

61483-72

10-05-2010

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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 98-10

Dear Dr. O'Neal:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated August 31, 2010 for the following product(s):

Permethrin™ WS

Reg. No. 61483-72

The Registration Division (RD) has conducted a review of this request for applicability under PR Notice 98-10 and finds that the label change(s) requested falls 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 contact Linda A. DeLuise at 703-305-5428.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard J. Gebken".

Richard J. Gebken
Product Manager
Insecticide Branch
Registration Division (7504P)



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™ WS
EPA Registration No. 61483-72

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 and telephone numbers :

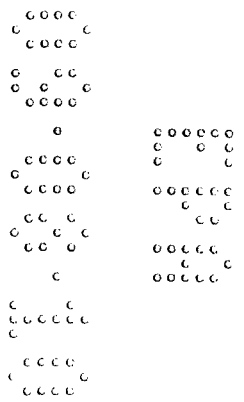
- . EPA Form 8570-1 (Rev 3-94),
- . Copy of the label marked to show the changes

“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

Hubert R. O'Neal, PhD



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PERMECTRIN™ WS

A WATER BASE, SYNERGIZED, CONCENTRATE INSECTICIDE
WITH UP TO 30 DAYS RESIDUAL EFFECTS ON INANIMATE SURFACES

FOR AGRICULTURAL USE ONLY, NOT FOR HOUSEHOLD USE

- Broad Spectrum Synergized Insecticide/Acaracide
- Quick Knockdown
- For Control of Insect Pests on Livestock, Poultry and Farm Premises
- For Control of Insect Pest on Horses
- For Control of Ticks Including Deer Ticks (Carrier of Lyme Disease)
- Water Based, Pleasant Citrus Scent

NOTIFICATION

OCT - 5 2010

ACTIVE INGREDIENTS:

Permethrin (CAS # 52645-53-1)..... 8.50%
 Piperonyl Butoxide* (CAS # 51-03-6)..... 4.25%
 *(butyl carbityl)(6-propylpiperonyl) ether and related compounds

OTHER INGREDIENTS:..... 87.25%
TOTAL 100.00%

Contains 80.4 g. Permethrin and 40.2 g. Piperonyl Butoxide per quart.

EPA REG. NO. 61483-72

EPA EST. NO. 61483-KS-01

KEEP OUT OF THE REACH OF CHILDREN

CAUTION

**SEE SIDE/BACK PANEL FOR
ADDITIONAL PRECAUTIONARY STATEMENTS**

FIRST AID

If swallowed	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give anything by mouth to an unconscious person
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.
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 for treatment advice.
If inhaled	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.

HOT LINE 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.

**Net Contents: 1.0 U.S. Quart
(946 ml)**

**Manufactured by: KMG-Bernuth, Inc.
Houston, TX 77099-2168
1-800-322-8177**

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PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed or absorbed through the skin. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse. When applying indoors as a space spray or fog, wear a respirator with an organic-vapor removing cartridge with a prefilter approved for pesticides (MSHA/NIOSH approval number prefix TC-23C), or a canister approved for pesticides (MSHA/NIOSH approval number prefix TC-14G, or a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any N, R, P, or HE prefilter.

ENVIRONMENTAL HAZARDS: This pesticide is highly toxic to fish. Do not apply directly to water, or to areas where surface water is present or intertidal areas below the mean high water mark. Do not contaminate water by cleaning of equipment or disposal of equipment washwaters.

PHYSICAL OR CHEMICAL HAZARDS:

Do not use this product in or on electrical equipment due to the possibility of shock hazard.

GENERAL INSTRUCTIONS

INDICATIONS: For use on Horses, Beef and Dairy Cattle, Swine, Sheep, Goats, Poultry, and their premises to kill Flies, Fleas, Lice, Imported Fire Ants, Mites, and Ticks including Deer Ticks (carrier of Lyme Disease). Aids in control of Cockroaches, Mosquitoes, Spiders and Crickets.

BUYER GUIDE: The following statements are made as a general guide to quantity of pesticide required for various applications. See Chart on inside of back panel for complete directions on dilution and use.

Premise Use as a Spray or Fog: Mix 1 qt. in 25 gal. of water to make a ready-to-use spray.

Livestock Use: Mix 1 qt. in 100 gal. of water to treat up to 400 animals.

Poultry Use: Mix 1 qt. in 50 gal. of water to treat up to 5,000 birds

Horse Use: Mix 1.5 fl. oz. (45 ml) in 2 gal. of water for ready-to-use spray.

CONVERSION EQUIVALENTS: 1 fl. oz. = 30 ml = 2 tablespoons = 6 teaspoons

DIRECTIONS FOR USE

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

SHAKE WELL BEFORE USE.

Add the required amount of concentrate to water and mix thoroughly. Do not hold dilutions for more than 24 hours.

