

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

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

OCT - 5 2010

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

Dear Dr.O'Neal:

Subject: Application for Pesticide Notification (PRN 98-10)

Revise per PR Notice 2007-4 and correct address and telephone numbers

Permectrin WS 34% Pour-On EPA Reg. No. 61483-73

Your submission dated September 3, 2010

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated September 3, 2010 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds the action requested falls within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on <u>nonrefillable</u> containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions regarding this letter, please contact Dana Pilitt, PhD of my staff at (703) 305-7071 or via e-mail at pilitt.dana@epa.gov.

Sincerely.

Richard Gebken Product Manager 10

Insecticide Branch

Registration Division (7505P)

Please read instructions on reverse before completing for Form Approved OMB No. 2070-L Approval expires 2-28-98 Registration **United States** OPP Identifier Number **EPA** Environmental Protection Agency **Amendment** Other Washington, DC 20460 Application for Pesticide - Section 1 1. Company/Product Number 2. EPA Product Manager Proposed Classification 61483-73 Richard Gebken 4. Company/Product (Name) PM# Restricted None Permectrin WS 34% Pour-On 5. Name and Address of Applicant (Include Zip Code 6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(i), KMG-Bernuth, Inc. my product is similar or identical in composition and labeling to: 9555 W Sam Houston Pkwy S. Ste 600 EPA Reg. No. Houston, Texas 7709-2168 Check if this is a new address Product Name Section - II Amendment - Explain Below. Final printed labels in response to Agency letter dated March 10, 2006 Resubmission in response to Agency letter "Me Too" Application dated Notification - Explain below. 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 and phone numbers. "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: 2. Type of container Child-Resistant Packaging Unit Packaging Water Soluble Packaging Yes Yes Yes Metal No No No **Plastic** Certification must If "Yes" Unit No. per If "Yes" No. per Glass be submitted container Packaging Wt. Package Wt container Paper Other (specify 3. Location of Net Contents Information 4. Size(s) Retail Container 5. Location of Label Directions Label Container 6. Manner in Which Label is Affixed to Product Lithograph Stenciled Other Paper glued Section - IV 1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessare, to process this application.) Telephone No. (Include Area Code) Name (713) 819-3932°°° Dr. Hubert R. O'Neal Regulatory Consultant Certification 6. Date Application Received > I certify that the statements I have made on this form and all attachments thereto are true, accurate (Stamped) and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law. 3. Title 2. Signature Dr. Lowbert R. O'neal Regulatory Consultant 4. Typed Name 5. Date Dr. Hubert R. O'Neal September 3, 2010





September 3, 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

Permectrin™ WS 34% Pour-On EPA Registration No. 61483-73

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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PERMECTRINTM WS 34%

A SYNERGIZED, CONCENTRATE INSECTICIDE WITH UP TO 30 DAYS RESIDUAL EFFECTS

FOR COMMERCIAL/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 Dogs and Horses
- For Control of Ticks Including Deer Ticks (Carrier of Lyme Disease)

• Pleasant Citrus Scent

OCT - 5 2010

ACTIVE INGREDIENTS:

Permethrin (CAS No. 52645-53-1)	34.00%
Piperonyl Butoxide* (CAS No. 51-03-6)	8.50%
*(butyl carbityl)(6-propylpiperonyl) ether and rel	
OTHER INGREDIENTS:	57.50%
T	OTAL 100.00%

Contains 347.5 g. Permethrin and 86.9 g. Piperonyl Butoxide per quart.

EPA REG. NO. 61483-73

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	Call a poison control center or doctor immediately for treatment advice.		
	Do not induce vomiting unless told to do so by a poison control center or doctor.		
	Do not give any liquid to the person.		
	Do not give anything by mouth to an unconscious person		
If in eyes	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	Take off contaminated clothing.		
clothing	lothing • Rinse skin immediately with plenty of water for 15-20 minutes.		
	Call a poison control center or doctor for treatment advice.		
If inhaled	inhaled • 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

Net Contents: 1.0 U.S. Pint (473 ml)

treatment. You may also contact 1-800-322-8177 for emergency medical treatment information. Manufactured by: KMG-Bernuth, Inc. Houston, TX 77099-2168

800-322-8177



READ ENTIRE LABEL BEFORE USE. FOR USE ON DOGS. DO NOT USE ON CATS.

