

67356-1

09/18/2008

1/13



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

September 18, 2008

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Mark Mongiovi
Regulatory Affairs
Woodstream Corporation
69 N. Locust Street
Lititz, PA 17543-0327

Subject: Product Name: Deer-Off Deer Repellent Concentrate
EPA Reg. No: 67356-1
Your Application for Label Notification Dated August 4, 2008, to Add
Optional Marketing Claim/Brand Logo: Havahart – Caring Control for
Pets and Wildlife [Brand Log]

Dear Mr. Mongiovi:

The Biopesticides and Pollution Prevention Division is in receipt of your application for Notification under 98-10 dated above. A preliminary screen of this request has been conducted for its applicability under PRN 98-10 and it has been determined that the action(s) requested falls within the scope of PRN 98-10. Our records have been duly noted, and the label submitted with this application has been stamped "Notification, received and reviewed" and will be placed accordingly in our records.

Questions concerning this action should be directed to Ms. Diana Hudson at (703) 308-8713 or email at HUDSON.DIANA@EPA.GOV.

Sincerely,

Linda Hollis

Linda Hollis, Chief
Biochemical Pesticides Branch
Biopesticides and Pollution Prevention
Division (7511P)

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 05-31-98



United States
Environmental Protection Agency
Washington, DC 20460

- Registration
- Amendment
- Other: Notification

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 67356-1	2. EPA Product Manager Linda Hollis - Chief Biochemical Pesticides Branch	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
2. Company/Product (Name) Deer Off Deer Repellent Concentrate	PM# 91	
5. Name and Address of Applicant (Include ZIP Code) Woodstream Corporation 69 N. Locust Street Lititz, PA 17543-0327 <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. _____ NOTIFICATION Product Name _____	

Section - II

Date Reviewed 9/18/08

- Amendment - Explain below.
- Resubmission in response to Agency letter dated _____
- Notification - Explain below.
- Final printed labels in response to Agency letter dated _____
- "Me Too" Application
- Other - Explain below

Reviewed by D. Hudson

Explanation: Use additional page(s) if necessary. (For Section I and Section II.)

Notification of Label Action Per PR-Notice 98-10: Other Minor Revisions - Addition of Brand Logo (Please reference attached explanation for 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 USC Sec. 1001 to willfully make false statements 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 checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water-Soluble-Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Package wgt. No. per container	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input checked="" type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
*Certification must be submitted			
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container 8oz, 16oz, 32oz, 128oz, 2.5 gal	5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" 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 Chad L. Mateer	Title Regulatory Affairs Manager	Telephone No. (include Area Code) 717-626-2125 x426
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 Affairs	
4. Typed Name Mark Mongiovi	5. Date 8-4-08	

ATTACHMENT TO NOTIFICATION DATED 8-4-08 (Page 1 of 1)

EPA Reg No.: 67356-1

NOTIFICATION OF LABEL ACTION PER PR-NOTICE 98-10:

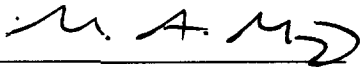
Addition of Brand Logo

MASTER LABEL- FRONT PANEL (Page 1 of 1)

[Optional Marketing Claims/Logos]

- Havahart® - Caring Control for Pets and Wildlife *[Brand Logo]*

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 USC Sec. 1001 to willfully make false statements 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.



8-4-08

Mark Mongiovi
Regulatory Affairs

RECEIVED
 AUG 11 2008
 U.S. ENVIRONMENTAL PROTECTION AGENCY
 REGULATORY AFFAIRS
 WASHINGTON, DC 20460



69 N. Locust Street
P.O. Box 327
Lititz, PA 17543-0327
(717) 626-2125
Fax: (717) 626-5350
www.woodstreamcorp.com
www.saferbrand.com
www.victorpest.com
www.havahart.com
www.perkypet.com
www.fishock.com

August 4, 2008

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

ATTN: Ms. Linda Hollis
Chief, Biochemical Pesticides Branch (PM 91)

SUBJECT: NOTIFICATION OF LABEL ACTION PER PR-NOTICE 98-10: OTHER MINOR REVISIONS – ADDITION OF BRAND LOGO
Deer Off® Deer Repellent Concentrate (EPA Reg. No. 67356-1)

Enclosed please find a Notification of Label Action Per PR-Notice 98-10. Also enclosed, please find a copy of our revised master label with changes highlighted and a clean copy for your records.

