

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



OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

November 22, 2004

Counter Assault
c/o ChemReg International, LLC
1990 Old Bridge Road, Suite 201
Lake Ridge, VA 22191-2383

300 5-768081
18

Attention: Dr. Elizabeth A. Brown

Subject: Counter Assault® Bear Deterrent
EPA Reg. No. 55541-2
Your amended application of September 23, 2004
Your E-Mail of November 4, 2004

Purpose The purpose of your submissions is to modify specific parts of the labeling for your 8.1 oz and 10.2 oz cans.

Labeling 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), September 23, 2004 Version

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

*Includes 1.0% Capsaicin and 1.0% related capsaicinoids
Derived from Oleoresin of *Capsicum*

2. Place the text, "**PRODUCED BY A GRIZZLY ENCOUNTER SURVIVOR!**" underneath, and in the same type size as, the current text. "**CHEMICAL EMERGENCY: 1-800-535-5053**".

Labeling-continued

B. Clamshell Labeling

1. Place the text, "**PRODUCED BY A GRIZZLY ENCOUNTER SURVIVOR!**" above, and in the same type size as, the current text, "**DIRECTIONS FOR USE:** It is a violation of Federal law to use this product in a manner inconsistent with its labeling."

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)

Enclosure

Stamped Label (can, clamshell, and cards)

Letter

Dan Peacock, USB Flash Drive #1, E:\Dan's Office Work\A Flash Drive 1\Capsaicin\55541-2, revised label, 11-22-2004.wpd

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.

IF ON SKIN OR CLOTHING: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call poison control center or doctor immediately for treatment advice.

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 AND PETS. Do not store in places where the temperature is above 120°F nor below 32°F. Do not store in hot vehicle or in direct sunlight.

DISPOSAL: DO NOT PUNCTURE OR INCINERATE! If empty: Press valve to release all pressure then 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.

Disclaimer: To the extent allowable by law, Counter Assault shall not be liable for damage, injury, loss, direct or consequential including death arising out of the use of, or inability to use this product.

PRODUCED BY A
GRIZZLY ENCOUNTER SURVIVOR!

COUNTER ASSAULT®
BEAR DETERRENT
GRIZZLY TOUGH PEPPER SPRAY



NOT FOR USE
ON HUMANS

TO DETER BEARS FROM
ATTACKING 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*	2.0%
Other Ingredients	98.0%
TOTAL	100.0%

*Derived from Oleoresin of Capsicum

Manufactured by:

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.

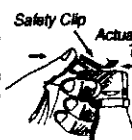
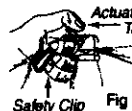
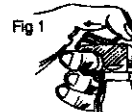
APPLICATION DIRECTIONS: Special procedures must be followed to arm the container, apply the product and restore the safety clip to disarm the container. Before taking this product into bear country, read the directions below and familiarize yourself with these procedures. If you test-fire this container, 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.

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.



9-22-04

draft for
amendment

label actual
size

ACCEPTED
with COMMENTS
in EPA Letter Dated:

NOV 22 2004

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.

55541-2

