

53883-39

02/03/2005

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Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

| | | |
|--|---|---|
| 1. Company/Product Number 53883 - 39 | 2. EPA Product Manager George LaRocca | 3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted |
| 4. Company/Product (Name) Martin's Surrender Permethrin Granules | PM# 13 | |
| 5. Name and Address of Applicant (Include ZIP Code) Control Solutions, Inc. 5903 Genoa-Red Bluff Pasadena, TX 77507-1041 <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 _____ | |

Section - II

| | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Amendment - Explain below. | <input type="checkbox"/> Final printed labels in response to Agency letter dated _____ | NOTIFICATION FEB - 3 2005 |
| <input type="checkbox"/> Resubmission in response to Agency letter dated _____ | <input type="checkbox"/> "Me Too" Application. | |
| <input checked="" type="checkbox"/> Notification - Explain below. | <input type="checkbox"/> Other - Explain below. | |

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

Notification of Optional Marketing Language per PR Notice 98-10. See shaded area on attached labeling. 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 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 <input type="checkbox"/> Yes <input type="checkbox"/> No | Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No | Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> 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 <input type="checkbox"/> Label <input type="checkbox"/> Container | | 4. Size(s) Retail Container | | 5. Location of Label Directions <input type="checkbox"/> on label | |
| 6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input 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 Joe Blake | Title Director, Regulatory Affairs | Telephone No (Include Area Code) 800-242-55C2 |
| 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 Director, Regulatory Affairs | |
| 4. Typed Name Joe Blake | 5. Date 01-08-05 | |

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NOTIFICATION

FEB - 3 2005

Treats up to 5000 sq. Ft.

(OPTIONAL MARKETING LANGUAGE)

Treats Up To 13 Fire Ant Mounds [4 lb size only]

(OPTIONAL MARKETING LANGUAGE)

MARTIN'S SURRENDER PERMETHRIN GRANULES contains permethrin, a long lasting insecticide which provides contact and residual control for up to 4 weeks of troublesome outdoor insect pests. Controls grubs and other listed root feeding insects.

(OPTIONAL MARKETING LANGUAGE)

SPREADER SETTINGS

Spreader Settings to Apply at Listed Rate (pounds per 1000 sq. ft.)

| <u>Drop Spreaders: 2 lbs</u> | | <u>Rotary Spreaders: 2 lbs</u> | |
|------------------------------|----|--------------------------------|----|
| Ames | 12 | Ames | 12 |
| Earthway Model 73008 | 12 | Earthway | 12 |
| Precision Red Devil | 1 | Precision Red Devil | 1 |
| Scotts Accugreen AG-3 | 2 | Cyclone SB3000 | 6 |
| Scotts EvenGreen EV-1 | 6 | Scotts EasyGreen EG-3 | 26 |
| Scotts PrecisionGreen PF-4 | 5 | Scotts Speedygreen SG-3 | 5 |

Martin's Surrender Permethrin Granules

Lawn Insect Control

Kills on contact * Up to 4 week control * Protects your home from invading ants * Also stops[kills(optional wording)] spiders, roaches, ants, fleas, brown dog ticks * Grub Control * Ready to use

Kills: Grubs, Fleas, Ants, Crickets, Brown Dog Ticks, Fire Ants, Chinch Bugs, Armyworms, Billbugs, Cutworms, Earwigs, Sod Webworms and other listed insects

Active Ingredient

Permethrin [(3-phenoxyphenyl)methyl (±) cis-trans-3-(2,2-dichloroethenyl)-2,2-Dimethylcyclopropanecarboxylate] 0.25%

Inert Ingredients 99.75%

Total 100.00%

*cis-trans isomer ratio: min 35%(±) cis, max. 65% (±) trans.

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

See additional precautionary statements on back of bag.

Net Weight: Ten Pounds

PRECAUTIONARY STATEMENTS
Hazards to Humans and Domestic Animals
CAUTION

Harmful if absorbed through skin. Causes moderate eye irritation. Avoid inhalation of dust. Avoid contact with skin, eyes or clothing. Wash thoroughly after handling. Avoid contamination of food and feed.

STOP. READ ENTIRE LABEL BEFORE USE.

| FIRST AID | |
|---|---|
| Have the product container or label when calling a poison control center or doctor, or going for treatment. | |
| 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. |
| If inhaled | <ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice. |

ENVIRONMENTAL HAZARDS

This product is extremely toxic to fish. Do not apply directly to water. Drift and runoff from treated areas may be hazardous to aquatic organisms in treated areas. Do not contaminate water when disposing of equipment washwaters.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. For outdoor use around the home only.