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Mix **PERMETRIN™ WS** and apply the use-diluted material to animals and pest breeding or resting surfaces at the rates shown on the accompanying chart. These dilutions and rates will provide most efficient pest control under conditions of heavy pressure when good contact is achieved. Timing and frequency of application should be based on pest populations reaching nuisance levels, but accompanying manure removal and sanitation practices should precede sprays.

Do not spray feed, food or water. Retreat as needed, but not more often than once every two weeks. Wash udders thoroughly before milking. Do not use on sick or debilitated animals.

PESTS ON LIVESTOCK: Beef Cattle, Lactating and Non-Lactating Dairy Cattle, Sheep, Goats and Swine
 Note: For swine, allow 5 days between last treatment and slaughter

PESTS	DILUTIONS FOR USE	APPLICATION INSTRUCTIONS
Horn Flies, Face Flies, Stable Flies, House Flies, Lesser House Flies, Horse Flies, Deer Flies, Black Flies, Mosquitoes, Eye Gnats, Blow Flies, Psoroptic (scabies) Mites, Lice, Ticks including Deer Ticks (carrier of Lyme Disease), and Sheep Keds	Mix 1 part concentrate in 400 parts water (1 qt. in 100 gal. or 10 ml. in 1 gal.). For severe infestations or for longer residual control, mix 1 part concentrate in 132 parts water [1 qt. in 33 gal. or 4 fl. oz. (120 ml.) in 1 gal.].	High Pressure Spray: Spray to thoroughly wet entire animal (1 – 2 qts. per animal). For lice and mites, a second treatment is recommended in 14 days.
Horn Flies, Face Flies, Ear Ticks and Lice	Mix 7 fl. oz. (210 ml.) in 1 gal. water.	Low Pressure Spray: For flies and lice, apply 4-5 fl. oz. (120-150 ml.) along midline from face to tailhead. For ear ticks, spray directly onto each ear (1/2 fl. oz per ear).
Horn Flies, Face Flies, Stable Flies, House Flies, Lesser House Flies, Horse Flies, Deer Flies, Black Flies, Mosquitoes, Eye Gnats, Blow Flies, Psoroptic (scabies) Mites, Lice, Ticks including Deer Ticks (carrier of Lyme Disease), and Sheep Keds	Mix 1 part concentrate in 48 parts water (1 qt. in 12½ gal. or 4 oz. in 1½ gal. or 80 ml. in 1 gal.)	Pour-On: Apply up to 4 oz. of dilution down midline of back. Repeat application in 14 days if necessary.

PESTS ON POULTRY

PESTS	DILUTIONS FOR USE	APPLICATION INSTRUCTIONS
Chicken Mite, Northern Fowl Mite, Chiggers, Lice and Bed Bugs	Mix 1 part concentrate in 200 parts water (1qt. in 50 gal. or 19 ml. in 1 gal.) For severe infestation or for longer residual control, mix 1 part concentrate in 100 parts water (1 qt. in 25 gal. or 38 ml. in 1 gal.).	High Pressure Spray: Spray 1 gal. of coarse spray per 100 birds paying particular attention to vent area.

PESTS ON FARM PREMISES: Barns, Loafing Sheds, Milking Parlors, Feed Lots, Stables, Paddocks, Poultry and Livestock Housing, Animal Hospitals and Outside Meat Processing Premises.

PESTS	DILUTIONS FOR USE	APPLICATION INSTRUCTIONS
<p>House Flies, Stable Flies, Lesser House Flies, other Manure Breeding Flies, Bed Bugs, Chicken Mites, Fleas, Mealworms, Lice, Mites, Ticks including Deer Ticks (carrier of Lyme Disease). Aids in control of Cockroaches, Ants, Spiders, Mosquitoes, Crickets and Face Flies.</p>	<p>Mix 1 part concentrate in 100 parts water (1 qt. in 25 gals. or 38 ml. in 1 gal.). For severe infestation or for longer residual control, mix 1 part concentrate in 33 parts water (1 qt. in 8-1/3 gal. or 115 ml. in 1 gal.). The use of the higher concentration is recommended on painted wood surfaces.</p> <p>In mist blower or power fogger (non-thermal) mix 1 part concentrate in 20 parts water (1 qt. in 5 gal. or 189 ml. in 1 gal.)</p>	<p><u>SURFACE SPRAY:</u> Spray all surfaces thoroughly with diluted emulsion using 1 gal. per 750-1000 square feet, but do not let runoff occur</p> <p><u>INDOOR SPACE SPRAY:</u> Apply as fog or fine mist until area is filled with mist, using 2 fl. oz. (60 ml.) per 1000 cubic ft. (Can be used in Milk Rooms).</p> <p><u>OUTDOOR SPACE SPRAY:</u> Fill area with mist. Apply while air is still.</p>
<p>DO NOT APPLY DILUTIONS FOR PREMISE TREATMENT DIRECTLY TO LIVESTOCK OR POULTRY. ENSURE THAT FEED AND WATER ARE NOT CONTAMINATED BY SPRAY DRIFT. FOR SPACE SPRAYING DO NOT REMAIN IN TREATED AREAS AND VENTILATE THE AREA BEFORE REOCCUPYING. REMOVE ANIMALS PRIOR TO TREATMENT. THE USE OF ANY RESIDUAL FLY SPRAY SHOULD BE SUPPLEMENTED WITH PROPER MANURE MANAGEMENT AND GENERAL SANITATION TO ELIMINATE FLY BREEDING SITES.</p>		
<p>Fleas and Ticks on other outdoor Farm Premises</p>	<p>Mix 3 fl. oz. (90 ml.) concentrate in 8 gal. water or 11 ml. in 1 gal. water</p>	<p><u>OUTDOOR PREMISE SPRAY:</u> Use enough finished spray to penetrate foliage, usually 50-100 gal. per acre. To prevent infestation of buildings, treat a band of vegetation 6-10 feet adjacent to the structure.</p>
<p>Imported Fire Ants</p>	<p>Mix 14 fl. oz. (420 ml.) in 1 gal. water.</p>	<p><u>SPRINKLER CAN:</u> Gently sprinkle one gal. over the surface of each mound. Thoroughly wet mound and surrounding area to a 4 ft. diameter. For best results, apply in cool weather 65-85° (early morning or late evening). Pressurized sprayers may disturb ants and cause migration, reducing product effectiveness.</p>

