

59144-29

6/2/2010

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

June 2, 2010

Ms. Kim Davis
Agent for Gro Tec Inc.
Reg West Company, LLC
8230 West 20th Street, Suite A
Greeley, CO 80634-4696

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4 and PR Notice 2008-1

Dear Ms. Davis:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice PRN 2007-4 dated April 28, 2010 for the following product(s):

Wasp and Hornet Killer **EPA Reg. No. 59144-29**

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and PR Notice 2008-1 and finds that the label change(s) requested falls within the scope of PRN 2007-4 and PR Notice 2008-1. The label has been date-stamped "Notification" and will be placed in our records.

If you have any questions, please contact Linda A. DeLuise at 703-305-5428.

Sincerely,

Richard J. Gebken
Product Manager
Insecticide Branch
Registration Division (7505P)

United States Environmental Protection Agency 1200 Pennsylvania Avenue, N.W. Washington, DC 20460-0001	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number <h2 style="text-align: center;">Notification</h2>
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Application for Pesticide – Section I

1. Company/Product Number EPA Reg. No. 59144-29	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/ Product (Name) Wasp & Hornet Killer	PM # 10	
5. Name and Address of Applicant (Include ZIP Code) Gro Tec, Inc. c/o RegWest Company, LLC 8203 West 20th St., Suite A Greeley, CO 80634-4696 <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"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification – Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other – Explain below.
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Explanation: Use additional page(s) if necessary. (For Section I and Section II.)

Submit Non-PRIA Label Revision Notification per PR Notices 2007-4 and 2008-1.

This notification is consistent with the provisions of PR Notices 2007-4 and 2008-1 and EPA regulations at 40 CFR § 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to the EPA. I further understand that if this notification is not consistent with the terms of PR Notices 2007-4 and 2008-1 and 40 CFR § 152.46 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 type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify): _____		
*Certification must be submitted		If "Yes" Unit Packaging Wt.	No. Per Container	If "Yes" Packaging Wt.	No. Per Container
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 6 ounces through 1.5 pounds		5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling Accompanying Product	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Stenciled <input type="checkbox"/> Paper glued <input type="checkbox"/> Other _____					

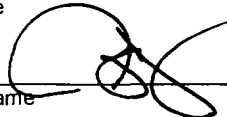
Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application).		
Name Kim Davis	Title Consultant/Agent	Telephone No. (Include Area Code) 970.353.0611 kim@regwest.com

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.

6. Date Application Received
 (Stamped)

2. Signature 	3. Title Consultant/Agent
4. Typed Name Kim Davis	5. Date May 17, 2010

Non-PRIA Label Revision Notification



May 17, 2010

Mr. Richard Gebken, Product Manager 10
Document Processing Desk – **NOTIF**
Office of Pesticide Programs – **7504P**
U.S. Environmental Protection Agency
One Potomac Yard (South Building), Room S-4900
2777 South Crystal Drive
Washington, DC 20460

Dear Mr. Gebken:

Subject: Gro Tec, Inc.
Wasp & Hornet Killer
EPA Reg. No. 59144-29

On behalf of **Gro Tec Inc.**, RegWest Company, LLC is submitting the attached materials as notification of a non-PRIA label revision for subject product per PR Notices 2007-4 and 2008-1. RegWest will act as sole agent in this endeavor.

Attached are the following:

- 1. Application for Pesticide: Other (Notification)
- 2. One *Reference Label* (illustrating the revisions)
- 3. Two *New Labels* (incorporating the revisions)

In addition to the PR Notices changes, we are adding graphics (previously noted as "{graphics}"). Please refer to the *Reference Label* for an illustration of all revisions.

Please contact me at 970.353.0611 or kim@regwest.com if you have any questions or require additional information.

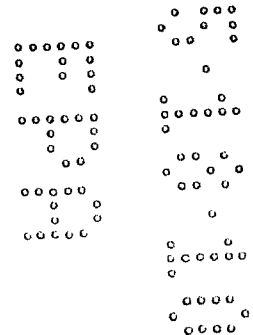
Regards,
RegWest Company, LLC

Kim Davis,
Consultant/Agent

Attachments

cc: CPI – Hacker, S.

