

61483-87

10-06-2010

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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 - 6 2010

Subject: Label Notification(s) for Pesticide Registration 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 September 8, 2010 for the following product(s):

**Permethrin™ S Synergized Formula Reg. No. 61483-87**

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,

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

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

United States <b>EPA Environmental Protection Agency</b> Washington, DC 20460	<input type="checkbox"/>	<b>Registration</b>	OPP Identifier Number
	<input type="checkbox"/>	<b>Amendment</b>	
	<input checked="" type="checkbox"/>	<b>Other</b>	

**Application for Pesticide - Section 1**

1. Company/Product Number 61483-87	2. EPA Product Manager Richard Gebken	3. Proposed Classification
4. Company/Product (Name) Permethrin S Synergized Formula	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. <b>NOTIFICATION</b> Product Name <b>OCT 6 2010</b>	

**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.)

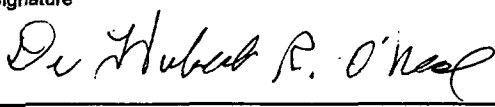
Submission of label to comply with PR2007-4 and correct registrant's address.

**"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 <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper Other (specify _____)
* <b>Certification must be submitted</b>		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 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
<b>Certification</b> 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 8, 2010	



September 8, 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™ S Synergized Formula  
EPA Registration No. 61483-87

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:

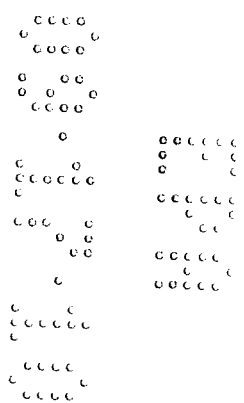
- . EPA Form 8570-1 (Rev 3-94),
- . Copy of the label marked to show the changes

**“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



# Permethrin™ S Synergized Formula

**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**

**ACTIVE INGREDIENTS**

Permethrin (CAS # 52645-53-1).....	1.00%
Piperonyl Butoxide (CAS # 51-03-6)* .....	1.00%
*(butyl carbityl)(6-propylpiperonyl) ether and related compounds.	
<b>OTHER INGREDIENTS**</b> .....	<b>98.00%</b>
	<b>Total 100.00%</b>

\*Equivalent to Min. 0.8% piperonyl butoxide and 0.2% related compounds

\*\*Contains petroleum distillate

EPA Reg. No. 61483-87

EPA Est. No. 61483-KS-01  
**NOTIFICATION**

**Keep Out of Reach of Children  
CAUTION**

**OCT - 6 2010**

See Back Panel For Additional Precautionary Statements

<b>FIRST AID</b>	
<b>If swallowed</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• Do not give any liquid to the person.</li> <li>• Do not give anything by mouth to an unconscious person</li> </ul>
<b>If in eyes</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If on skin or clothing</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>HOT LINE NUMBER</b>	
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.	
<b>NOTE TO PHYSICIAN</b>	
Contains petroleum distillate – vomiting may cause aspiration pneumonia.	

**Net Contents: 1 U.S. Gallon  
(3.785 Liters)**

**Mfg. by: KMG-Bernuth, Inc.  
Houston, TX 77099-2166  
800- 322-8177**

9-8-2010

**PRECAUTIONARY STATEMENTS**

**HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

**CAUTION:** Harmful if absorbed through the skin. Avoid contact with skin, eyes and clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling.

**ENVIRONMENTAL HAZARDS:** This pesticide is extremely toxic to fish and other aquatic invertebrates. Do not add directly to water, or to areas where surface waters are present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters. Apply this product only as specified on this label.

**PHYSICAL AND 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.**

APPLY TO	TARGET PESTS	APPLICATION INSTRUCTIONS
Beef Cattle, Lactating and Non-Lactating Dairy Cattle And Calves	Horn Flies, Face Flies and Lice Aids in control of Horse Flies, Stable Flies, House Flies, Mosquitoes, Black Flies and Ticks	<p><b>Dosage:</b> Apply ½ fl. oz. (15 ml.) per 100 lbs. body wt. of animal up to a maximum of 5 fl. oz. for any one animal. 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.</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 one pt. per gal. of mineral oil. Keep rubbing device charged. 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><b>Dosage:</b> Apply ¼ fl. oz. (7.5 ml.) per 50 lbs. body wt. of animal, up to a maximum of 3 fl. oz. for any one animal. For optimum control, all animals in the flock should be treated after shearing. For optimum insecticidal effectiveness against lice, a second treatment at 14 day intervals is recommended.</p> <p><b>Pour-On:</b> For Keds, pour along back line over neck, shoulders and rump. Pour along back line down face for lice, flies and ticks.</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>
Premises – In and around Horse, Beef, Dairy, Swine, Sheep and Poultry premises. Animal Hospital Pens and Kennels “outside” Meat Processing Premises.	House Flies, Stable Flies, Face Flies, Gnats, Mosquitoes, Black Flies, Fleas and Little House Flies. Aids in control of Cockroaches, Ants, Spiders, Crickets.	<p><b>Ready-To-Use Spot Spray 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. One gallon will treat approximately 7,300 square feet.</p>

**NOTE:** This is an oil-base, ready-to-use product that may leave an oily appearance on the hair coat of some animals. This product 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

**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 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.

**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 090810

9-8-2010