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. For external use only. **Do not use on puppies under 12 weeks of age.** Do not use on sick, aged, medicated, pregnant, or nursing dogs without consulting a veterinarian. Sensitivities may occur after using ANY pesticide product for pets. If signs of sensitivity occur, bathe your pet with mild soap and rinse with large amounts of water. If signs continue, consult a veterinarian immediately.

ENVIRONMENTAL HAZARDS: This pesticide is highly toxic to fish. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not apply where run off is likely to occur. 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. Do not use or store near heat or open flame.

INDICATIONS

For use on Horses, Beef and Dairy Cattle, Swine, Sheep, Poultry, Dogs, 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 instructions are given 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 pt. in 50 gal. of water to make a ready-to-use spray.

Livestock Use: Mix 1 pt. in 200 gal. of water to treat up to 800 animals.

Poultry Use: Mix 1 pt. in 100 gal. of water to treat up to 10,000 birds.

Dog Use: Mix ½ fl. oz. (15 ml.) in 2 gal. of water for flea and tick spray or dip.

Horse Use: Mix 1 fl. oz. (30 ml.) in 5 ½ 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 blend thoroughly. Do not hold dilutions for more than 24 hours.

Mix **PERMETRIN**TM **WS 34%** 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. Do not use on pregnant or nursing dogs, or on puppies less than three months of age.

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,	Mix 1 part concentrate in 1600 parts	High Pressure Spray:
House Flies, Lesser House Flies,	water (1 pt. in 200 gal. or 7 ml. in 3	Spray to thoroughly wet entire animal
Horse Flies, Deer Flies, Black Flies,	gal.). For severe infestations or for	(1-2) qts. per animal). For lice and
Mosquitoes, Eye Gnats, Blow Flies,	longer residual control, mix 1 part	mites, a second treatment is
Mange Mites, Scabies Mites, Lice,	concentrate in 528 parts water [1 pt. in	recommended in 14 days.
Ticks including Deer Ticks (carrier of	66 gal. or 7 ml. in 1 gal.].	
Lyme Disease), and Sheep Keds		
Horn Flies, Face Flies, Ear Ticks and	Mix 3.5 fl. oz. (100 ml.) in 2 gal.	Low Pressure Spray:
Lice	water.	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).

PESTS ON POULTRY

PESTS	DILUTIONS FOR USE	APPLICATION INSTRUCTIONS
Chicken Mite, Northern Fowl Mite, Chiggers, Lice and Bed Bugs	Mix 1 part concentrate in 800 parts water (1pt. in 100 gal. or 9.5 ml. in 2	High Pressure Spray: Spray per 100
Chiggers, Lice and Ded Dugs	gal.) For severe infestation or for	birds paying particular attention to
	longer residual control, mix 1 part	vent area.
	concentrate in 400 parts water (1 pt. in	3333 33333 3 3 3 3 3 3 3 3 3 3 3 3 3 3
<u></u>	50 gal. or 19 ml. in 2 gal.).	

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

House Flies, Stable Flies, Lesser House Flies, other Manure Breeding Flies, Bed Bugs, Chicken Mites, Fleas, Lesser Mealworms (Darkling Beetles), Lice, Mites, Ticks including Deer Ticks (carrier of Lyme Disease). Aids in control of Cockroaches, Ants, Spiders, Mosquitoes, Crickets and Face Flies.

Mix 1 part concentrate in 400 parts water (1 pt. in 50 gals. or 19 ml. in 2 gal.). For severe infestation or for longer residual control, mix 1 part concentrate in 136 parts water (1 pt. in 17 gal. or 28 ml. in 1 gal.).

SURFACE SPRAY:

Spray all surfaces thoroughly with diluted emulsion using 1 gal. per 750-1000 square feet, but do not let runoff occur.

In mist blower or power fogger (nonthermal) or overhead space spray system, mix 1 part concentrate in 80 parts water (1 pt. in 10 gal. or 48 ml. in 1 gal.)

INDOOR SPACE SPRAY:

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).

OUTDOOR SPACE SPRAY:

Fill area with mist. Apply while air is still.

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

Immonto I Eine Anto	MG-7-61 (2101) :- 21	CODDINET ED CAN.
Imported Fire Ants	Mix 7 fl. oz. (210 ml.) in 2 gal. water.	SPRINKLER CAN:
		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.