If you have any questions and/or need any additional information, please call Chad Mateer at (717) 626 - 2125-ext.:426 or email cmateer@woodstream.com.

Sincerely,

Mark Mongiovi
Regulatory Affairs
Woodstream Corporation

Enclosures:

- Notification of Label Action
- Copy of revised master label with changes highlighted
- Clean copy of revised master label



MASTER LABEL- FRONT PANEL (Page 1 of 1)

DEER OFF® DEER REPELLENT CONCENTRATE

[Additional Brand Names]

Deer Off® Deer, Rabbit, and Squirrel Repellent Concentrate
Bulb Guard Bulb & Perennial Animal Repellent

[Optional Marketing Claims/Logos]

- Deer, Rabbit, and Squirrel Repellent
- Repels by Odor and Taste
- Use on Bulbs, Gardens, Lawns, and Landscaped Areas
- Protection...from the Ground Up! [*For Bulb & Perennial Treatment Products Only*]
- Satisfaction Guaranteed
- Havahart® - Caring Control for Pets and Wildlife [*Brand Logo*]
- YIELDS [1 GALLON]; [2 GALLONS]; [8 GALLONS]; [20 GALLONS]
for 16 fl. oz for 32 fl. oz. for 1 Gal. for 2.5 Gal.

ACTIVE INGREDIENTS:

Putrescent Whole Egg Solids.....	6.2500%
Capsaicin and related Capsaicinoids.....	0.0045%
Garlic.....	0.0050%

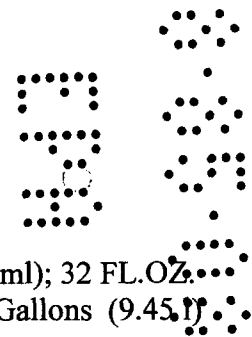
OTHER INGREDIENTS:.....93.7405%

TOTAL: 100.0000%

KEEP OUT OF REACH OF CHILDREN

CAUTION (See back panel for additional precautionary statements)

STORE IN A COOL AREA
SHAKE WELL BEFORE USING
www.havahart.com



NET CONTENTS: 8 FL. OZ. (1 PT) (236 ml); 16 FL. OZ (1PT.) (473 ml); 32 FL.OZ. (1QT.) (946 ml); 128 FL. OZ (1GAL.) (3.79 l); 2.5 Gallons (9.45 l)

MASTER LABEL-BACK PANEL (Page 1 of 7)

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. In case of contact, wash thoroughly with soap and water after handling.

FIRST AID

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.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. Contact 1-800-858-7378 for emergency medical treatment advice.

ENVIRONMENTAL HAZARDS: Do not apply directly to water or to areas where surface water is present, or to intertidal areas below the mean high water mark. Keep out of lakes, streams and ponds. Do not contaminate water by equipment cleaning or waste disposal.

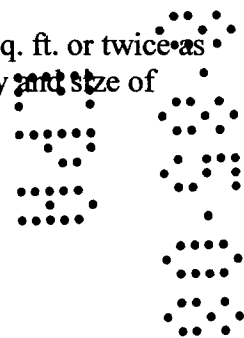
DEER OFF®

Protects against deer, rabbits, tree squirrels and other animals that browse and feed upon flowers, grass, bulbs, shrubs, plants, seedlings and trees. Provides dual protection. Both odor and taste barrier.

