



OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

WASHINGTON, D.C. 20460

February 21, 2024

Cynthia A. Smith
Agent
The Fountainhead Group, Inc.
23 Garden Street
New York Mills, NY Zip 13417-1318

Subject: CSF and Notification per PRN 98-10 – Multiple Changes Including New ABN
Product Name: FGI Garden RTU Spray Insecticide
EPA Registration Number: 53853-6
Application Date: 11/14/23
Case Number: 491107

Dear Cynthia A. Smith:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above referenced product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10.

The label submitted with the application has been stamped “NOTIFICATION” and placed in our records. The alternate brand name, “**Burgess COLD WATER-BASED INSECTICIDE**” has been added to the product record.

Should you wish to add/retain a reference to the company’s website on your label, then please be aware that the website becomes labeling under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) lists examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product’s label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA’s Office of Enforcement and Compliance.

The Confidential Statement(s) of Formula (CSF) submitted with the application has been stamped “NOTIFICATION” and placed in our records.

Please note that the record for this product currently contains the following CSF:

- Basic CSF dated 11/14/2023

Any CSFs other than those listed above are superseded/no longer valid.

If you have any questions, please contact Eric Ingram at 202-566-0061 or at ingram.eric@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kable Bo Davis', enclosed within a hand-drawn oval.

Kable Bo Davis
Senior Regulatory Specialist
Office of Pesticide Programs
Registration Division, Immediate Office

Enclosure

11/14/2023 proposed amended label based upon (1) the 02/22/2022 stamped ACCEPTED label and (2) 09/22/2022 and 05/01/2023 EPA accepted alternate brand names. Adds (1) new alternate brand name; (2) "Manufactured by" before the company name and address; (3) "First Aid" to the front panel referral statement; and (4) trademark statements. Corrects typo. Changes the EPA Est. No. per concurrent CSF notification to reflect new filler. Notes some current text is optional per the Label Review Manual. Deletes redundant text.

[] indicates optional text. {Explanatory text for the reviewer}

FGI Garden RTU Spray Insecticide

Alternate Brand Name(s):

Burgess[®] Insecticide Formula 2

Burgess[®] READY-TO-USE INSECTICIDE FORMULA 2™

Burgess[®] COLD™ WATER-BASED INSECTICIDE

For Residential Outdoor Non-Food Use Only

{Optional text:}

- Kills [controls] ornamental garden pests for up to 7 days
- Effective [residual] [long term] control
- Kills [controls] insects on ornamental plants, shrubs, and vines for up to 7 days
- Provides rapid knock-down and kill
- Residually [controls] [kills] cockroaches, spiders, crickets and other listed crawling insects
- Water-based formula
- Ready-To-Use [Liquid]
- No Mixing
- No Measuring
- Outdoor Use
- Kills Stink Bugs, Brown Marmorated Stink Bugs (BMSB), Asian Lady Beetles and Box Elder Bugs
- Not for [sale or] [use] in California.

ACTIVE INGREDIENTS:

Permethrin

[*(3-Phenoxyphenyl) methyl (+ or -) *cis-trans*-3-(2,2-dichloroethenyl) 2,2-dimethylcyclopropanecarboxylate] 0.200%

Tetramethrin

[(1-Cyclohexene-1,2-dicarboximido) methyl 2,2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate] 0.200%

OTHER INGREDIENTS 99.600%

TOTAL 100.000%

* *Cis-trans* isomer ratio: Min. 35% (+ or -) *cis* and Max. 65% (+ or -) *trans*

KEEP OUT OF REACH OF CHILDREN CAUTION

See [Side Panel] [Back Panel] [Booklet] for [First Aid and Additional Precautionary Statements](#).

Manufactured by:

The Fountainhead Group, Inc.
23 Garden Street
New York Mills, NY 13417-1318
1-800-311-9903

Net Contents: 1 Pint (16 fl oz.)
1 Quart (32 fl. oz.)
½ Gallon (64 fl. oz.)
1 Gallon (128 fl. oz.)

