

59913-12

11/20/2008

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mark Mongiovi
Product Compliance Specialist
Safer Inc. – Subsidiary of Woodstream Corporation
69 N. Locust Street
Lititz, PA 17543-0327

NOV 20 2008

SUBJECT: Application for Pesticide Notification – Request for Alternate Brand Name “3-IN-1 Garden Spray” and Other Minor Labeling Revisions
Safer® Brand 3-IN-1 RTU II
EPA Reg. No. 59913-12
Application Dated September 24, 2008

Dear Mr. Mongiovi:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 or the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the label changes requested fall within the scope of PRN 98-10. The label has been date-stamped “Notification” and will be placed in our records.

If you have any questions, please me directly at 703-305-6249 or Terri Stowe of my staff at 703-305-6117.

Sincerely,

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

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 EPA United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other: NOTIFICATION	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 59913-12	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Safer® Brand 3-IN-1 RTU II	PM# Insecticide Branch #10	
5. Name and Address of Applicant (Include ZIP Code) Safer Inc., a wholly owned subsidiary of Woodstream Corporation 69 N. Locust Street Lititz, PA 17543-0327 <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 to _____ and labeling to: NOTIFICATION EPA Reg. No. _____ NOV 20 2008 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.)


Notification of Label Action Per PR-Notice 98-10: Alternate Brand Names/Other Minor Revisions - Please reference the attached explanation

This notification is consistent with the provisions of PR NOTICE 98-10 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 USC Sec. 1001 to willfully make false statements to EPA. I further understand that if this notification is not consistent with the terms of PR NOTICE 98-10 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 checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Package wgt. No. per container	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
*Certification must be submitted			
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container 16 oz, 24 oz, 32 oz, 128 oz	5. Location of Label Directions <input checked="" 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"/> Other _____ <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)		
Name Chad Mateer	Title Regulatory Affairs Manager	Telephone No. (Include Area Code) 717-626-2125 x426
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 Product Compliance Specialist	
4. Typed Name Mark Mongiovi	5. Date 9-24-08	

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ATTACHMENT TO NOTIFICATION DATED 9-24-08

EPA Reg. No.: 59913-12

NOTIFICATION OF LABEL ACTION PER PR-NOTICE 98-10:

Alternate Brand Names-

MASTER LABEL-FRONT PANEL (Page 1 of 1)

[Additional Brand Names]

3-In-1 Garden Spray^{II}

Other Minor Revisions-

MASTER LABEL-FRONT PANEL (Page 1 of 1)

[Optional Logos/Marketing Claims]

[Safer® Brand]

-[optional brand logo]

NOTIFICATION

NOV 20 2008

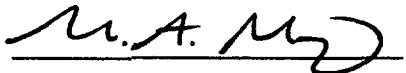
Other Minor Revisions (cont'd)-

MASTER LABEL – OPTIONAL CLAIMS (Page 1 of 1)

[Optional Marketing/Advertising Claims]

- Look for other Safer® Brand products at www.saferbrand.com

This notification is consistent with the provisions of PR NOTICE 98-10 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 USC Sec. 1001 to willfully make false statements to EPA. I further understand that if this notification is not consistent with the terms of PR NOTICE 98-10 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.



9/24/08

Mark Mongiovi
Product Compliance Specialist
Woodstream Corporation



69 N. Locust Street
P.O. Box 327
Lititz, PA 17543-0327
(717) 626-2125
Fax: (717) 626-5350
www.woodstreamcorp.com
www.saferbrand.com
www.victorpest.com
www.havahart.com
www.perkypet.com
www.fishock.com

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September 24, 2008

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

ATTN: Notification Division

**SUBJECT: Safer, Inc., a wholly owned subsidiary of Woodstream Corporation
Safer® Brand 3-IN-1 RTU II (EPA Reg. No. 59913-12)
Notification of Label Action Per PR-Notice 98-10: Alternate Brand Names/Other Minor Revisions**

Please find enclosed a Notification of Label Action Per PR-Notice 98-10. Also enclosed, please find a copy of our revised master label with changes highlighted and a clean copy for your records.

