

PLEASE NOTE

This image contains more than one label approved for this product on this date.

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



OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

July 8, 2004

751633

R34
17

Counter Assault
120 Industry Court
Kalispell, MT 59901

Attention: Mr. Pride Johnson

Subject: Counter Assault Bear Deterrent
EPA Reg. No. 55541-2
Your amended application of November 24, 2004
Your letter of April 29, 2004
Our letters of March 15 and 24, 2004

- Purpose** The purpose of your submission is to increase the amount of active ingredient to 2%, to change sources of active, and to add a 10.2 oz can size to the existing 8.1 oz size.
- Data review** We reviewed the chemistry, acute toxicity, and efficacy (spray pattern test) and found them to be acceptable. We found the new formula to be no more irritating to the eye (Cat 2) but more irritating to skin (Cat 3 rather than Cat 4).
- Label review** These labeling comments reflect our review of your latest data, comments made in our two March 2004 letters and a review of labeling submitted November 24, 2003, and April 29, 2004.

The labeling for this product [can labels (8.1 oz and 10.2 oz sizes), clamshell insert, and two holster cards], under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) is acceptable, provided you submit one (1) copy of final printed labeling to us, with the following changes, before you ship your product.

A. Can Label (8.1 oz and 10.2 oz), November 24, 2003 Version

1. Change text in Ingredient Statement under the asterisk (*) as follows:

*Includes 1.0% Capsaicin and 1.0% related capsaicinoids

2. For the 8.1 oz can, under "USE RESTRICTIONS", change "7.2 seconds" to "7 seconds".

**Label
review-
continued**

3. For the 10.2 oz can, under "USE RESTRICTIONS", change "9.2 seconds" to "9 seconds".
4. Use the preferred presentation of the subheadings "To Arm and Apply" and "To Disarm", as in your April 29, 2004, final printed can label.
5. Use Enclosure 1 to revise your "First Aid" text.
6. Use Enclosure 2 to revise your "Storage and Disposal" text.

B. Clamshell Labeling

There are no comments.

C. Two Holster Cards

There are no comments.

**Existing
stocks**

Stocks of product with existing labels may be used for eighteen (18) months.

**Consequence
for non-
compliance**

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

Questions

If you have questions about this letter, please contact me at 703-305-5407 (by phone), 703-305-6596 (by fax), or peacock.dan@epa.gov (by E-Mail).

Sincerely yours,



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

Letter

Dan Peacock, Disk148,A:\Capsaicin\55541-2, 7-7-2004, 10 can, new source, 2% ai.wpd

Enclosure 1. First Aid Text for EPA Reg. No. 55541-2.

FIRST AID	
Have label with you when obtaining treatment advice, including 1-800-858-7378.	
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, immediately 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 immediately for treatment advice.

Enclosure 2. **Storage and Disposal** Text for EPA Reg. No. 55541-2.**STORAGE AND DISPOSAL**

STORAGE: Store in a cool, dry place inaccessible to children and pets. Do not store in places where the temperature is above 120F nor below 32F.

DISPOSAL: Do Not Puncture or Incinerate! **If empty:** Press valve to release all pressure. Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency or 1-800-CLEANUP for disposal instructions.

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.

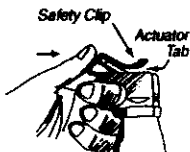


Fig 3

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 eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses after the first 5 minutes, then continue rinsing eye. Call poison control center or doctor for treatment advice. Have product container with you when calling or going for treatment. For emergency medical treatment information call 1-800-535-5053.

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: DO NOT PUNCTURE OR INCINERATE! If empty: Press valve to release all pressure then place in trash. If partly filled: Call your local solid waste agency or 1-800-CLEANUP for disposal instructions.

COUNTER ASSAULT®
GRIZZLY TOUGH PEPPER SPRAY
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 FIRST AID AND PRECAUTIONARY STATEMENTS.

Active Ingredient:
Capsaicin and related capsaicinoids* 2.00%
Other Ingredients 98.00%
TOTAL 100.00%

*Includes 1.04% Capsaicin and 0.96% related capsaicinoids.

Derived from Oleoresin of Capsicum

Manufactured by:
Bushwacker Backpack and Supply Co., Inc.
dba COUNTER ASSAULT
120 Industrial Court, Kalispell, MT 59901
1-800-695-3394 • (406) 257-4740

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.

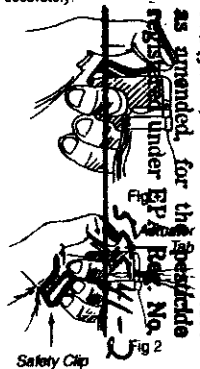
This product has a range of up to 30 feet (9 meters). The canister empties in approximately 7.2 seconds.

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 1-2 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.



DIRECTIONS FOR USE CONTINUED ON NEXT PANEL

Under the Federal Insecticide, Fungicide, and Rodenticide Act

as amended, for the pesticide registered under EPA Reg. No.

ACCEPTED WITH COMMENTS
in EPA Letter Dated:
JUL 8 2004

A. Can Label (8.1oz)

4/8

deline - does not print.

