



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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES.

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

JUL 25 2008

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

Dear Ms. Warren:

The Agency is in receipt of your Applications for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated June 5, 2008 for:

**EPA Registration 53883-147      Martin's Commercial Fogging Spray**

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 Nicole Williams of my staff at 703-308-5551.

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

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

Registration  
 Amendment  
 Other

OPP Identifier Number

**Application for Pesticide - Section I**

1. Company/Product Number 53883 - 147	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Martin's Commercial Fogging Spray	PM# 10	
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: <b>NOTIFICATION</b> EPA Reg. No. _____ JUL 25 2008 Product Name _____	

**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.)

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:

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	2. Type of Container <input 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  
 Label  Container

4. Size(s) Retail Container  
1 GAL.

5. Location of Label Directions  
 on label

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 Carroll Draper	Title Registration Specialist	Telephone No. (Include Area Code) 800-242-5562
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**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.

2. Signature <i>Carroll Draper</i>	3. Title Registration Specialist	6. Date Application Received (Stamped)
4. Typed Name Carroll Draper	5. Date 06-05-08	

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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

June 5, 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 Commercial Fogging Spray EPA Reg. No. 53883-147**

Dear Sir or Madam:

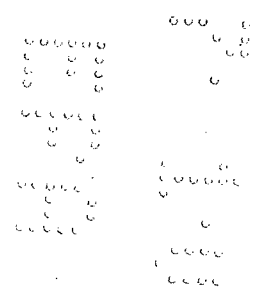
Enclosed is a Notification for (PR) 2007-4; See highlighted text on attached labeling.

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.

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

Sincerely,

Carroll Draper  
Registration Specialist  
Control Solutions, Inc.



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# NOTIFICATION

JUL 25 2008

Martin's

## COMMERCIAL FOGGING SPRAY

- A synthetic pyrethroid for controlling the following small flying insects and crawling insects: houseflies, mosquitoes, gnats, fruit flies, flying moths (millers), wasps, hornets, yellow jackets, cockroaches, waterbugs, ants, crickets, silverfish, earwigs, spiders, grain mites, sowbugs, centipedes and millipedes.
- Oil Based Insecticide
- Controls: \*Houseflies \*Mosquitoes \*Gnats \*Fruit Flies \*Flying Moths (Millers) \*Wasps \*Hornets \*Yellow Jackets \*Cockroaches \*Waterbugs \*Ants \*Crickets \*Silverfish \*Earwigs \*Spiders \*Grain Mites \*Sowbugs \*Centipedes \*Millipedes.

### ACTIVE INGREDIENTS:

\*Resmethrin [5-(phenylmethyl)-3-furanyl] methyl 2,  
2-dimethyl-3-(2-methyl-1-propenyl) cyclopropanecarboxylate ..... 0.20%

INERT INGREDIENTS\*\* : ..... 99.80%  
Total ..... 100.00%

\*Cis/trans isomers ration: max. 30%(+/-)cis and min. 70%(+/-)trans.

\*\*Contains Petroleum Distillates

### KEEP OUT OF REACH OF CHILDREN CAUTION

### PRECAUTIONARY STATEMENTS HAZARD TO HUMANS

(See Side/Back Panel {or inside booklet} For Additional Precautionary Statements)

**CAUTION** - Harmful if swallowed or absorbed through skin. Avoid contact with skin, eyes or clothing. Avoid breathing mist. Cover or remove exposed foods. Avoid contamination of cooking utensils and food preparation surfaces. Remove pets and cover fish aquariums before spraying.

FIRST AID:	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	
IF SWALLOWED	<ul style="list-style-type: none"> <li>• Immediately call a poison control center or doctor</li> <li>• Do not induce vomiting unless told to do so by a poison control center or doctor</li> <li>• Do not give any liquid to the person</li> <li>• Do not give anything by mouth to an unconscious person</li> </ul>
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>
<b>NOTE TO PHYSICIAN:</b> Contains petroleum distillates – vomiting may cause aspiration pneumonia	
FOR CHEMICAL EMERGENCY: Spill, leak, fire, exposure, or accident call <b>CHEMTREC 1-800-424-9300</b>	

Net Contents \_\_\_\_\_

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**ENVIRONMENTAL HAZARDS**

This pesticide is highly toxic to fish. For terrestrial uses, do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Drift and runoff from treated sites may be hazardous to fish in adjacent waters. Do not contaminate water when disposing of equipment washwaters.

**PHYSICAL OR CHEMICAL HAZARDS**

Extinguish open flame before space spraying. This formulation is combustible. DO NOT USE, POUR, SPILL OR STORE NEAR HEAT OR OPEN FLAME. Store at room temperature above 32°F.

**DIRECTIONS FOR USE**

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

**IMPORTANT: READ BEFORE USE**

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following conditions, disclaimer of warranties and limitations of liability.

**CONDITIONS:** The directions for use of this product are believed to be adequate and should be followed carefully. However, it is impossible to eliminate all risks 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 use or application, all of which are beyond the control of Control Solutions, Inc. All such risks shall be assumed by the user or buyer.

**DISCLAIMER OF WARRANTIES**

CONTROL SOLUTIONS, INC. MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OR MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Control Solutions, Inc. is authorized to make any warranties beyond those container herein or to modify the warranties contained herein. Control Solutions, Inc. disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

**LIMITATIONS OF LIABILITY**

THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT CONTROL SOLUTIONS, INC. ELECTION, THE REPLACEMENT OF PRODUCT.

