream Corporation

# MASTER LABEL - OPTIONAL CLAIMS (Page 1 of 2)

## [Additional - Optional Marketing/Advertising Claims]

FOR ORGANIC GARDENING

[LOGO]

OMRI LISTED<sup>™</sup> 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

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# 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
- www.havahart.com