PESTS ON DOGS AND THEIR PREMISES:
NOTE: Use only on dogs. DO NOT USE ON CATS. Do not treat puppies under 12 weeks of age. Do not get this product in your dog's eyes or mouth. Avoid contact with genitalia. Reapply as necessary.

	mouth. Avoid contact with genitalia.	
PESTS	DILUTIONS FOR USE	APPLICATION DIRECTIONS
Fleas, Ticks including Deer Ticks	Mix 1 part concentrate in 512 parts	SPRAY, DIP OR SPONGE ON:
(carrier of Lyme Disease), Mange	water (1/2 fl. oz. or 15 ml. in 2 gal.)	Spray, dip, sponge or pour diluted
Mites, Lice and Stable Flies on Dogs		product on the dog until its hair and
		skin are thoroughly wet, making sure
		the animal's entire body is treated. Do
		not treat dog's face. Let drip dry on
		animal and do not rinse off.
		•
	Mix 1 part concentrate in 64 parts	LOW VOLUME SPRAY:
	water (1/2 fl. oz. or 15 ml. in 1 qt.)	Spray 1-2 fl. oz. per animal. Starting
		at the tail, stroke against the lay of the
		hair, spraying the parted hair with a
		fine mist directly behind the hand to
		insure penetrating the coat. Spray
		entire animal until hair coat is damp.
Fleas and Ticks on Premises	Mix 1 to 2 parts concentrate in 160	INDOOR PREMISE SPRAY:
	parts water (1 pt. in 10 to 20 gal. or 24	Thoroughly spray infested areas, pet
	ml. to 48 ml. in 1 gal.)	beds, resting quarters, nearby cracks
		and crevices, along baseboards,
		moldings, window and door frames,
		and localized areas of floor and floor
		covering. Fresh bedding should be
		placed in animal quarters following
		treatment.
	NG 1 G (20 1)	OTTO CON PROPERTY CAR CAR
	Mix 1 fl. oz. (30 ml.) concentrate in	OUTDOOR PREMISE SPRAY:
	10.5 gal. water or 7 ml. in 2.5 gal.	Use enough finished spray to penetrate
	water.	foliage, usually 50-100 gal. per acre.
		To prevent infestation of buildings,
		treat a band of vegetation 6-10 feet
L		adjacent to the structure.

PESTS ON HORSES:

PESTS	DILUTIONS FOR USE	APPLICATION DIRECTIONS
Horse Flies, Deer Flies, Stable Flies,	Mix 1 fl. oz. (30 ml.) concentrate in	SPRAY OR SPONGE ON:
House Flies, Horn Flies, Face Flies,	5-1/4 gal. water or 11 ml. in 2 gal.	Thoroughly wet animal to skin with
Black Flies, Mosquitoes, Eye Gnats, Mange Mites, Lice and Ticks.	water.	spray or sponge
	Mix 3.5 fl. oz. (105 ml.) concentrate in 1.5 gal. water or 35 ml. in 2 qt. water.	LOW PRESSURE SPRAY OR WIPE ON: Spray or wipe on 1-2 ft. oz. per animal. Pay particular attention to treat back, face, legs, and ears.

PESTS ON EQUINE PREMISE: Barns, Stables, Paddocks, and Animar Aospitals.

PESTS	DILUTIONS FOR USE	APPLICATION DIRECTIONS
House Flies, Stable Flies, Lesser	Mix 1 part concentrate in 400 parts	SURFACE SPRAY:
House Flies, other Manure Breeding	water (1 pt. in 50 gals. Or 19 ml. in 2	Spray all surfaces thoroughly with
Flies, Bed Bugs, Chicken Mites, Fleas,	gal.). For severe infestation or for	diluted emulsion using 1 gal. per 750-
Mealworms, Lice, Mites, Ticks	longer residual control, mix 1 part	1000 square feet, but do not let runoff
including Deer Ticks (carrier of Lyme	concentrate in 136 parts water (1 pt. in	occur.
Disease). Aids in control of	17 gal. or 28 ml. in 1 gal.).	
Cockroaches, Ants, Spiders,	-	
Mosquitoes, Crickets and Face Flies.		
	In mist blower or power fogger (non-	INDOOR SPACE SPRAY:
	thermal) or overhead space spray	Apply as fog or fine mist until area is
	system, mix 1 part concentrate in 80	filled with mist, using 2 fl. oz. (60ml)
	parts water (1 pt. in 10 gal. or 48 ml. in	per 1000 cubic feet.
	1 gal.).	
		OUTDOOR SPACE SPRAY:
		Fill area with mist. Apply while the
		air is still.
DO NOT APPLY DILLITIONS FOR PREMISE TREATMENT DIRECTLY TO HORSES. ENSURE THAT		

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.

100910

WALLANTY AND LIMITATION OF DANLAGES

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.