

AUG 11 1999

5-561698 $\frac{300}{17}$ CERTIFIED MAIL

Bushwacker Backpack and Supply Co. Inc.
c/o Delta Analytical Corp.
7910 Woodmont Ave., Suite 1000
Bethesda, MD 20814

Attention: Christina Griffin

Subject: Counter Assault Bear Deterrent
EPA Reg. No. 55541-2
Your fax of August 9, 1999
Your E-Mail of August 9, 1999
Copy of Website Downloaded August 10, 1999

The labeling submitted with the above letter is acceptable, provided that you submit one (1) copy of final printed labeling with the following changes before you release the product for shipment:

A. Cannister Label

Change the color of the Ingredient Statement text from red to black to increase readability.

B. Bag Label

In your website, delete the heading "What Sets Counter Assault Apart from Other Bear Deterrents?" and the accompanying text. See enclosure.

Under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), all of these statements would be false or misleading comparisons under 40 CFR 156.10(a)(5)(iv) and/or true statements used to give a false or misleading impression to the purchaser under 40 CFR 156.10(a)(5)(vii). See attached section of Code of Federal Regulations.

This registration will be subject to cancellation in accordance with FIFRA sec. 6(e) if you do not comply with these conditions. Your release for shipment of the product bearing the amended labeling constitutes acceptance of these conditions.

A stamped copy of the labeling is enclosed for your records.

Sincerely,



Daniel B. Peacock, Biologist
Insecticide-Rodenticide Branch
Registration Division (7504C)

cc: EPA Region 8 (Tim Osag)

Enclosures: 1. Stamped Label
2. A-79 Enclosure

C:\capsaici\55541-2(Aug 10).wpd August 10, 1999



Challenge

LABELS LIMITED

2-1050 Leathead Road, Kelowna, BC V1X 2K1
Phone: (250) 491-0033 Fax: (250) 491-0300
E-mail: labels@wkpowerlink.com

Date: May 25, 1999
Attn: Anne Carter, Counter Assault

Here for your review is a proof of the label currently on order.

If all is satisfactory please return this sheet with your signature as your approval to print.

Actual size shown is 4-7/8" x 6-3/16"

NO ONE IS PERFECT!

The purpose of this proof is for you to make sure that what you want is what we are going to print.

Please look over this example and make any necessary changes. Your approval liberates us from all responsibilities for errors.

THANK YOU!

- Proof Okay to Print
- Revise - New Proof Required
- Revise & Print

Signature: _____

Date: _____

3 of 4

ACCEPTED with COMMENTS
w/ DTP - Later Dated

05-11-1999 5634-2

DIRECTIONS FOR USE:
(continued from previous panel)

TO DISARM
Replace safety clip by pushing firmly with thumb until audible "snap" is heard (fig 3). Check to see if safety is completely in place. No gap should be visible between actuator handle and safety clip.




Fig 3

PRECAUTIONARY STATEMENTS
Hazards to Humans and Domestic Animals

DANGER:
May cause irreversible eye damage if sprayed in the eye at close range. Contact through touching or rubbing eyes may result in substantial but temporary eye injury. Strongly irritating to nose and skin. Do not get in eyes, on skin, or on clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

FIRST AID:
IF IN EYES: Hold eyelids open and flush with steady, gentle stream of water for 15 minutes. Get medical attention.


PHYSICAL OR CHEMICAL HAZARDS:
Extremely flammable. Contents under pressure. Keep away from fire, sparks and heated surfaces. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting.

STORAGE & DISPOSAL
STORAGE: STORE IN A COOL DRY PLACE INACCESSIBLE TO CHILDREN. Do not store in places where the temperature is above 120°F nor below 32°F.
DISPOSAL: When container is empty, press valve to release all pressure. Securely wrap original container in several layers of newspaper and discard in trash.

