

61483-70

10/5/2010

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

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

Mr. Hubert R. O'Neal  
KMG- Bernuth, Inc.  
9555 W. Sam Houston Pkwy S.  
Suite 600  
Houston, Texas 77099-2168

OCT - 5 2010

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Dr. O'Neal:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated August 31, 2010 for the following product(s):

**Permethrin™ CDS Pour-On                      Reg. No. 61483-70**  
**Insecticide**

The Registration Division (RD) has conducted a review of this request for applicability under PR Notice 2007-4 and finds that the label change(s) requested falls within the scope of PRN 2007-4. 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 (7504P)

United States <b>EPA Environmental Protection Agency</b> Washington, DC 20460	Registration Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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**Application for Pesticide - Section 1**

1. Company/Product Number 61483-70	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Permethrin CDS Pour-On Insecticide	PM# 10	
5. Name and Address of Applicant (Include Zip Code) KMG-Bernuth, Inc. 9555 W Sam Houston Pkwy S. Ste 600 Houston, Texas 7709-2168 <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 _____ <div style="text-align: center; font-weight: bold; font-size: 1.2em;">                     NOTIFICATION                      OCT - 5 2010                 </div>

**Section - II**

<input type="checkbox"/> Amendment - Explain Below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated March 10, 2006
<input type="checkbox"/> Resubmission in response to Agency letter dated	<input type="checkbox"/> "Me Too" Application
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

**Explanation:** Use additional page(s) if necessary. (For section I and section II.)  
 Submission of label to comply with PR2007-4 and correct registrant's address.  
**"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 U.S.C. Sec. 1001 to willfully make any false statement 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 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		
* Certification must be submitted			If "Yes" Unit Packaging Wt.	No. per container	<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper Other (specify _____)
			If "Yes" Package Wt.	No. per container	
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions	
6. Manner in Which Label is Affixed to Product			<input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued	<input type="checkbox"/> Stenciled <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 Dr. Hubert R. O'Neal	Title Regulatory Consultant	Telephone No. (Include Area Code) (713) 819-3932
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) <div style="text-align: right;">                     ○○○○○                      ○○○○○                      ○○○○○                      ○○○○○                      ○○○○○                      ○○○○○                      ○○○○○                      ○○○○○                      ○○○○○                      ○○○○○                 </div>
2. Signature <i>Dr. Hubert R. O'Neal</i>	3. Title Regulatory Consultant	
4. Typed Name Dr. Hubert R. O'Neal	5. Date August 31, 2010	



August 31, 2010

Document Processing Desk (NOTIF)  
Office of Pesticides Programs (7504P)  
U. S. Environmental Protection Agency  
**ATTN: RICHARD GEBKEN PM 10**  
Ariel Rios Building  
1200 Pennsylvania Avenue, N. W.  
Washington, D.C. 20460-0001

Re: PR 2007-4 Compliance  
Permethrin™ CDS Pour-On Insecticide  
EPA Registration No. 61483-70

Dear Mr Gebken:

Enclosed are the following documents in accordance with notification of change of label language to bring the product label into compliance with PR2007-4 and correct registrant's address :

- . EPA Form 8570-1 (Rev 3-94),
- . Copy of the label marked to show the changes

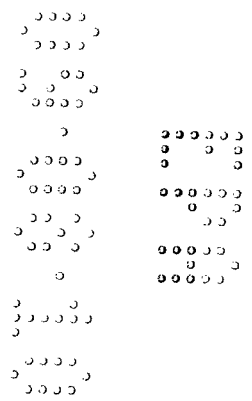
**"This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement 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."**

If you have any questions, please contact me 713-819-3932 or hroneal@suddenlink.net.

Sincerely

*Dr. Hubert R. O'Neal*

Hubert R. O'Neal, PhD



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# Permethrin<sup>TM</sup> CDS Pour-on Insecticide

## SYNERGIZED FORMULA

Concentrated Insecticide for Beef, Lactating Dairy Cattle, Sheep and Horses

### INDICATIONS

- Can be applied topically to livestock and their premises.
- Controls lice, horn and face flies, and aids in the control of ticks on beef and lactating dairy cattle.
- Controls lice, horn, stable, deer and face flies, eye gnats and ticks on horses.
- Controls sheep keds, lice and biting midges on sheep.

### Active Ingredients

Permethrin (CAS No. 52645-53-1) . . . . .	7.4%
Piperonyl Butoxide Technical (CAS No. 51-03-6) . . . . .	7.4%
<b>Other Ingredients*</b> . . . . .	<b>85.2%</b>
<b>Total</b>	<b>100.0%</b>

\* Contains petroleum distillates

EPA Reg. No. 61483-70

EPA Est. No. 61483-KS-01

Keep Out of Reach of Children

## CAUTION

See back panel for additional precautionary statements and Directions for Use

### FIRST AID

**If on skin or clothing**

- Take off contaminated clothing.
- Rinse skin immediately with plenty of water for 15-20 minutes.
- Call a poison control center or doctor for treatment advice.

### HOTLINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-322-8177 for emergency medical treatment information.

### NOTE TO PHYSICIAN

Contains petroleum distillate – vomiting may cause aspiration pneumonia.

Net Contents: 64 Fl. Oz.  
(1.8925 Liters)

**NOTIFICATION**

**OCT - 5 2010**

Mfd. By: KMG-Bernuth, Inc.  
9555 W. Sam Houston Pkwy S., Ste 600  
Houston, TX 77099-2168 U.S.A.  
(800) 322-8177

8-31-2010

**PRECAUTIONARY STATEMENTS**

**HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

**CAUTION:** Harmful if absorbed through the skin. Avoid contact with skin, eyes, or clothing. Remove contaminated clothing and wash contaminated clothing before reuse. Wash thoroughly with soap and water after handling.