Stamp: 2/19/10



8203 West 20th St., Suite A
Greeley, CO 80634-4696
p 970-353-0611
f 970-353-0613

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Wasp & Hornet Killer

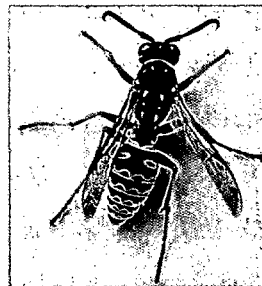
- Electrically Non-Conducting
- Kills Nest and Insects with Residual Action
- Drops Wasps, Hornets & Yellow Jackets Instantly
- Kills Wasps, Hornets & Yellow Jackets – Triple Action
- Jet Spray – Will Reach Nests up to 20 Feet Above Ground
- Gives Knockdown & Kill of Wasps, Hornets & Yellow Jackets
- Kills with Residual Action as Wasps & Hornets Return to Nest
- Acts as a Barrier that Prevents Insect from Entering the Home
- Contains Synergist Piperonyl Butoxide, Permethrin & Tetramethrin
 - Can be Used Both Indoors (Attics and Other Places Where Nests are Built) and Outdoors on Wasp & Hornet Nests
 - Contains No CFCs or Other Ozone Depleting Substances. Federal Regulations Prohibit CFC Propellants in Aerosols.
- Kills Fast
- Quick Kill
- Prevents Nesting
- Instant Knockdown
- Kills the Entire Nest
- Sprays up to 20 Feet
- Triple Action Formula
- Kills Wasp & Hornets on Contact
- Dielectric Breakdown Voltage of 47,300 Volts



Hornets



Yellow Jackets



Wasps

Active Ingredients:

Tetramethrin (CAS No. 7696-12-0)	0.10%
Permethrin (CAS No. 52645-53-1)	0.25%
Piperonyl Butoxide, Technical (CAS No. 51-03-6)	0.50%
Other Ingredients*	99.15%
Total	100.00%

*Contains petroleum distillate

Keep Out of Reach of Children

CAUTION

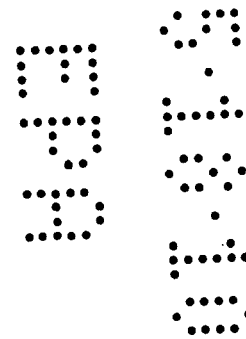
See back panel for additional precautionary statements.

EPA Reg. No. 59144-29 EPA Est. _____
 {Manufacturer and labeler identified on bottom of can by letter code}

Net Contents: _____
 {6 ounces through 1.5 pounds}

Gro Tec, Inc.
 P.O. Box 290
 Madison, GA 30650

For more information call: 1-888-648-9855
 In case of emergency call: 1-800-424-9300



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?	1-888-648-9855
+	1-800-424-9300

First Aid

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 for treatment advice.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-424-9300 for emergency medical treatment information.	

{Note: The First Aid statements' grid format will be used if market label space permits; otherwise a paragraph format will be used.}

PRECAUTIONARY STATEMENTS

Hazards to Humans & Domestic Animals

CAUTION: Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after using. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Do not use in commercial food/feed handling establishments, restaurants or other sites where food/feed is commercially prepared or processed. Not for use in Federally inspected meat and poultry plants.

Environmental Hazards

This product is toxic to fish and aquatic invertebrates. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain do not blow or wash pesticide off the treatment area.

Physical or Chemical Hazards

Contents under pressure. Keep away from heat, sparks and open flame. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting.

Product Usage	
Kills	Hornets, Wasps, Yellow Jackets
Use On	Nests under eaves, screens, window frames, patios, cracks and crevices
Amount to Use	Spray until nest is thoroughly saturated

DIRECTIONS FOR USE – Read Entire Label

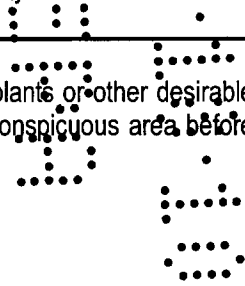
It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Storage & Disposal

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

Storage: Do not store near heat or open flame. Store in a cool, dry (preferably locked) storage area inaccessible to children and pets. **Disposal:** Do Not Puncture or Incinerate! Non-refillable container; do not reuse or refill this container. **If empty:** Place in trash or offer for recycling if available. **If partly filled:** Call your local solid-waste agency for disposal instructions.

Do not use this product on living vegetation such as decorative trees, shrubs, ornamental plants or other desirable vegetation. Do not spray asphalt tile, shingles, rubber or plastic materials. Test on an inconspicuous area before using near any other type of surface.



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Spray in early morning or late evening when insect activity is minimal. Stand a safe distance from nest and not directly underneath. [Remove protective cap.] Hold can upright and point spray opening toward nest with wind at your back. Spray until nest is thoroughly saturated to kill the entire nest population. Residual action will kill wasps and hornets returning to the nest. Wait at least 24 hours before removing the nest.

To kill wasps, hornets and yellow jackets under eaves, screens, window frames, doors, patios, cracks, holes or crevices wherever insects are noticed, spray for about 1-2 seconds or until surfaces are moist. To prevent entrance of insects into the house, spray around points where insects enter, such as outside plumbing, faucets, etc., and cracks or crevices in foundation as well as along sills and ledges.

Do not apply to pets or contaminate feed, foodstuffs, dishes or utensils.

Warranty and Disclaimer: This product conforms to its chemical description and is reasonably fit for the purpose stated on the label when used in accordance with directions under normal conditions of use. To the extent consistent with applicable law, the manufacturer is not responsible for the use of this product contrary to the label instructions, under abnormal conditions or under conditions not reasonably foreseeable to the manufacturer and/or seller, and buyer assumes the risk of any such use.

{SAL code}

- [] Denotes alternate/optional language
- { } Denotes language that does not appear on the market label