DO NOT INCINERATE OR PUNCTURE

GRIZZLY TOUGH PEPPER SPRAY

COUNTER ASSAULT
BEAR DETERRENT



To Deter Bears from Attacking Humans

NOT FOR USE ON HUMANS

KEEP OUT OF REACH OF CHILDREN

DANGER

DO NOT SEEK OUT ENCOUNTERS WITH BEARS. THIS PRODUCT IS A BEAR ATTACK DETERRENT WHICH MAY PROTECT USERS IN SOME UNEXPECTED CONFRONTATIONS WITH BEARS BUT MAY NOT BE EFFECTIVE IN ALL SITUATIONS OR PREVENT ALL INJURIES. READ THIS ENTIRE LABEL BEFORE TAKING THIS PRODUCT INTO AREAS WHERE BEARS MIGHT BE ENCOUNTERED. SEE SIDE PANELS FOR ADDITIONAL PRECAUTIONARY STATEMENTS.

Active Ingredient:	
Capsaicin and related capsaicinoids*	1.7%
Inert Ingredients	98.3%
TOTAL	100.0%

*Includes 0.71% Capsaicin and 1.02% other capsaicinoids

Derived from *Oleoresin of Capsicum*

Manufactured by:
Bushwacker Backpack and Supply Co., Inc.
dba COUNTER ASSAULT
120 Industry Court, Kalispell, MT 59901
1-800-695-3394 + (406) 257-GRIZ (4740)
CHEMICAL EMERGENCY: 1-800-535-5053

NET CONTENTS: 8.1 ounces (230g)

EPA Registration #55541-2 EPA Est No: 055541-MT-001

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

USE RESTRICTIONS: This product may be used only to deter bears which are attacking or appear likely to attack humans. Do not spray this product on objects, tents, or humans; such use has no deterrent effect on bears. Do not seek out encounters with bears or intentionally provoke them. Keep safety clip in place except when practicing with or using the product. Do not eat or allow to be eaten any food or feed materials which may have become contaminated with this product. This product has a range of up to 30 feet (9 meters). The canister empties in approximately 7 seconds.

APPLICATION DIRECTIONS: Special procedures must be followed to arm the container, apply the product and restore the safety clip to disarm the container. Before taking this product into bear country, read the directions below and familiarize yourself with these procedures. If you test-fire this container, make sure the wind is at your back and depress actuator tab for no more than half a second. Do not test-fire in area inhabited by bears. If test-fired, clean nozzle and can with soap and water to remove residue from can. If you have not used this product before, you should obtain a Counter Assault training can and practice with it until you can perform these activities quickly and accurately.

TO ARM AND APPLY
Designed for one-hand operation. Place forefinger through hole in handle with thumb on safety clip curl. With thumb, pull safety clip straight back and off (fig 1). Depress actuator tab for burst of spray (fig 2). Aim at face and eyes of bear. Depress actuator tab for 3 seconds in order to create a barrier of spray between you and the bear. Stop to evaluate the impact of wind and other factors and adjust your aim if needed before spraying again.




Fig 1

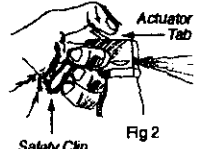


Fig 2

DIRECTIONS FOR USE CONTINUED ON NEXT PANEL →

Received
6/3/99

55541-2

TO DETERR BEARS FROM ATTACKING HUMANS
GRIZZLY TOUGH PEPPER SPRAY

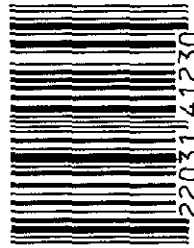
AUG 11 1999

ACCEPTED
with COMMENTS
in EPA Letter Dated



BEAR DETERRENT
COUNTER ASSAULT[®]

COUNTER ASSAULT[®]
BEAR DETERRENT



EPA Registration #55541-2

120 Industry Court, Kalispell, MT 59901
800-695-3394 406-257-GRIZ (4740)
www.counterassault.com

h/h