



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
1% Permethrin Pour-On Insecticide
EPA Reg. No. 61483-85
Your submission dated September 6, 2010

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated September 6, 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 nonrefillable 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)

2016

United States EPA Environmental Protection Agency Washington, DC 20460		<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
Application for Pesticide - Section 1			
1. Company/Product Number 61483-85	2. EPA Product Manager Richard Gebken	3. Proposed Classification	
4. Company/Product (Name) 1% Permethrin Pour-On Insecticide	PM# 10	<input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted	
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 _____		

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:				2. Type of container	
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	<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" 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)	
2. Signature 		3. Title Regulatory Consultant			
4. Typed Name Dr. Hubert R. O'Neal		5. Date September 6, 2010			

KMG

September 6, 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
1% Permethrin Pour-On Insecticide
EPA Registration No. 61483-85

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

KMG-Bernuth, Inc. 9555 W. Sam Houston Pkwy S., Suite 600, Houston, TX 77099-2168

1% PERMECTRIN™ POUR-ON INSECTICIDE

Ready-To-Use Pour-On & Spray Insecticide

Treats up to 25 Cows per Gallon

**Kills Flies, Lice and Ticks on Beef and
Lactating Dairy Cattle, and Keds on Sheep**

NOTIFICATION

OCT - 5 2010

ACTIVE INGREDIENT

Permethrin (CAS # 52645-53-1)..... 1.0%

OTHER INGREDIENTS*99.0%

Total 100.0%

*Contains petroleum distillate

EPA Reg. No. 61483-85

EPA Est. No. 61483-KS-01

Keep Out of Reach of Children

OCT 5 - 100

CAUTION

NOTIFICATION

See back panel for additional precautionary statements

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.
If swallowed	<ul style="list-style-type: none">• 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

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.

NOTE TO PHYSICIAN

Contains petroleum distillate – vomiting may cause aspiration pneumonia.

**Net Contents: 1.0 U.S. Gallon
(3.785 Liters)**

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

9-6-2010

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PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Avoid contact with eyes.

ENVIRONMENTAL HAZARDS: This pesticide is extremely toxic to fish. Use with care when applying to areas adjacent to any body of water. Do not add directly to water. Do not contaminate water by cleaning of equipment or disposal of wastes. Apply this product only as specified on this label.

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

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

APPLICATION INSTRUCTIONS

APPLY TO	TARGET PESTS	APPLICATION INSTRUCTIONS
Beef Cattle, Lactating and Non-Lactating Dairy Cattle and Calves	Horn Flies, Face Flies and Lice. Aids in the insecticidal control of Horse Flies, Stable Flies, Mosquitoes, Black Flies and Ticks	<p>DOSAGE: Apply ½ fl. oz. per 100 lbs. body weight of animal, up to a maximum of 5 fl. oz. for any one animal.</p> <p>POUR-ON: Pour along back line and down face.</p> <p>READY-TO-USE SPRAY: Use undiluted in a mist sprayer to apply correct dose. Apply directly to neck, face, back, legs and ears.</p> <p>BACK RUBBER USE: Mix one pt. per gal. of #2 diesel or mineral oil. Keep rubbing device charged. For Back Rubber applications, results are improved by daily forced use.</p>
Sheep	Sheep Keds, Lice, Horn Flies and Face Flies. Aids in the insecticidal control of Horse Flies, Stable Flies, Mosquitoes, Black Flies and Ticks	<p>DOSAGE: Apply ¼ fl. oz. per 50 lbs. body weight of animal, up to a maximum of 3 fl. oz. for any one animal.</p> <p>POUR-ON: For Keds, pour along back line over neck, shoulders and rump. Pour along back line and down face for lice, flies and ticks.</p> <p>READY-TO-USE SPRAY: Use undiluted in a mist sprayer to apply correct dose. Apply directly to neck, face, back, legs and ears.</p> <p>BACK RUBBER USE: Mix one pt. per gal. of #2 diesel or mineral oil. Keep rubbing device charged. For Back Rubber applications, results are improved by daily forced use.</p>
Premises – In and around Horse, Beef, Dairy, Swine, Sheep and Poultry premises, Animal Hospital Pens and Kennels and “outside” Meat Processing Premises	House Flies, Stable Flies, Face Flies, Gnats, Mosquitoes, Black Flies, Fleas, and Little House Flies. Aids in the control of cockroaches, ants, spiders and crickets.	<p>READY-TO-USE SPOT SPRAY OR PREMISE SPRAY: 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. One gallon will treat approximately 7,300 square feet.</p>

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NOTE: For Pour-On and Ready-To-Use Spray applications, repeat treatment as needed, but do not exceed 5 fl. oz. during any 14 day interval. For optimum insecticidal effectiveness against lice, a second treatment at 14 day intervals is recommended.

STORAGE AND DISPOSAL

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

Pesticide Storage: Keep container sealed when not in use. Do not store near food or feed

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 $\frac{1}{4}$ 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 9-6-2010

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