Patented Dual Deterrent System™ provides odor and taste barriers to repel deer, rabbits, tree squirrels and other animals from browsing and feeding upon flowers, grass, bulbs, shrubs, plants, seedlings and trees. Weather-resistant formula provides effective control. Reapply Deer Off® Deer Repellent Concentrate every 2 to 3 months or more often during periods when rain occurs.

[for 16 fl. oz size]

Treats up to 200 ornamental shrubs four feet tall or approximately 2000 sq. ft. or twice as much area for a periphery spray, depending on surface conditions, density and size of plantings.



MASTER LABEL-BACK PANEL (Page 2 of 7)

[for 32 fl. oz size]

Treats up to 400 ornamental shrubs four feet tall or approximately 4000 sq. ft. or twice as much area for a periphery spray, depending on surface conditions, density and size of plantings.

[for 1 gallon size]

Treats up to 1600 ornamental shrubs four feet tall or approximately 16,000 sq. ft. or twice as much area for a periphery spray, depending on surface conditions, density and size of plantings.

[for 2.5 gal. size]

Treats up to 4000 ornamental shrubs four feet tall or approximately 40,000 sq. ft. or twice as much area for a periphery spray, depending on surface conditions, density and size of plantings.

DIRECTIONS FOR USE

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

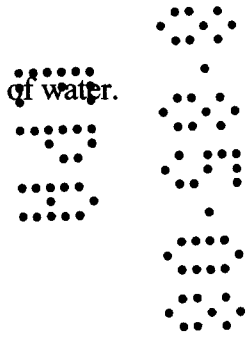
USE RESTRICTIONS: This product may be used to repel deer, rabbits, tree squirrels and other animals that feed on flowers, grass, bulbs, shrubs, plants, seedlings and trees. Deer Off® Deer Repellent Concentrate discourages animals from feeding on bulbs dipped in concentrate formulation for 5 minutes and allowed to dry. Do not apply at temperatures below 40°F, or in wet, windy conditions.

IMPORTANT: Not for direct use on plants intended for human consumption (i.e. food plants). This product contains egg solids which may cause allergic reactions in some individuals. Do not allow spray to drift onto plants intended for human consumption.

MIXING AND DILUTION DIRECTIONS: Shake container of Deer Off® Deer Repellent Concentrate thoroughly prior to mixing. Mix concentrate with tap water at a ratio of 1 part concentrate to 7 parts water. Use 4 oz. of concentrate and 28 oz of water to make 1 quart (32 oz.) of spray mixture.

[for 16 fl. oz size]

Contents of 1 pint bottle make 1 gallon of spray when mixed with 7 pints of water.



MASTER LABEL-BACK PANEL (Page 3 of 7)

[for 32 fl. oz size]

Contents of 1 quart bottle make 2 gallons of spray when mixed with 7 quarts of water.

[for 1 gallon size]

Contents of 1 gallon bottle make 8 gallons of spray when mixed with 7 gallons of water.

[for 2.5 gal. size]

Contents of 2.5 gallon bottle makes 20 gallons of spray when mixed with 17.5 gallons of water.

DO NOT OVER DILUTE THIS PRODUCT.

APPLICATION DIRECTIONS: Shake container of Deer Off ® Deer Repellent Concentrate spray thoroughly before use. Spray leaves, stems and branches thoroughly from all angles, until run-off or leaves look wet. Treat vulnerable plants at the beginning of each damage season. Repeat as new growth emerges, and if the effects of the previous treatment appear to be waning. Clean sprayer after each application to prevent clogging.

[for 16 fl. oz. size]

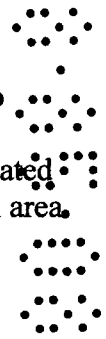
16 oz. of Deer Off ® Deer Repellent Concentrate yields enough spray to treat up to 200 ornamental shrubs 4 ft. tall or an area of about 2000 sq. ft. of treated plants. Surface conditions and size of plantings will affect the size of the area that can be treated with a given quantity of spray. Before large-scale treatments, test product on a small area of each type of plant to be treated to make sure that Deer Off ® Deer Repellent Concentrate will not damage the plant.