If you have any questions and/or need any additional information, please call me at (717) 626 -2125 ext: 219 or email mmongiovi@woodstream.com.

Sincerely,

Mark Mongiovi
Product Compliance Specialist
Woodstream Corporation

Enclosures:
Notification of Label Action
Copy of revised master label with changes highlighted
Clean copy of revised master label



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MASTER LABEL – BACK PANEL (Page 1 of 3)

This product can be used to kill insect and mite pests and to prevent and control fungal disease. This product contains sulfur and insect killing soap derived from natural fats and plant oils. Its formulation is gentle on most plants. This product is designed to kill pests and create an environment where damaging fungi cannot live. The ready to use formulation can be applied directly to fruits and vegetables right up to the day before harvest.

PRECAUTIONARY STATEMENTS

Environmental Hazards: This product may be hazardous to aquatic invertebrates. Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water by cleaning of equipment washwaters or disposal of rinsate.

DIRECTIONS FOR USE

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

WHAT IT IS: This product provides three garden solutions in one: fungicide, insecticide and miticide. It kills garden insects and mites and controls fungal diseases. It contains a patented formulation to help reduce injury to most plants.

WHAT IT CONTROLS: Powdery mildew, black spot, leaf spot, and rust.

WHAT IT KILLS: Aphids, Beetles (leaf-feeding), Caterpillars (leaf-feeding), Crickets, Earwigs, Lace bugs, Leafhoppers, Mealybugs, Mites, Plant Bugs, Scale Crawlers, Thrips, and Whiteflies.

WHERE TO USE IT: Roses, Flowers, Shade Trees, Foliage Plants, Ornamentals, Beans, Peas, Broccoli, Cabbage, Cauliflower, Collards, Kale, Peppers, Strawberries, Apples, Pears, Citrus, Potatoes, Cucumbers, Squash, Grapes, Blackberries, Blueberries, Raspberries, Loganberries, Currants, Melons, and Tomatoes.

HOW TO USE IT: Apply in the morning or late evening. Shake Well. Use at first sighting of insects or infection. Thorough coverage of both top and bottom leaves is important. Spray leaves to the point of run off. Apply every 5 to 7 days when insects are present.

USE CAUTIONS: Some plants are susceptible to injury from sulfur under certain climatic conditions. **DO NOT USE** on delicate fern, apricots, filberts, stock, walnuts, nasturtium, sweet pea, violet, mountain ash, Japanese maple, horse chestnut, spinach, viburnum, newly planted cuttings, or plants stressed by drought. Do not apply when plants are in full sun or when temperature exceeds 90° F. Do not apply for at least 4 weeks following application of oil spray.

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MASTER LABEL – BACK PANEL (Page 2 of 3)

FUNGICIDE USE

FLOWERS AND ORNAMENTALS: Apply at first sign of disease infestation. Spray at 7 to 10 day intervals, following rain or as needed to control powdery mildew, leaf spot, black spot, and rust. Be sure to treat new growth and buds.

BEANS, PEAS, BROCCOLI, CABBAGE, CAULIFLOWER, COLLARDS, KALE AND PEPPERS: Apply at first sign of disease infestation. Spray at 7-day intervals following rain, or as needed to control powdery mildew. Can be used up to day of harvest.

STRAWBERRIES: Apply at first sign of disease infestation. Repeat at 3-week intervals to control powdery mildew. Do not use on strawberry fruit that will be used for canning. Can be used up to the day before harvest.

APPLES & PEARS: Apply at pre-bloom stage or after petal fall as needed to control powdery mildew. **NOTE:** Some apple and pear varieties are sulfur sensitive; test for varietal sensitivity prior to full-scale treatment.

