

53883-150

10/29/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

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

OCT 29 2009

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

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated July 9, 2009 for:

EPA Registration 53883-150

Cyper 1% Horse 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 Banza Djapao of my staff at 703-305-7269.

Sincerely,

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

2016



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 - 150	2. EPA Product Manager Venus Eagle	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Cyper 1% Horse Spray	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 _____
<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.

NOTIFICATION
OCT 29 2009

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		<input checked="" type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
		If "Yes" Package wgt	No. per container	<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 pt- 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 both under applicable law.</p>					6. Date Application Received (Stamped) _____ _____ _____ _____
2. Signature 			3. Title Regulatory Affairs Specialist		
4. Typed Name Amy Warren			5. Date 07-09-09		

3066



July 9, 2009

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504)P
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

**Re: Notification per (PR) Notice 2007-4, Labeling Revisions required by the Final Rule
"Pesticide Management and Disposal"
Cyper 1% Horse Spray (EPA Reg. No. 53883-150)**

Dear Sir or Madam:

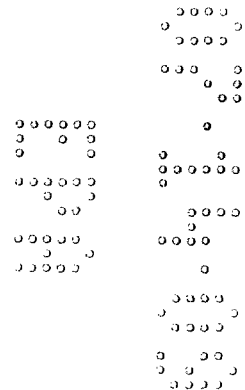
Enclosed is a Notification for (PR) 2007-4; See highlighted text on attached labeling.

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,

Amy Warren
Regulatory Affairs Specialist
Control Solutions, Inc.



CYPER 1% HORSE SPRAY
[Alt name: Martin's RELINQUISH Horse Spray]
[Alt. Name: Equi-Sense™ brand Trigger Horse Spray]

NOTIFICATION
OCT 29 2009

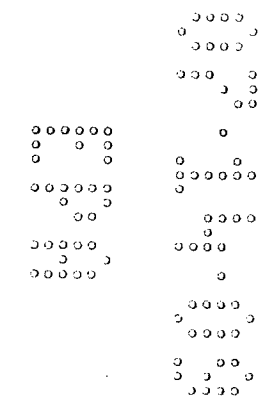
- Protects against horseflies [Optional Marketing Language]
- Specially designed sponge applicator [Optional Marketing Language for use with sponge applicator bottle]
- For Use On Horses & Ponies [Optional Marketing Language]
- Repels & Kills Mosquitoes that may transmit West Nile Virus [Optional Marketing Language]
- Water-Base Formula [Optional Marketing Language]
- Protects against Biting & Nuisance Flies, Gnats, Mosquitoes (*Culex* spp.)
- Provides repellency and quick knockdown from biting and nuisance flies, gnats and mosquitoes (*Culex* spp.) that may transmit West Nile Virus. [Optional Marketing Language]
- Sweat Resistant Fly Spray [Optional Marketing Language]
- Up to 14 days fly control [Optional Marketing Language]
- For Horses and ponies [Optional Marketing Language]
- Won't sweat off! [Optional Marketing Language]
- Unique formulation stays active [effective] and keeps working even when the horse sweat, and after rainfall. [Optional Marketing Language]
- Field tested and proven effective [Optional Marketing Language]
- Long-lasting repellency that protects and stays active for up to 14 days, even after rain. [Optional Marketing Language]
- 14-day, weather-resistant protection [Optional Marketing Language]
- Works day and night. [Optional Marketing Language]
- Weather-resistant formula remains effective even after rain
- Ready to use, Cyper 1% Horse Spray Insecticide/Repellent unique formulation stays active and keeps working even when the horse sweats, and after rainfall. Provides repellency and long lasting protection from: Horseflies, Houseflies, Stableflies, Faceflies, Hornflies, Deerflies, Gnats, Mosquitoes (*Culex* spp.) that may transmit West Nile Virus [Optional Marketing Language]
- Stays active for up to 14 days [Optional Marketing Language]
- Contains REDLINE® Technology [Optional Marketing Language]
- Citronella Scented [Optional Marketing Language]
- Contains Citronella [Optional Marketing Language]

Ready-to-use, Cyper 1% Horse Spray insecticide/repellent/ formula provides repellency, quick knockdown from flies, gnats and mosquitoes (*Culex* spp.).

ACTIVE INGREDIENTS:		
Cypermethrin, CAS #52315-07-8	1.00%	
OTHER INGREDIENTS:	99.00%	
Total:	100.00%	

KEEP OUT OF REACH OF CHILDREN
CAUTION

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS



50f6

CAUTION

Harmful if swallowed. Avoid contact with eyes, skin, or clothing. Avoid contamination of food. Wash hands with soap and water after use.

Net Contents: _____

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not apply to any body of water. 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. Not for use on horses intended for human consumption.

Shake well before using. Avoid contact with eyes or mucous membranes. Harmful if swallowed. Avoid contamination of food. To protect horses and ponies from Horse Flies, House Flies, Stable Flies, Face Flies, Horn Flies, Deer Flies, Gnats, Mosquitoes (*Culex* spp.): Thoroughly brush the horse's coat prior to application to remove loose dirt and debris. For dirty horses, shampoo and rinse thoroughly. Wait until the coat is completely dry before applying this product. Cyper 1% Horse Spray is sweat-and weather- resistant, so it keeps working when the horse sweats, and after rainfall.

[Sponge-On Application: Shake well before using. Apply Cyper 1% Horse Spray with the specially designed sponge applicator attached to the bottle. For horse's face, **avoid getting spray into horse's eyes, nose or mouth.** Apply to horse's entire body, sponging against the lay of the coat to ensure adequate coverage. *Optional text to be used when product is packed in sponge applicator bottle.*]

Spray or Wipe Application: Application should be liberal for best results. For horse's face, **always apply as a wipe** using a piece of clean, absorbent cloth, toweling (Turkish) or sponge. **Avoid getting spray into horse's eyes, nose or mouth.** Wear rubber glove or mitt when applying as a wipe. Spray or wipe horse's entire body while brushing against the lay of the coat to insure adequate coverage.

Reapply every 14 days for fly control normal conditions for initial applications. As protection builds, reapply every 14-17 days. Reapply every 5 to 7 days for mosquito repellency. Also, reapply each time animal is washed thoroughly, particularly if with shampoo or soap.

STORAGE AND DISPOSAL

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

NOTE: Buyer assumes all risk of use, storage or handling of this product not in strict accordance with directions given herein. *[Optional Marketing Language]*

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. TO THE FULLEST EXTENT PERMITTED BY LAW CONTROL SOLUTIONS, INC. SHALL NOT 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. *[Optional Marketing Language]*

Money back guarantee: If you, the consumer, are not satisfied with this product for any reason, please send your request for a refund, along with a legible copy of the original dated sales receipt showing your purchase price to the address below. Please allow 6-8 weeks for your refund. *[Optional marketing language]*

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

EPA REG NO. 53883 - 150
 EPA EST. NO. 53883-TX-002

