

53883-76

10-05-2010

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Ms. Amy Warren
Control Solution, Inc.
5903 Genoa Red Bluff
Pasadena, Texas 77507-1041

OCT - 5 2010

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 September 17, 2010 for the following product(s):

Martin's Permethrin 1% Pour On Reg. No. 53883-76

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.

If you have any questions, please contact Linda A. DeLuise at 703-305-5428.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard J. Gebken".

Richard J. Gebken
Product Manager
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 53883 - 76	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Martin's Permethrin 1% Pour On	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: NOTIFICATION EPA Reg. No. <u>OCT - 5 2010</u> Product Name _____	

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 Optional Marketing Language. 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		<input checked="" type="checkbox"/> Metal	
				<input checked="" type="checkbox"/> Plastic	
				<input type="checkbox"/> Glass	
				<input type="checkbox"/> Paper	
				<input type="checkbox"/> 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 checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container pint-250 gallon tote		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 Paper glued 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) 800-242-5562	
<p align="center">Certification</p> <p>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.</p>					<p>6. Date Application Received (Stamped)</p> <p align="center">OCT 5 2010</p>
2. Signature 		3. Title Regulatory Affairs Specialist			
4. Typed Name Amy Warren		5. Date 9-17-2010			



September 24, 2010

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

**Re: Notification of Optional Marketing Language, per (PR) Notice 98-10
EPA Reg. No. 53883-76, Martin's Permethrin 1.0% Pour-On**

Dear Sir or Madam:

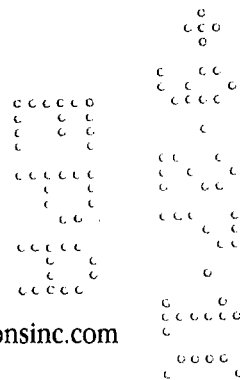
Enclosed is a Notification for Optional Marketing Language.

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.

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

Sincerely,

Amy Warren
Regulatory Affairs Specialist



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[FRONT LABEL PANEL]

MARTIN'S[®] PERMETHRIN 1.0% POUR-ON

- Pour-On Insecticide for Beef, Lactating and Non-Lactating Dairy Cattle and Sheep
- Controls Lice and Flies on Cattle; Keds on Sheep
- ~~Treats 51 Cattle (5 CWT) [For 1 Gallon Size Packaging Only]~~
- ~~Treats 128 Cattle (5 CWT) [For 2.5 Gallon Size Packaging Only]~~

ACTIVE INGREDIENT:

*Permethrin1.0%

INERT INGREDIENTS:**99.0%

TOTAL:100.00%

*Cis/trans isomers ratio: min. 45%(±) cis and max. 55%(±) trans.

**Contains petroleum distillates.

KEEP OUT OF REACH OF CHILDREN

CAUTION

See Back/Side Label Panel for Additional Precautionary Statements

NOTIFICATION

OCT - 5 2010

Net Contents _____

[BACK/SIDE PANEL]

DIRECTIONS FOR USE

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

READY TO USE - No dilution necessary.

APPLICATION INSTRUCTIONS

Pour along back line and down face. Apply ½ fl. oz. per 100 lbs. body weight of animal, up to a maximum of 5 fl. ozs. for any one animal to control Lice, Horn Flies and Face Flies. Aids in control of Horse Flies, Stable Flies, Mosquitoes, Black Flies and Ticks on lactating and non-lactating dairy cattle, beef cattle, calves and sheep.

For Keds on sheep, pour along back line over neck, shoulders and rump. Apply ¼ fl. oz. per 50 lbs. body weight of animal, up to a maximum of 3 fl. ozs. for any one animal.

Repeat treatment as needed, but do not exceed 5 fl. ozs. during any 14 day interval. For optimum lice control, two treatments at a 14 day interval are recommended.

NOTE: This product is not effective for grub control on cattle.

STORAGE AND DISPOSAL

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

Storage and Spill Procedures: Store upright at room temperature. Avoid exposure to extreme temperatures. Store in a locked area out of reach of children and domestic animals. In case of spillage or leakages, soak up with an absorbent material such as sand, sawdust, earth, Fuller's earth, etc. Dispose of with chemical waste.

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: If empty - Nonrefillable container. Do not reuse or refill this container. 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.

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

Commercial Language:

For Bulk containers: (Refillable Container) Refill this container with pesticides only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the re-filler. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or re-circulate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this procedure two more times.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if swallowed, inhaled or absorbed through skin. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling.

FIRST AID

Have the product container or label with you when calling the poison control center or doctor, or going for treatment. You may also contact SafetyCall® International (866) 897-8050 for emergency medical treatment information.

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 treatment advice.
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 swallowed	<ul style="list-style-type: none"> • Immediately call a poison control center or 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.

ENVIRONMENTAL HAZARDS

This pesticide is extremely toxic to fish and other aquatic organisms. Use with care when applying to areas adjacent to any body of water. Do not add directly to water. Do not contaminate water by cleaning of equipment or disposal of wastes. Apply product only as specified on the label.

PHYSICAL AND CHEMICAL HAZARDS

Do not use or store near heat or open flame.

NOTE: Buyer assumes all risks of use, storage or handling of this product not in strict accordance with label DIRECTIONS and PRECAUTIONS. [Optional 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 OF 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, GUARANTEES, 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.

CONTROL SOLUTIONS, INC.
5903 GENOA-RED BLUFF
PASADENA, TEXAS 77507-1041
281-892-2500

EPA Reg. No. 53883-76
EPA Est. No. 53883-TX-002