

53883-39

9/11/2008

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

SEP 11 2008

Ms. Amy Warren  
Regulatory Affairs Specialist  
Control Solutions, Inc.  
5903 Genoa-Red Bluff  
Pasadena, TX 77507-1041

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Ms. Warren:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated August 15, 2008 for:

**EPA Registration 53883-39**

**Martin's Surrender Permethrin Granules**

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 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 nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Joyce Edwards of my staff at 703-308-5479.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington  
Notifications & Minor Formulations Team Leader  
Registration Division (7505P)  
Office of Pesticide Programs

2/a



United States  
**Environmental Protection Agency**  
 Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	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 _____	

**NOTIFICATION**  
**SEP 11 2008**

**Section - II**

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<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 label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for 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 the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, 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	If "Yes" Unit Packaging wgt. No. per container		If "Yes" Package wgt No. per container		<input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input checked="" type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____ Bags
* Certification must be submitted							
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 2.5 gal containers, 1-55 lb bags		5. Location of Label Directions <input checked="" type="checkbox"/> on label			
6. Manner in Which Label is Affixed to Product <input checked="" 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 Amy Warren	Title Regulatory Affairs Specialist	Telephone No. (Include Area Code) 306-242-5562	
<b>Certification</b> 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 Affairs Specialist		
4. Typed Name Amy Warren	5. Date 8-15-08		



August 15, 2008

Document Processing Desk (NOTIF)  
Office of Pesticide Programs  
U.S. Environmental Protection Agency  
One Potomac Yard  
2777 S. Crystal Drive  
Arlington, VA 22202

**Re: Notification per (PR) Notice 2007-4, Labeling Revisions required by the Final Rule "Pesticide Management and Disposal"  
Martin's Surrender Permethrin Granules (EPA Reg. No. 53883-39)**

Dear Sir or Madam:

Enclosed is a Notification for (PR) 2007-4; See highlighted text on attached labeling.

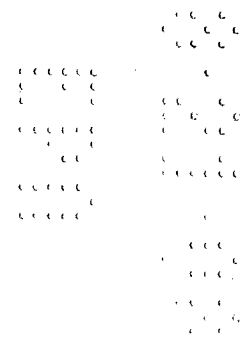
Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for 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 the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, 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.

Please note that we have also updated the Warranty Statement

If you have any questions or need additional information, please feel free to contact me.

Sincerely,

Amy Warren  
Regulatory Affairs Specialist  
Control Solutions, Inc.



4/a

Updated Storage and Disposal

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.)

Drop Spreaders: 2 lbs		Rotary Spreaders: 2 lbs	
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

[alt. name: Martin's Lawn & Perimeter Granules]

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 \* Use on All Types of Lawns

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%
<b>Total</b>	<b>100.00%</b>

\*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.

5/a

Updated Storage and Disposal

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.**

<b>FIRST AID</b>	
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"> <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 style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• 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>
If inhaled	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>

**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.

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## Updated Storage and Disposal

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 ¼	7
Central Suburbia Lawn Spreader No. 1622-O	6 ½	7 ½	7
Cyclone Model B1 Rotary	4 ½	5	4 ¾
Greenfield Model 105	6 ½	7 ¼	6 ¾
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 ¼	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

Updated Storage and Disposal

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.

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Updated Storage and Disposal

(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 - 1/2 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 1/2 oz. (1 - 1/2 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.



a/a

**STORAGE AND DISPOSAL**

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

**Pesticide Storage:** Store in original container in a dry place. Store in locked area out of reach of children.

**Pesticide Disposal:** Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spilled bait, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for Guidance.

**Container Disposal:** Non-refillable container. Do not reuse or refill this container. Empty container through use according to label instructions. Offer for recycling, if available. If recycling is not available, then dispose of container in a sanitary landfill or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

**[WARRANTY**

Read the entire Directions for Use and Warranty before using this Product. By using this product, user or buyer accepts the following warranty.

**[[The directions for use of this product are believed to adequate and must be followed carefully. It is impossible to eliminate all risks associated with the use of this product. Unintended consequences may result because of unknown factors. All such risks shall be assumed by the user or buyer.]]**

Control Solutions Inc. is committed to providing high quality products. To the extent consistent with applicable law, Control Solutions Inc. makes no warranties, express or implied, of merchantability or of fitness for a particular purpose or otherwise, that extend beyond statements on this label. To the extent consistent with applicable law, Control Solutions Inc., the manufacturer, or the Seller shall not be liable for indirect, special, incidental or consequential damages. To the extent consistent with applicable law, the exclusive remedy of the user or buyer shall not exceed the purchase price paid.]

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

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