

50932-13

9/26/2012

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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)

2/11



United States
Environmental Protection Agency
 Washington, DC 20460

- Registration
 Amendment
 Other: NOTIFICATION

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 50932-13	2. EPA Product Manager Linda Hollis - Branch Chief	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Deer And Rabbit Repellent RTU Formula II	PM# 91	
5. Name and Address of Applicant (Include ZIP Code) Woodstream Corporation 69 N. 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 _____	

Notification Accepted

Section - II

Date: 9/26/2012

- Amendment - Explain below. Final printed labels in response to Agency letter dated _____
 Resubmission in response to Agency letter dated _____ "Me Too" Application
 Notification - Explain below. Other - Explain below

Reviewer: Sylvester George

Explanation: Use additional page(s) if necessary. (For Section I and Section II.)

Notification of Label Action Per PR-Notice 1998-10: Alternate Brand Name and Other Minor Revisions- Please reference the 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
*Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 16oz, 32oz, 50oz, 64oz, 128oz		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 checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other _____					

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)		
Name Chad L. Mateer	Title Regulatory Affairs Manager	Telephone No: (Include Area Code) 717-626-2125 x426
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)
2. Signature <u>M Garner</u>	3. Title Product Compliance Specialist	
4. Typed Name Mallory Garner	5. Date 7-12-12	

3/11

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]

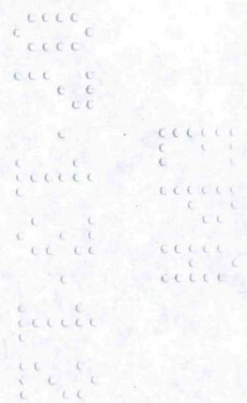
FOR organic gardening [LOGO]
OMRI® Listed Organic Materials Review Institute [LOGO]
Rabbit & Deer Repellent

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.

MGarner

7-12-12

Mallory Garner
Product Compliance Specialist
Woodstream Corporation



4/11



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



5/11

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: *Sybilta George*

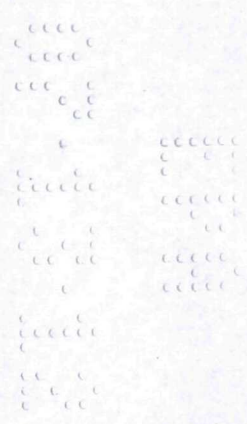
ACTIVE INGREDIENT:	By Wt.
Putrescent Whole Egg Solids.....	4.63%
OTHER INGREDIENTS:	<u>95.37%</u>
TOTAL:.....	100.00%

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.



6/11

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.
<p>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.</p>	

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.

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7/11

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.

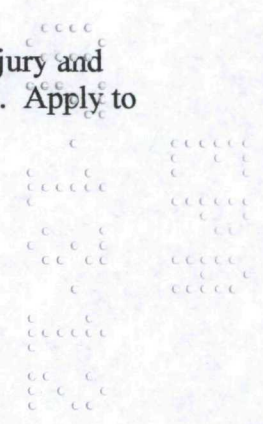
Yew, Scotch Pine, Arborvitae, Douglas Fir, Ornamental Crabapple, Hemlock, Honeysuckle, Azalea and Rhododendron*:

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.



10 / 11

MASTER LABEL – OPTIONAL CLAIMS (Page 1 of 2)

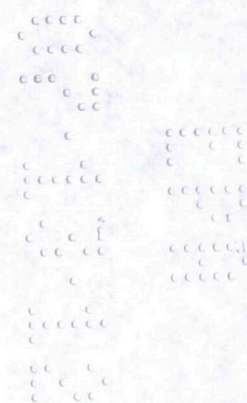
[Additional - Optional Marketing/Advertising Claims]

- 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



11 / 11

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