**ENVIRONMENTAL HAZARDS:** This pesticide is extremely toxic to fish and other aquatic invertebrates. Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters.

**PHYSICAL OR CHEMICAL HAZARDS:** Do not use or store near heat or open flame.

KEEP CONTAINER SEALED WHEN NOT IN USE.

**DIRECTIONS FOR USE**

**IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN A MANNER INCONSISTENT WITH ITS LABELING**

**IMPORTANT:** This is a highly concentrated formulation. Use only with an accurate measuring container or applicator.

EXCEPT FOR BACK RUBBER / READY TO USE – No dilution necessary.

**APPLY TO: LACTATING AND NON-LACTATING DAIRY CATTLE, BEEF CATTLE AND CALVES**

Target Pests	Application Instructions
Lice, Horn Flies, Face Flies. Aids in control of Horse Flies, Stable Flies, House Flies, Mosquitoes, Black Flies and Ticks. Controls Horn Flies up to 6 weeks after application.	<p><b>Dosage:</b> For moderate fly control apply 1.5 mL per 100 lbs. body wt. of animal, up to a maximum of 15 mL per animal.</p> <p>For lice and severe horn fly control apply 2.0 mL per 100 lbs. body wt. of animal, up to a maximum of 20 mL per animal.</p> <p><b>Pour-on:</b> Pour correct dose along back and down face.</p> <p><b>Ready-to-use Spray:</b> Use undiluted in a mist sprayer to apply correct dose. Apply directly to neck, face, back, legs and ears.</p> <p><b>Back Rubber Use:</b> Mix 64 mL (2.1 oz.) per gallon of mineral oil. Keep rubbing device charged. Results improved by daily forced use.</p>

Repeat treatment as needed, but not more than once every two weeks. For optimum lice control, two treatments at a 14-day interval are recommended.

**APPLY TO: SHEEP AND LAMBS**

Target Pests	Application Instructions
Sheep Keds and Lice	<b>Pour-on:</b> Pour along the back. Apply 1 mL per 50 lb. body weight of animal, up to maximum of 12 mL for any one animal. For optimum control, all animals in the flock should be treated after shearing.
Biting Midges	<b>Ready-to-use Spray:</b> Use undiluted in a mist sprayer to apply 4 mL of product per animal to the ventral (underside) of sheep.

Repeat treatment as needed, but not more than once every two weeks. For optimum lice control, two treatments at a 14-day interval are recommended.

**APPLY TO: HORSES AND FOALS**

Target Pests	Application Instructions
Stable Flies, Deer Flies, Horn Flies, Face Flies, House Flies, Eye Gnats, Lice and Ticks. Aids in control of Horse Flies, Mosquitoes and Black Flies.	<p><b>Pour-on:</b> Do not use this application method on foals. After riding or exercise, pour 8 mL to 16 mL per animal along back and down the face of <b>MATURE</b> horses, being careful to avoid the eyes. Repeat treatment as needed, but not more than once every two weeks.</p> <p><b>Wipe-on:</b> Apply 8 mL to 16 mL. Dampen an applicator mitt, cloth or toweling (Turkish). Rub over hair with special attention to the legs, shoulders, neck and facial areas where flies tend to congregate. Avoid the eyes. Repeat treatment as needed, but not more than once every two weeks.</p> <p><b>Ready-to-use Spray:</b> Use after riding or exercising. Apply 8 mL to 16 mL undiluted in a mist sprayer per animal. Apply directly to ticks. Repeat treatment as needed, but not more than once every two weeks.</p>

**APPLY TO: HORSE, BEEF, DAIRY, SWINE, SHEEP AND POULTRY PREMISES, ANIMAL HOSPITAL PENS AND KENNELS AND "OUTSIDE" MEAT PROCESSING PREMISES**

Target Pests	Application Instructions
House Flies, Stable Flies, Face Flies, Gnats, Mosquitoes, Black Flies, Fleas, Little house Flies ( <i>Fannia</i> spp.). Aids in control of Cockroaches, Ants, Spiders and Crickets.	<b>Ready-to-use Spot or Premise Spray:</b> Use undiluted in a mist sprayer. Apply directly to surface to leave a residual insecticidal coating, paying particular attention to areas where insects crawl or alight. 500 mL will treat approximately 7,200 square feet.

Special Note: Permethrin™ CDS Pour-on is not effective in controlling cattle grubs.

Permethrin™ CDS Pour-on is an oil-base, ready-to-use product that may leave an oily appearance on the hair coat of some animals. Permethrin™ CDS Pour-on should be used in an integrated pest management system which may involve repeat treatments and the use of other pest control practices.

#### **STORAGE AND DISPOSAL**

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

**STORAGE:** Keep container sealed when not in use. Do not store near food or feed.

**PESTICIDE DISPOSAL:** Waste resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

**CONTAINER DISPOSAL:** Nonrefillable container. Do not reuse or refill this container. Triple rinse (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Offer for recycling, if available.

#### **WARRANTY AND LIMITATION OF DAMAGES**

Seller warrants that this material conforms to its chemical description and is reasonably fit for the purposes stated on the label when used in accordance with directions under normal conditions of use and Buyer assumes the risk of any use contrary to such directions. **Seller makes no other express or implied warranty, including any other express or implied warranty of Fitness or of Merchantability, and no agent of Seller is authorized to do so except in writing and with specific reference to this warranty.** In no event shall Seller's liability for any breach of warranty exceed the purchase price of the material as to which a claim is made.

EPA NOTIF 8-31-2010

8-31-2010