CITRUS: Do not apply within 4 weeks following use of an oil spray.

POTATOES: Apply before disease infestation appears and repeat as necessary to control powdery mildew.

CUCUMBERS AND SQUASH: Apply at first sign of disease infestation and repeat as necessary to control powdery mildew. Do not spray young plants.

GRAPES: For control of powdery mildew, apply when new shoots are 6-10 inches. Repeat before blooms open and at 14-day intervals as needed. **Note:** Do not apply to wine grapes within 21 days of harvest. Sulfur may damage concord and other labrusca varieties.

BLACKBERRIES, BLUEBERRIES, RASPBERRIES, LOGANBERRIES AND CURRANTS: Apply each week starting at first bloom color to control powdery mildew. Continue to spray at 10 to 14 day intervals until fruit is set, then repeat as needed or following rain.

MELONS: Apply at first sign of disease infestation. Spray at 7 to 10 day intervals, following rain, or as needed to control powdery mildew. **Note:** Melon foliage is extremely sensitive to sulfur burn. See paragraph on Use Cautions.

TOMATOES: Apply at first sign of disease infestation and repeat as necessary to control powdery mildew. Do not spray young plants.

INSECTICIDE & MITICIDE USE

Apply at first sighting of insects/mites. Thoroughly moisten top and bottom leaf surfaces where insects/mites are feeding or resting. Apply every 5 to 7 days when insects are present or as needed to prevent damage.

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MASTER LABEL – BACK PANEL (Page 3 of 3)

STORAGE & DISPOSAL

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

STORAGE: Store in a cool dry area away from heat or open flame and inaccessible to children. Keep from freezing.

DISPOSAL: If empty: Non-refillable container. Do not reuse or refill this container. Place in trash or offer for recycling if available.

If partly filled: Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

Note: Seller warrants that this product complies with the specifications expressed in this label. To the extent consistent with applicable law, Seller makes no other warranties, and disclaims all other warranties, express or implied, including but not limited to warranties of merchantability and fitness for the intended purpose. To the extent consistent with applicable law, Seller's liability or default, breach or failure under this label shall be limited to the amount of the purchase price. To the extent consistent with applicable law, Seller shall have no liability for consequential damages.

Distributed by:
Safer, Inc., (A wholly owned subsidiary of Woodstream Corporation)
69 North Locust Street
Lititz, PA 17543
www.saferbrand.com
(800) 800-1819 (717) 626-2125

EPA Reg. No. 59913-12
EPA Est. No. 63416-MN-01

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US PATENT # 5,093,124
Made in U.S.A.

MASTER LABEL – OPTIONAL CLAIMS (Page 1 of 1)

[Optional Marketing/Advertising Claims]

- Use on flowers, trees, fruits and vegetables
- Always shake well before using!
- Patented formula is now even gentler on most plants
- Multipurpose spray contains 3 garden solutions in one!
- Home Lawn & Garden Solutions for Pest Control since 1976
- Effective
- Water-based
- Contains Insecticidal Soap
- Contains Insect Killing Soap
- Made with soaps derived from natural fats and plant oils and elemental sulfur
- Gentle on most plants
- Organic Gardening the Safer® Brand Way!
- Highly effective
- Multi-Purpose formula encompasses 3 solutions in 1!
- Patented formula reduces injury to most plants.
- All in one formula contains fungicide, miticide and insecticide.
- Fungicide, miticide and insecticide- all in one!
- All in one garden treatment
- Be Responsible!
- 3 garden solutions in one spray!
- Fungicide
- Controls Powdery Mildew, Black Spot and Rust
- Insecticide
- Controls Aphids, Mealybugs, Caterpillars & other insect pests.
- Miticide
- Controls Spider Mites, Red Mites & other mite pests.
- Controls all stages of mites.
- Controls all stages of mites including eggs.
- Look for other Safer® Brand products at www.saferbrand.com

NOTIFICATION

NOV 20 2008