For use outdoors in yards, patios, around swimming pools, poultry houses. For use indoors and outside premises of hotels, motels, homes, food handling establishments, packaging and processing plants, seed houses, commercial, industrial, office, institutional and storage buildings, milk handling areas of milk plants, milk storage rooms, egg processing plants, supermarkets, restaurants, bottling plants, canneries, flour and feed mills, bakeries, boats, ship cabins, and hospitals. IN HOSPITALS, patients should be removed prior to treatment. Also for use in buses, automobiles, trucks, boxcars, ship cargo holds, and in dog kennels and horse stables. IN HORSE STABLES, NOT FOR APPLICATION IF HORSES WILL BE USED FOR FOOD.

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Food should be removed or covered during treatment. All food processing surfaces should be covered during treatment or thoroughly cleaned before using. When using the product in these areas apply only when the facility is not in operation.

Before application, remove plants and animals from area to be treated. Cover or remove fish aquariums. Remove horses before spraying stables.

### INDOORS

Thermal Applications – For use undiluted in electric, propane, or gas-powered thermo-foggers and such portable thermal applicator equipment that can deliver spray particle sizes within the aerosol-size range.

**TO KILL HOUSE FLIES, MOSQUITOES, GNATS, FRUIT FLIES, FLYING MOTHS (MILLERS):** Remove or cover exposed food and food handling surfaces. Remove animals, fish and plants. Shut off ventilating systems, air ducts, air conditioning equipment and close off room or area to be treated. Do not apply while food processing plant is occupied or in operation. Extinguish all flames and pilot lights. **APPLY AS A DRY FOG AT THE RATE OF 1-1/3 fluid ounces per 1,000 cubic feet of space.** Direct nozzle of thermal applicator toward the upper corners of the room and along the ceiling. Close off room for at least one-half hour. Do not remain in treated areas. Ventilate the area after treatment.

**SPACE SPRAY:** To kill *Houseflies, Mosquitoes, Gnats, Fruit Flies, Flying Moths (Millers):* Close off room or area to be treated. Shut off air-conditioner and ventilator system: Seal all open vents. Remove animals and plant life. Cover or remove fish aquariums. Apply undiluted as a very fine mist space spray through manually operated equipment or with electric or other powered applicators. Avoid staining by holding the spray nozzle at least five feet from objects. Direct the fine spray mist toward the upper corners of the room or area. Fill the area with a fine mist space spray at the rate of 5 fluid ounces per 5,000 cubic feet. Leave room closed for one-half hour. Ventilate thoroughly before re-entry. Sweep up and destroy insects.

**CONTACT SPRAY:** To kill *Cockroaches, Waterbugs, Ants, Crickets, Silverfish, Earwigs, Spiders, Grain Mites, Sowbugs, Centipedes and Millipedes.* Adjust spray to produce large wetting-type spray particles.

Direct spray to contact these insects in cracks and crevices in floors, baseboards, around pipes, behind cabinets and other harborages. Spray these infested areas until thoroughly wet. Repeat as necessary.

**TO KILL ANTS:** Spray around doors and window frames, ant trails and hills in addition to direct spray to contact insects.

**TO KILL SPIDERS:** Spray directly on these pests and use repeated applications to the webbing and all cracks and crevices which harbor spiders.

### OUTDOORS

Thermal Applications – This formulation is to be used undiluted in only such portable thermal applicator equipment that can deliver spray particle sizes within the aerosol-size range.

For reduction in annoyance from *Flies, Mosquitoes* and *Gnats* in yards, patios, around swimming pools, and horse stables. Hold thermal applicator at least five feet from any object, especially plants and shrubbery. Avoid wetting any plant foliage. Apply undiluted at the rate of 3 gallons per acre. Fog only when there is no breeze, or the wind velocity is less than 3 miles per hour. The ideal time is generally at dusk when the wind dies down and the air temperature and ground temperature are approximately the same. Under these conditions the fog will linger in the treated area for a longer time. Apply fog while moving away from treated area. Avoid inhalation

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of the fog. Do not enter the treated area until the fog has dissipated. Repeat application as necessary.

**CONTACT SPRAY:** To kill nuisance pests around buildings, patios and paved areas: Spray directly on insects. Avoid spraying turf or plants.

**ANTS:** Same as directed for indoor application.

**WASPS, HORNETS, YELLOW JACKETS:** Application should be made in late evening when insects are at rest. Point spray opening away from face. Aim spray at nest opening in bushes, under eaves, chimneys, cracks and crevices. Thoroughly saturate nest with spray, contacting as many insects as possible. Spray liberally into hiding and breeding places.

**EARWIGS, SOWBUGS, SPIDERS, CENTIPEDES AND MILLIPEDES:** Apply as a contact spray, as for indoor use.

TO CONTROL FLIES, MOSQUITOES AND GNATS AND CRAWLING INSECTS around premises, spray thoroughly around doors, window frames and similar areas of entry. Also thoroughly spray garbage and refuse areas, especially around poultry houses, barns, and similar areas of heavy infestation. Do not spray on turf or plants.

**STORAGE AND DISPOSAL**

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

**PESTICIDE STORAGE:** Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use close tightly.

**In case of spill:** Avoid contact, isolate area and keep out animals and unprotected persons. Confine spills.

**To confine spill:** Cover to prevent dispersal. Place damaged package in a holding container and identify contents.

**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 Metal or Plastic Container (5 Gallon or less). Do not reuse or refill this container. Triple rinse (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a tank or store for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. 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.

Control Solutions, Inc.  
5903 Genoa-Red Bluff Road  
Pasadena, TX 77507-1041  
EPA Reg. No. 53883-147  
EPA Est. No. 53883-TX-002