NEXT

LABEL

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.

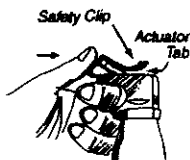


Fig 3

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 eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses after the first 5 minutes, then continue rinsing eye. Call poison control center or doctor for treatment advice. Have product container with you when calling or going for treatment. For emergency medical treatment information call 1-800-535-5053.

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: DO NOT PUNCTURE OR INCINERATE! If empty: Press valve to release all pressure then place in trash. If partly filled: Call your local solid waste agency or 1-800-CLEANUP for disposal instructions.

GRIZZLY TOUGH PEPPER SPRAY
COUNTER ASSAULT®
BEAR DETERRENT

To Deter Bears from
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**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 FIRST AID AND PRECAUTIONARY STATEMENTS.

Active Ingredient:

Capsaicin and related capsaicinoids*	2.00%
Other Ingredients	98.00%
TOTAL	100.00%

*Includes 1.84% Capsaicin and 0.16% related capsaicinoids.

Derived from Oleoresin of Capsicum

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

NET CONTENTS: 10.2 ounces (290g)

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 32 feet (9 meters). The canister empties in approximately 9.2 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).

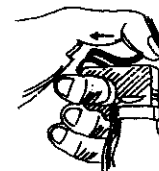


Fig 1

Depress actuator tab for burst of spray (fig 2). Aim at face and eyes of bear. Depress actuator tab for 1-2 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.

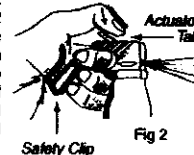


Fig 2

DIRECTIONS FOR USE CONTINUED ON NEXT PANEL →

A. Can Label (10.2oz)

5/8


dieline - does not print.

NEXT

LABEL

B. Clamshell Labeling, p1 of 2



 For use on all bear species to deter bears from attacking humans

 Needs no shaking



Glow in the dark safety wedge



Sprays to 30 feet; 7 seconds of spray time

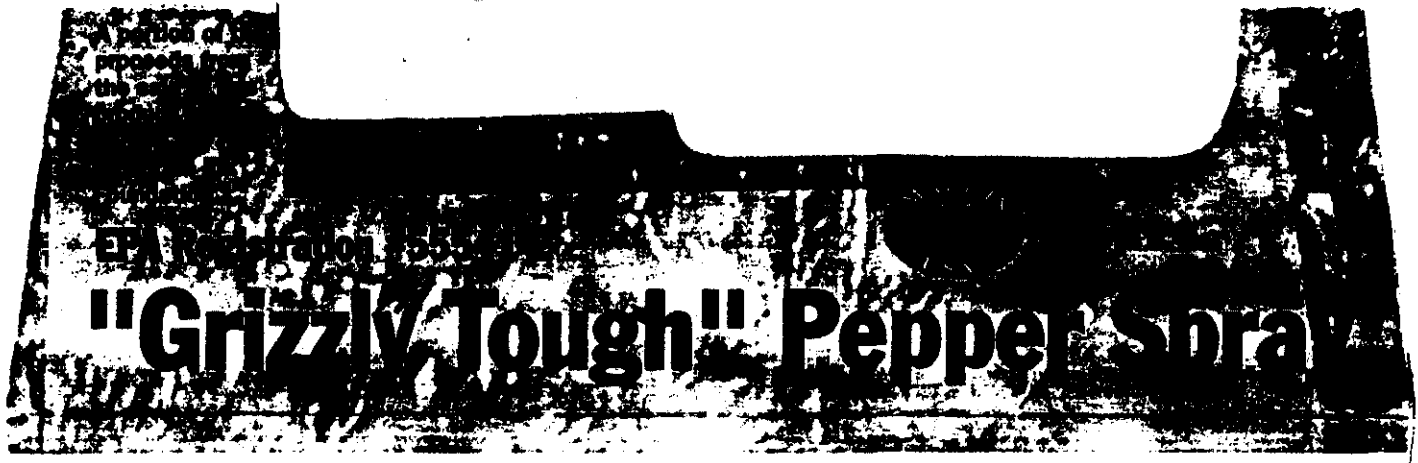


B. Clamshell Labeling, p 2 of 2

CHEMICAL EMERGENCY
1-800-535-5053

Manufactured by:
Bushwacker Backpack and Supply Co., Inc.
dba COUNTER ASSAULT
120 Industrial Court, Kalispell, MT 59901
1-800-695-3394 • (406) 257-4740
NET CONTENTS: 8.1 ounces (230g)

Item # CA-12H



C. Two (2) Holster Cards

3-in-1 Bear Pepper Spray Chest Holster

- ☛ Chest Holster
- ☛ Belt Holster
- ☛ Swivel Clip

See back of this card for instructions

☛ Chest Harness

Designed for quick draw our always ready chest holster is fully adjustable to fit wearer up to 50 inches.

☛ Belt Holster

Easily attaches to belt for convenient access.

☛ Swivel Clip

Heavy duty, metal swivel clip can easily attach to backpacks, saddles and other equipment.

Bear Pepper Spray Belt Holster

☛ Easily attaches to belt for convenient access