

S1147-10

11-02-2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460-0001

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

November 2, 2010

Mr. Micah T. Reynolds,
Regulatory Consultant for
Vertellus Performance Materials, Inc.
c/o Technology Sciences Group, Inc.
1150 18th Street N.W., Suite 1000
Washington, DC 20036-3840

**Subject: Label Notification(s); Pesticide Registration Notification (PRN) 98-10
MORPEL® Intermediate 5734, EPA Reg. No. 51147-10
Your Submission Dated September 17, 2010**

Dear Mr. Reynolds:

The Agency is in receipt of your application for Pesticide Notification under Pesticide Registration Notification (PRN) 98-10, dated September 17, 2010, for the referenced product. The Registration Division has conducted a review of this request for its applicability under PRN 98-10, and finds that the action(s) requested fall within the scope of PRN 98-10.

Please be reminded that 40 CFR §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 non-refillable containers. The code may appear either on the label (and can be added by non-Notification/PRN 98-10) or durably marked on the container itself.

The label submitted with this application has been time-stamped "Notification," and will be placed within the administrative file for this product. If you have any questions, please contact Mr. Carmen Rodia at (703) 306-0327 or via e-mail at Rodia.Carmen@epa.gov.

Sincerely yours,

A handwritten signature in black ink, which appears to read "Richard Gebken", is written over the typed name.

Richard J. Gebken
Product Manager (10)
Insecticide Branch
Registration Division (7504P)



United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☐ Amendment
☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 51147-10	2. EPA Product Manager Richard Gebken	3. Proposed Classification ☒ None ☐ Restricted
4. Company/Product (Name) MORPEL Intermediate 5734	PM# 10	
5. Name and Address of Applicant (Include ZIP Code) Vertellus Performance Materials Inc. 2110 High Point Road Greensboro, NC 27403 ☐ 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. _____ NOTIFICATION Product Name NOV - 2	

Section - II

☐ 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.

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

This notification is to update the primary brand name due to a transfer from MGK to Vertellus Performance Materials for this product. 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 U.S.C. Sec. 1001 to willfully make any false statement 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 ☐ Yes ☒ No	Unit Packaging ☐ Yes ☒ No	Water Soluble Packaging ☐ Yes ☒ No	☒ Metal ☒ Plastic ☐ Glass ☐ Paper ☐ 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 ☐ Label ☒ Container		4. Size(s) Retail Container		5. Location of Label Directions ☒	
6. Manner in Which Label is Affixed to Product ☒ Lithograph ☒ Paper glued ☐ Stenciled		☐ Other _____			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Micah T. Reynolds, Technology Sciences Group, Inc.	Title Regulatory Consultant	Telephone No. (Include Area Code) (202) 828-8667
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 	3. Title Regulatory Consultant to Vertellus Performance Materials	
4. Typed Name Micah T. Reynolds	5. Date September 17, 2010	



TECHNOLOGY
SCIENCES
GROUP
INC.

Fax 202 872-0745

September 17, 2010

NOTIFICATION

NOV - 2 2010

RE: MORPEL® Intermediate 5734
EPA Reg. No. 51147-10

Notification to update the primary brand name resulting from the transfer of the product registrations from MGK (EPA Company Number 1021) to Vertellus Performance Materials, Inc. (EPA Company Number 51147)

Fax 530 757-1299

Dear Mr. Gebken:

Technology Sciences Group, Inc., on behalf of Vertellus Performance Materials, Inc. (Vertellus), is submitting the enclosed notification to update the primary brand name for the above referenced product. Several product registrations, previously owned by MGK Company were transferred to Vertellus (EPA transfer letter dated July 22, 2010 included). Additionally, the new EPA Registration number and registrant information is included on the revised label.

Enclosed in this submission, please find:

- 1) EPA Notification form (EPA Form 8570-1)
- 2) One copy of the revised label with changes marked
- 3) Three clean copies of the revised label

K1P 5H9

Fax 613 236-3754

If you have any questions or require additional information or clarification, please do not hesitate to contact me by phone at (202) 828-8967 or by e-mail at mreynolds@tsqusa.com.

Sincerely,


Micah T. Reynolds

Micah T. Reynolds
Regulatory Consultant to Vertellus Performance Materials Inc.