EPA Reg. No. 53853-6
EPA Est. No. ~~9688-MO-4~~
[33595-MO-6](#)

NOTIFICATION

53853-6

The applicant has certified that no changes, other than those reported to the Agency have been made to the labeling. The Agency acknowledges this notification by letter dated:

02/21/2024

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| 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 Swallowed: | <ul style="list-style-type: none"> • Immediately call a poison control center or a doctor. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give any liquid to the person. • Do not give anything by mouth to an unconscious person. |
| <p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For medical emergencies, call the poison control center at 1-800-222-1222.</p> <p>[For general information on this product, call 1-800-311-9903 (Monday-Friday, 8:00 AM to 5:00 PM Eastern Time), or contact the National Pesticides Information Center (NPIC) at 1-800-858-7378, Monday through Friday, 8 AM to 12 PM PST, or at http://npic.orst.edu.]</p> | |

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Caution. Harmful if absorbed through skin or swallowed. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco, or using the toilet. Remove and wash contaminated clothing before reuse.

ENVIRONMENTAL HAZARDS

This pesticide is extremely toxic to aquatic organisms, including fish and invertebrates. Do not apply directly to water. Do not contaminate water when disposing of equipment wash waters or rinsate. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area.

This pesticide is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds while bees are actively visiting the treatment area.

This product contains a combination of ingredients that provides rapid knockdown and kill of the listed insects. This highly effective water-base formula can be used on flying and crawling insects, outdoor houseplants and ornamental pests. This product provides effective residual control.

For use in areas:

Ant Hills, Gardens, Ornamental Plants, Recreational Areas.

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Kills [Controls] flying and crawling insects [on contact]:

American Cockroach, Ants, Asian Cockroach, Asian Lady Beetles, Australian Cockroach, Biting Flies, Black Carpet Beetles, Black Flies, Box Elder Bugs, Brown Marmorated Stink Bugs (BMSB), Centipedes, Clover Mites, Cockroaches, Crickets, Earwigs, Elm Leaf Beetles, Gnats, Midges, Millipedes, Mosquitoes, Oriental Cockroach, Palmetto Bugs, Pillbugs, Scorpions, Smokey Brown Cockroach, Sowbugs, Spiders, Stink Bugs.

For use outdoors on ornamental plants, shrubs, and vines including:

African Violet, Aspidistra, Asters, Azaleas, Begonias, Bougainvillea, Caladium, Calceolaria, Calendula, Calla, Camellia, Carnation, Chinese Evergreen, Cineraria, Chrysanthemums, Coleus, Creeping Charlie, Daffodil, Dahlias, Delphiniums, Deciduous Ornamentals, Dogwood, Dracena, English Ivy, Evergreens, Fatshedera, Fatsia, Fern, Ficus, Fuchsia, Gardenia, Geranium, Gladiolus, Gypsophila, Hibiscus, Holly, Hydrangea, Iris, Ivy, Jasmine, Juniper, Lily, Marigold, Palm, Peony, Pelargonium, Petunia, Philodendron, Pine, Podocarpus, Pothos, Primula, Ranunculus, Rhododendron, Rose, Salvia, Schefflera, Snapdragon, Spathiphyllum, Spider Plant, Sweet Pea, Tulips, Viola, Wandering Jew, Yew, Zinnia.

Kills [Controls] plant insects [on contact]:

Aphids, Armyworms, Asian Lady Beetles, Box Elder Bugs, Brown Marmorated Stink Bugs (BMSB), Cankerworms, Eastern Tent Caterpillars, Flea Beetles, Gypsy Moth [adult & larvae], Inchworms, Japanese Beetles, Lace Bugs, Leaf Beetles, Leaf Miners, Leaf Hoppers, Leafrollers, Leaf tiers, Mealy Bugs, Oleander Caterpillar, Psyllids, Red Spider Mites, Rose Chafer, Southern Army Worms, Stink Bugs, Tarnished Plant Bugs, Tent Caterpillars, Thrips.