PESTS ON HORSES:

PESTS	DILUTIONS FOR USE	APPLICATION DIRECTIONS
Horse Flies, Deer Flies, Stable Flies, House Flies, Horn Flies, Face Flies, Black Flies, Mosquitoes, Eye Gnats, Mange Mites, Lice and Ticks.	<p>Mix 1.5 fl. oz. (45 ml.) concentrate in 2 gal. water or 23 ml. in 1 gal. water.</p> <p>Mix 7 fl. oz. (210 ml.) concentrate in 3 qts. water or 70 ml. in 1 qt. water.</p>	<p><u>SPRAY OR SPONGE ON:</u> Thoroughly wet animal to skin with spray or sponge</p> <p><u>LOW PRESSURE SPRAY OR WIPE ON:</u> Spray or wipe on 1-2 fl. oz. per animal. Pay particular attention to treat back, face, legs, and ears.</p>

PESTS ON EQUINE PREMISES: Barns, Stables, Paddocks, and Animal Hospitals.

PESTS	DILUTIONS FOR USE	APPLICATION DIRECTIONS
House Flies, Stable Flies, Lesser House Flies, other Manure Breeding Flies, Bed Bugs, Chicken Mites, Fleas, Mealworms, Lice, Mites, Ticks including Deer Ticks (carrier of Lyme Disease). Aids in control of Cockroaches, Ants, Spiders, Mosquitoes, Crickets and Face Flies.	<p>Mix 1 part concentrate in 100 parts water (1 qt. in 25 gals. or 38 ml. in 1 gal.). For severe infestation or for longer residual control, mix 1 part concentrate in 33 parts water (1 qt. in 8-1/3 gal. or 115 ml. in 1 gal.).</p> <p>In mist blower or power fogger (non-thermal), mix 1 part concentrate in 20 parts water (1 qt. in 5 gal. or 189 ml. in 1 gal.).</p>	<p><u>SURFACE SPRAY:</u> Spray all surfaces thoroughly with diluted emulsion using 1 gal. per 750-1000 square feet, but do not let runoff occur.</p> <p><u>INDOOR SPACE SPRAY:</u> Apply as fog or fine mist until area is filled with mist, using 2 fl. oz. (60ml.) per 1000 cubic ft.</p> <p><u>OUTDOOR SPACE SPRAY:</u> Fill area with mist. Apply while the air is still.</p>

DO NOT APPLY DILUTIONS FOR PREMISE TREATMENT DIRECTLY TO HORSES. ENSURE THAT FEED AND WATER ARE NOT CONTAMINATED BY SPRAY DRIFT. FOR SPACE SPRAYING DO NOT REMAIN IN TREATED AREAS AND VENTILATE THE AREA BEFORE REOCCUPYING. REMOVE ANIMALS PRIOR TO TREATMENT. THE USE OF ANY RESIDUAL FLY SPRAY SHOULD BE SUPPLEMENTED WITH PROPER MANURE MANAGEMENT AND GENERAL SANITATION TO ELIMINATE FLY BREEDING SITES.

STORAGE AND DISPOSAL

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

Pesticide Storage: Keep container sealed when not in use. Protect from freezing. Store upright at room temperature. Avoid exposure to extreme temperatures.

Pesticide Disposal: Wastes 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 container (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 material as to which a claim is made.

EPA NOTIF 8-31-2010

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