E-mail tsg@tsgusa.com

<http://www.tsgusa.com>



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

July 22, 2010

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

MS. HEATHER R. BJORNSON
TECHNOLOGY SCIENCES GROUP INC., AGENT FOR
VERTELLUS PERFORMANCE MATERIALS INC.
1150 18TH ST., N.W., SUITE 1000
WASHINGTON, DC 20036-

NOTIFICATION

NOV - 2 2010

Dear Ms. Bjornson:

Subject: Transfer of Pesticide Registrations and Data From Company Number 1021 to Company Number 51147

Pursuant to your request in your letter and transfer agreement of May 21, 2010, we have approved the transfer of the following registrations from **MCLAUGHLIN GORMLEY KING CO.**, company number **1021** to **VERTELLUS PERFORMANCE MATERIALS INC.**, company number **51147**.

The effective date of these changes is the date of this letter.

<u>Registered Products</u>	<u>Old EPA Reg. No.</u>	<u>New EPA Reg. No.</u>
MGK REPELLENT 326	1021-461	51147-9
PYROCIDIC INTERMEDIATE 5734	1021-567	51147-10
MGK DIETHYL TOLUAMIDE	1021-891	51147-11
MGK INTERMEDIATE 2007	1021-1290	51147-12
MGK INSECT REPELLENT SPRAY 2559	1021-1600	51147-13
AQUAPEL 50% DEET CONCENTRATE 2741	1021-1703	51147-14
AQUAPEL 25% DEET INSECT REPELLENT PUMP SPRAY 27411	1021-1706	51147-15
INSECT REPELLENT TOWELLETTE 2843	1021-1813	51147-16
MGK AQUAPEL PUMP SPRAY 27412	1021-1818	51147-17
MGK AQUAPEL PUMP SPRAY 27413	1021-1819	51147-18
MGK PRESSURIZED REPELLENT SPRAY 2850	1021-1825	51147-19
MGK PRESSURIZED REPELLENT SPRAY 2853	1021-1829	51147-20
MGK PRESSURIZED REPELLENT SPRAY 2854	1021-1830	51147-21
MGK REPELLENT 326, II	1021-1860	51147-22
OUTDOOR FAMILY INSECT REPELLENT	1021-2554	51147-23

You should indicate the new company designation, new EPA Registration Number and new Establishment Number (if it has changed) on the labeling at the next printing which should occur no later than 18 months after the effective date of this transfer. After 18 months, any product released for shipment must bear the new Registration Number and Establishment Number. If you intend to use the labels which currently appear on the transferor's product after the effective date of the transfer, but within the 18 month grace period, you must maintain complete and accurate records which identify by batch number, lot number, or other suitable description the quantities of such product bearing the transferor's label. Each container or package bearing the transferor's label which is released after the effective date of product registration transfer, must be clearly and accurately marked with the batch number, lot number or other descriptive designation used to identify the product in your records.

Supplemental distribution agreements of registered products do not transfer with the Section 3 registration. It is your responsibility as the registrant to notify any and all supplemental distributors of the transferred product(s) of this transfer agreement. If you wish to enter into supplemental distribution agreements of your product(s) under this new registration, the form "Notice of Supplemental Distribution of a Registered Pesticide Product," EPA Form 8570-5, must be submitted to the Agency for each supplemental distributorship.

You are required to contact your local EPA Regional Office to determine what effect this transfer of pesticide registrations has on the pesticide production establishment registration.

It will not be necessary to submit labeling for review if the only changes are in the company designation and the EPA Registration Number. Other changes in the product and/or labeling may require EPA review and approval prior to distribution or sale of the product containing the new registration number. In any correspondence on these products always refer to the U.S. EPA Registration Number listed above.

The transferred registration will have the same status under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, 7 USC 136 et seq., as it had prior to the approval of this transfer.

When registrations are transferred from one company to a second company, all restrictions, data requirements, conditions (suspensions), and deadlines existing on the registrations are transferred with the registrations. The new company is responsible for adhering to or complying with all such restrictions, etc. on the acquired products.

In regard to deadlines, the transferee company is responsible for submitting all required data according to the schedules already established for the acquired products. Failure to do so will result in the issuance of a Notice of Intent to Suspend. Requests from transferee companies for additional time to submit, because they acquired the registration(s) after the 3(c)(2)(B) request was issued will not be granted. If a transferee company has other valid reasons for delays in the testing which were clearly outside of their control, then such requests for time extensions will be considered in accordance with the established procedures. Transfers occurring while a 3(c)(2)(B) request is being issued or during the 90-day response time are subject to the same conditions expressed above.