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DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.
READ ALL DIRECTIONS COMPLETELY BEFORE USE.

SHAKE WELL BEFORE USE. HOLD APPLICATOR UPRIGHT. APPLY DIRECTLY TO PLANT AND/OR TARGET PEST SPECIES.

For best results, follow directions for specific use areas.
For plants, spray a few leaves and wait 24 hours before spraying entire plant.

USE RESTRICTIONS:

- Do not allow adults, children, or pets to enter the treated area until sprays have dried.
- Do not apply this product in a way that will contact adults, children, or pets, either directly or through drift.
- Do not apply when food is present.
- DO NOT CONTAMINATE FOOD AREAS. Avoid contamination of food and feedstuffs.
- Do not use this product in or on electrical equipment due to possibility of shock hazard.F
- Do not use on animals.
- Do not apply directly to impervious horizontal surfaces such as sidewalks, driveways, and patios except as a spot or crack-and-crevice treatment.
- Spot treatments must not exceed two square feet in size (for example, 2 ft. by 1 ft or 4 ft. by 0.5 ft.).
- To treat insects harbored in voids and cracks-and-crevices, applications must be made in such a manner to limit dripping and avoid runoff onto untreated structural surfaces and plants.
- Do not allow the product to enter any drain during or after application.
- Not for use on plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes.
- Do not make applications during rain. Avoid making applications when rainfall is expected before the product has sufficient time to dry (minimum 4 hours). Rainfall within 24 hours after application may cause unintended runoff of pesticide application.
- Do not spray the product into fish pools, ponds, streams, or lakes. Do not apply directly to sewers or storm drains, or to any area like a drain or gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur.
- ~~• Do not allow the product to enter any drain during or after application.~~
- ~~• Do not apply directly to impervious horizontal surfaces such as sidewalks, driveways, and patios except as a spot or crack and crevice treatment.~~
- Do not apply or irrigate to the point of runoff.
- Not for use in outdoor residential misting systems.
- For soil or foliar applications, do not apply by ground within 25 feet of lakes, reservoirs, rivers, permanent streams, marshes or natural ponds, estuaries and commercial fish farm ponds.

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OUTDOOR USE:

All outdoor spray applications must be limited to spot or crack-and-crevice treatments only, except for the following permitted uses:

1. Application to pervious surfaces such as soil, lawn, turf, and other vegetation;
2. Perimeter band treatments of 7 feet wide or less from the base of a man-made structure to pervious surfaces (e.g., soil, mulch, or lawn);
3. Applications to underside of eaves, soffits, doors, or windows permanently protected from rainfall by a covering, overhang, awning, or other structure;
4. Applications around potential exterior pest entry points into man-made structures such as doorways and windows, when limited to a band not to exceed one inch;
5. Applications to vertical surfaces (such as the side of a man-made structure) directly above impervious surfaces (e.g., driveways, sidewalks, etc.), up to 2 feet above ground level;
6. Applications to vertical surfaces directly above pervious surfaces, such as soil, lawn, turf, mulch or other vegetation) only if the pervious surface does not drain into ditches, storm drains, gutters, or surface waters.

Caution should be taken to avoid spraying when wind conditions could create a mist to blow back to applicator. Do not apply when the wind speed is greater than 15 mph.

Spray the surface areas and contact as many insects as possible.

FLIES, GNATS, MOSQUITOES, SMALL FLYING MOTHS, Midges, Small Flying Insects, Sand Flies, Black Flies, Biting Flies, Deer Flies, Face Flies, Horse Flies, House Flies, Stable Flies, Vinegar Flies, Fruit Flies, and other listed flying insects:

Hold applicator nozzle 12-18 inches from shrubs, bushes, grassy areas and other areas infested with these pests. Spray with a slow sweeping motion. To reduce annoyance from these pests, treat surfaces of open porches, patio area, screens, window frames, doors and other areas where these pests may light or congregate in a similar manner. Allow spray to dry before occupying the treated area.