Three Easy Steps to Use this Product

- Step #1: Determine size of the job, measure the area to be treated.
- Step #2: Use spreader setting chart to determine appropriate setting for your spreader.
- Step #3: Treat as directed in rate chart. Thorough coverage is important. Water in granules where indicated.

Food utensils such as teaspoons and measuring cups should not be used for food purposes after use with pesticides.

Note: The spreader settings listed below are approximate. Accurately weigh a few pounds into your spreader and apply to a measured area. Then adjust spreader setting if necessary, in order to assure correct rate of application.

| SPREADER SETTING NO. (Per 1000 sq. ft.) | | | |
|---|--------------------------------------|--------------------------------|-------------------------------------|
| Spreader Make and Model | Grass or Dichondra Lawns 2 pounds | St. Augustine Lawn 3 pounds | White grubs, Billbugs 2 ½ pounds |
| Central Imperial Make No. 1662-G | 6 ½ | 7 1/4 | 7 |
| Central Suburbia Lawn Spreader No. 1622-O | 6 ½ | 7 ½ | 7 |
| Cyclone Model B1 Rotary | 4 ½ | 5 | 4 3/4 |
| Greenfield Model 105 | 6 ½ | 7 1/4 | 6 3/4 |
| Ortho Drop Spreader Model 3000 | 4 ½ | 5 ½ | 5 |
| Ortho Broadcast Spreader Model 4000 | 4 ½ | 7 | 6 |
| J.C. Penny Model 6005 | 7 1/4 | 8 | 7 ½ |
| J.C. Penny Rotary Spreader | 5 | 7 | 6 |
| Scott Model 35 | 4 | 5 | 4 ½ |
| Sears Craftsman Model 671.19198 | 6 | 7 | 6 ½ |
| Spyker 24-22 Rotary | 3.6 | 3.9 | 3.75 |
| Lesco Rotary | 10(E) | 11(F) | 10(E) |
| Prizelawn CB Rotary | 3.8 | 4.2 | 4.0 |
| EarthWay 2400 Rotary | 14 | 15 | 14 |
| Cyclone Pro | 3.25 | 3.5 | 3.4 |
| Scotts R8A | F | G | G |
| Lely Broadcast | 2.3 | 2.5 | 2.4 |
| Bigfoot | F | G | F-G |

Directions for Applying Martin's Surrender Permethrin Granules

| Treatment Areas | Target Pest | Remarks | Use Rate |
|--|--|--|---|
| Band Treatment Around House Foundation | Ants, Fleas, Brown dog ticks, Millipedes, Clover mites, Roaches, Spiders, Silverfish, Sowbugs (Pillbugs), Crickets, Earwigs | These pests are commonly found around or near foundations of houses as well as in lawns. Certain of these pests may enter houses. Apply a 5-foot band of granules uniformly. Water lightly after application. | 3.2 oz. For each 100 sq. ft. area (5' by 20') |
| Overall Lawn Application for Grass and Dichondra Lawns | Ants, Armyworms, Brown dog ticks, Chinch bugs, Clover mites, Crickets, Cutworms, Earwigs, Fleas, Lawn moths (sod webworms), Leafhoppers, Millipedes, Sowbugs | Apply with a fertilizer spreader. See spreader setting chart on the side of bag. Apply when grass is dry. Water lawn lightly after application. | For application with other types of equipment, apply at the rate of 2 lbs. per 1000 sq. ft. (an area 20' by 50') or 3.2 oz. per 100 sq. ft. (an area 10' by 10'). For heavy lawns such as St. Augustine grass, the rate should be increased to 3 lbs. per 1000 sq. ft. (or 4.8 oz. per 100 sq. ft.) |
| | Grubs, Japanese beetle grubs, <i>Ataenius spretulus</i> (dung beetles) | Water grass thoroughly after application. For billbug control, apply when activity is first observed or when chewed or brown grass indicates damage from these insects. For grub control, except dung beetle, treat any time between late July and early October. For dung beetle grub control, apply in spring or early summer when damage is first noticed. Water grass thoroughly with 1/4 - 1/2 inches of water after application. Treat again in late summer or early fall if a second generation occurs. | Apply 2.5 lbs. per 1000 sq. ft. of lawn. |
| Spot Treatment | Ants | Water lightly after application. | Apply 1 1/2 teaspoons over and around each ant hill. |
| | Fire Ants | Immediately after application, water in thoroughly. A minimum of 1 gallon of water should be applied to each mound area. Apply gently to avoid disturbing ants. Use of high pressure watering equipment may disturb the ants and cause migration, reducing product effectiveness. Note: For best results, apply in cool weather, 65 - 80F, or in early morning or late evening hours. Treat new mounds as they appear. | Apply 1 cup over, and 2 ft. around each fire ant mound. |

(OPTIONAL DIRECTIONS)**OPTION A****BAND TREATMENT AROUND HOUSE****General Directions**

The following pests are commonly found around or near foundations of houses as well as in lawns. Some of these pests may enter the home. Apply a 3 to 5 foot band of granules next to the house's foundation.