Registration is in no way to be construed as an endorsement or approval of these products

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 FIFRA.

Furthermore, the transfer of the subject registrations is approved under the condition that the annual maintenance fee obligation has been fully satisfied. The marginal maintenance fee is determined based solely on the total number of active section 3 and section 24(c) registrations held by the transferor. If the annual maintenance fee has not been fully satisfied, the transferee and transferor will be notified to comply within a specified time period or the affected registrations may be canceled.

The Agency acknowledges it has received a request for data transfer dated May 21, 2010, to transfer data ownership from the transferor to the transferee. The data transfer is effective the date of this letter. After this date **VERTELLUS PERFORMANCE MATERIALS INC.** will be considered the data owner. This action will not automatically reflect on the Data Submitters List. If you want to be added to the Data Submitters List, you must submit a request to:

Document Processing Desk (DSL)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

By copy of this letter we are informing the transferor of these changes. If you have any questions about this transfer approval please contact Louis Vaughn at (703) 308-8114.

Sincerely,

Sincerely,

Steve Robbins, Chief
Information Services Branch
Information Technology & Resource Management Div. (7504P)

cc: MR. THOMAS A. LENNAN
MCLAUGHLIN GORMLEY KING CO
D/B/A MGK
8810 TENTH AVE NORTH
MINNEAPOLIS, MN 55427-4319

RE: L 1021 RAD 51147 07 22 2010



**Vertellus
Performance
Materials Inc.**

2110 High Point Road / Greensboro, North Carolina 27403 U.S.A. - Telephone (336) 292-1781

MORPEL® Intermediate 5734

An Insecticide for Manufacturing Use Only

Only for formulation into an Insect Repellent for the Following Uses: Indoor Residential or Indoor Non-Food Area."

ACTIVE INGREDIENTS:

DEET	70.00%
* N-Octyl bicycloheptene dicarboximide	20.00%
** Di-n-propyl isocinchomeronate	10.00%
	100.00%
* MGK® 264, Insecticide Synergist	
** MORPEL® Repellent 326	

MORPEL® - Registered trademark of Vertellus Performance Materials Inc.

MGK® - Registered Trademark of McLaughlin Gormley King Company

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID

IF IN EYES:	- 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 eyes. - Call a poison control center or doctor for treatment advice.
IF SWALLOWED:	- Call a poison control center or doctor immediately for treatment advice. - Have a person sip a glass of water if able to swallow. - Do not induce vomiting unless told to do so by a poison control center or a doctor. - Do not give anything by mouth to an unconscious person.
IF ON SKIN OR CLOTHING:	- 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.
Have the product container or label with you when calling a poison control center or doctor or going for treatment. For information regarding medical emergencies or pesticide incidents, call at 1-877-852-0086	

Net Contents _____

Manufactured by:
Vertellus Performance Materials Inc.
2110 High Point Road
Greensboro, NC 27403

EPA Reg. No. 51147-10

EPA Est. No. 51147-NC-1

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

CAUTION

Harmful if swallowed or absorbed through skin. Causes moderate eye irritation. Wear goggles, face shield or safety glasses. Avoid contact with skin, eyes, or on clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove and wash contaminated clothing before reuse.

ENVIRONMENTAL HAZARDS

This product is highly toxic to fish. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product into sewer systems without previously notifying the sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

DIRECTIONS FOR USE

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

Only for formulation into an insect repellent for the following uses: Indoor residential or indoor non-food areas.

This product may not be used to formulate products for the following uses: 1) food producing livestock - direct applications to meat and dairy animals, treatment of occupied premises or when animal food or feed is present; 2) growing crops - edible crops and pre- and post-harvest sprays; 3) fumigated commodities; and 4) aquatic uses.

For formulations of this product intended for human use, the maximum percent of active ingredient in any formulation type is 2.5.

This product may be used to formulate products for specific use(s) not listed on the MP label if the formulator, user group, or grower has complied with U.S. EPA data submission requirements regarding the support of such use(s).

Mix well in drum before sampling and each use.

NOTIFICATION

NOV - 2 2010

2/2

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Keep this product in its tightly closed original container, when not in use. Store in cool, dry, well-ventilated (preferably locked) area that is inaccessible to children and animals.

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

CONTAINER DISPOSAL: Non-refillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Offer for recycling if available, or reconditioning if appropriate, or puncture and dispose of in a sanitary landfill or by other procedures approved by state and local authorities.

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