ANTS:

Spray ant trails, ant hills, ant mounds and other areas of entry and infestation. Spray on ants where possible.

SPIDERS:

Spray directly on spiders and webs.

SOWBUGS, MILLIPEDES, BEETLES, EARWIGS, Ground Beetles, Elm Leaf Beetles, Box Elder Bugs, Earwigs, Clover Mites, Pillbugs, Centipedes, Scorpions, Cockroaches, Crickets, Palmetto Bugs, Waterbugs:

Thoroughly spray surfaces of open porches, patio area, screens, window frames, doors and other areas where these pests may light or congregate. Thoroughly spray into hiding places such as cracks, crevices, moist areas, openings around pipes, spigots, storage areas, sheds and other areas where these pests tend to congregate.

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GARDEN PESTS: NOT FOR USE ON EDIBLE CROPS

[Kills] [Controls] plant insects [on contact]:

Aphids, Armyworms, Asian Lady Beetles, Box Elder Bugs, Brown Marmorated Stink Bugs (BMSB), Cankerworms, Eastern Tent Caterpillar, Flea Beetles, Gypsy Moths [adult & larvae], Inchworms, Japanese Beetles, Lace Bugs, Leaf Beetles, Leaf Miners, Leafhoppers, Leafrollers, Leaf tiers, Mealy Bugs, Mites, Oleander Caterpillars, Psyllids, Red Spider Mites, Rose Chafer, Southern Army Worms, Stink Bugs, Tarnished Plant Bugs, Thrips.

For use outdoors on listed ornamental plants, shrubs, and vines including:

African Violet, Aspidistra, Asters, Azaleas, Begonias, Bougainvillea, Caladium, Calceolaria, Calendula, Calla, Camellia, Carnation, Chinese Evergreen, Cineraria, Chrysanthemums, Coleus, Creeping Charlie, Daffodil, Dahlias, Delphiniums, Deciduous Ornamentals, Dogwood, Dracena, English Ivy, Evergreens, Fatsyhedera, Fatsia, Fern, Ficus, Fuchsia, Gardenia, Geranium, Gladiolus, Gypsophila, Hibiscus, Holly, Hydrangea, Iris, Ivy, Jasmine, Juniper, Lily, Marigold, Palm, Peony, Pelargonium, Petunia, Philodendron, Pine, Podocarpus, Pothos, Primula, Ranunculus, Rhododendron, Rose, Salvia, Schefflera, Snapdragon, Spathiphyllum, Spider Plant, Sweet Pea, Tulips, Viola, Wandering Jew, Yew, Zinnia.

WHEN SPRAYING, HOLD APPLICATOR NOZZLE 12 INCHES FROM PLANT.

Water plant thoroughly before spraying. Do not spray a drought stressed plant. Rare or unusual varieties of plants should be sprayed on a few leaves to assure plant safety before spraying the entire plant. Care should be taken when spraying tender new growth or fuzzy leafed plants. Avoid excessive wetting of foliage with spray by spraying with a slow, sweeping motion, covering upper and lower leaf surfaces. For best results, spray in the early morning when air is still. Do not spray plants in direct hot sun or in temperatures over 90° F.

STORAGE AND DISPOSAL

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

Pesticide Storage:

Store in a cool, dry area. Always store pesticides in the original container. Store away from food and pet food.

Pesticide Disposal and Container Handling:

Nonrefillable container. Do not reuse or refill this container.

- If empty: Place in trash or offer for recycling if available.
- If partly filled: Do not pour or dispose down-the-drain or sewer. Call your local solid waste agency for local disposal options.



[NOTICE: Buyer assumes all risk of use, storage or handling of this product not in accordance with use directions.]

[Formula 2™ and COLD™ are pending trademarks of The Fountainhead Group, Inc.](#)
[Burgess® is a registered trademark of The Fountainhead Group, Inc.](#)