INSECTS: Ants, Fleas, Brown dog ticks, Clover mites, Crickets, Earwigs, Millipedes, Sowbugs (Pillbugs)

RATE: 3.2 oz. for each 100 sq. ft. area (5 ft. by 20 ft.)

HOW TO USE: Distribute granules evenly. Water lightly after application.

SPOT TREATMENT FOR ANTS

RATE: Apply 1 - ½ teaspoons over and around each ant hill.

HOW TO USE: Water lightly after application.

OPTION B**BAND TREATMENT AROUND HOUSE**

1. **MARTIN'S SURRENDER PERMETHRIN GRANULES** kills ants, as well as fleas, brown dog ticks, clover mites, crickets, earwigs, millipedes, roaches, sowbugs (pillbugs), spiders, silverfish and other pests.
2. Break the seal and open the pop-top cap.
3. Evenly sprinkle granules in a 3 to 5 foot wide band along the foundation of your home. Granules should be spaced like the ones pictured below (show picture). Use rate = 3.2 oz. for each 100 sq. ft. Area (5'x 20').
4. Gently water treated areas.

USE TIPS

1. Try to get even coverage throughout your "barrier band".
2. Reapply after hard rains to areas where down spouts empty.

SPOT TREATMENT FOR ANTS

1. Evenly sprinkle granules over and around each ant hill.
2. Use ½ oz. (1 - ½ teaspoons) per ant hill. (NOTE: This package will effectively treat 64 ant hills.) [The note is for a 2 pound package.]
3. Gently water treated areas.

STORAGE AND DISPOSAL

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

Storage: Store in cool, dry area away from children and domestic animals.

Disposal: If empty: Do not reuse this container. Do not rinse unless required for recycling. Place in trash.

If partly filled: Call your local solid waste agency or 1-800-CLEANUP for disposal instructions. Unless otherwise instructed, place in trash. Never pour unused product down the drain or on the ground.

WARRANTY STATEMENT

NOTE: CONTROL SOLUTIONS, INC. WARRANTS THAT THIS PRODUCT CONFORMS TO THE CHEMICAL DESCRIPTION ON THE LABEL AND IS REASONABLY FIT FOR THE PURPOSES STATED ON THE LABEL WHEN USED IN ACCORDANCE WITH THE DIRECTIONS FOR USE. IT IS IMPOSSIBLE TO ELIMINATE ALL RISKS INHERENTLY ASSOCIATED WITH THE USE OF THIS PRODUCT. INEFFECTIVENESS, OR OTHER UNINTENDED CONSEQUENCES MAY RESULT BECAUSE OF SUCH FACTORS AS WEATHER CONDITIONS, PRESENCE OF OTHER MATERIALS, OR THE MANNER OR APPLICATION, ALL OF WHICH ARE BEYOND THE CONTROL OF CONTROL SOLUTIONS, INC. IN NO CASE SHALL CONTROL SOLUTIONS, INC BE LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER. EXCEPT AS EXPRESSLY PROVIDED HEREIN, CONTROL SOLUTIONS, INC. MAKES NO WARRANTIES, GUARANTIES, OR REPRESENTATIONS OF ANY KIND, EITHER EXPRESSED OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO, MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. BUYER'S OR USER'S EXCLUSIVE REMEDY, AND CONTROL SOLUTIONS, INC. TOTAL LIABILITY, SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

(Optional wording to be used in place of "Warranty Statement" above)

NOTICE: Buyer assumes all responsibility for safety and use not in accordance with directions.

Control Solutions, Inc.
5903 Genoa-Red Bluff
Pasadena, TX 77507-1041

EPA Reg. No. 53883-39
EPA Est. No. 53883-TX-002

(NOTIF 01-06-05 Opt Marketing Language)



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C O N T R O L
S O L U T I O N S
i n c o r p o r a t e d

January 8, 2005

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
Room 266A, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202-4501

Re: Notification per (PR) Notice 98-10
EPA Reg. No. 53883-39

Dear Sir or Madam:

Enclosed is a Notification for Optional Marketing Language. See underscored text, "Treats Up To 13 Fire Ant Mounds [4 lb size only]" on page 1.

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 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.

Enclosed please find:

1. Application for Pesticide (EPA Form 8570-1)
2. Copy of Label

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joe Blake'.

Joe Blake
Director, Regulatory Affairs