[for 32 fl. oz. size]

32 oz. of Deer Off ® Deer Repellent Concentrate yields enough spray to treat up to 400 ornamental shrubs 4 ft. tall or an area of about 4000 sq. ft. of treated plants. Surface conditions and size of plantings will affect the size of the area that can be treated with a given quantity of spray. Before large-scale treatments, test product on a small area of each type of plant to be treated to make sure that Deer Off ® Deer Repellent Concentrate will not damage the plant.

[for 1-gallon size]

1 gallon of Deer Off ® Deer Repellent Concentrate yields enough spray to treat up to 1600 ornamental shrubs 4 ft. tall or an area of about 16,000 sq. ft. of treated plants. Surface conditions and size of plantings will affect the size of the area that can be treated with a given quantity of spray. Before large-scale treatments, test product on a small area of each type of plant to be treated to make sure that Deer Off ® Deer Repellent Concentrate will not damage the plant.



MASTER LABEL-BACK PANEL (Page 4 of 7)

[for 2.5 gallon size]

2.5 gallons of Deer Off® Deer Repellent Concentrate yields enough spray to treat up to 4,000 ornamental shrubs 4 ft. tall or an area of about 1 acre (40,000 sq. ft.) of treated plants. Surface conditions and size of plantings will affect the size of the area that can be treated with a given quantity of spray. Before large-scale treatments, test product on a small area of each type of plant to be treated to make sure that Deer Off® Deer Repellent Concentrate will not damage the plant.

[For Bulb & Perennial Treatment Products Only]

BULB GUARD®

Protects bulbs and perennials against damage by deer, rabbits, tree squirrels, voles and other burrowing animals. Deer Off® Deer Repellent Concentrate discourages animals from feeding on planted bulbs and perennials by creating odor and taste barriers that animals find repulsive.

Patented Dual Deterrent System™ provides odor and taste barriers to repel deer, rabbits, tree squirrels and other animals from browsing and feeding upon flowers, grass, bulbs, shrubs, plants, seedlings and trees. Weather-resistant formula provides effective control. Reapply Deer Off® Deer Repellent Concentrate every 2 to 3 months or more often during periods when rain occurs.

Prior to planting, treat bulbs with undiluted solution (per directions) and plant in usual manner. Once plantings begin to sprout, dilute 7 parts water to 1 part Deer Off® Deer Repellent Concentrate to produce an above-ground animal repellent that protects against animal damage.

[for 8 fl.oz. size]

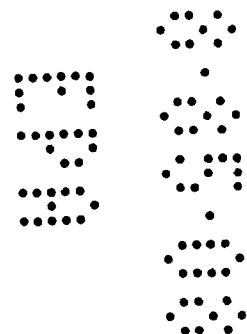
One-half pint of Bulb Guard® treats between 30-40 bulbs.

[for 16 fl.oz. size]

One pint of Bulb Guard® treats between 65-75 bulbs.

[for 32 fl.oz. size]

One quart of Bulb Guard® treats between 130-150 bulbs.



MASTER LABEL-BACK PANEL (Page 5 of 7)

DIRECTIONS FOR USE

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

USE RESTRICTIONS: This product may be used to repel deer, rabbits, tree squirrels, voles and other animals that feed on bulbs, flowers, and other plant life. Deer Off® Deer Repellent Concentrate discourages animals from feeding on bulbs dipped in concentrate formulation for 5 minutes and allowed to dry. Do not apply at temperatures below 40°F, or in wet, windy conditions.

IMPORTANT: Not for direct use on plants intended for human consumption (i.e. food plants). This product contains egg solids which may cause allergic reactions in some individuals. Do not allow spray to drift onto plants intended for human consumption.

MIXING AND DILUTION DIRECTIONS: For spraying perennials and plants, shake container of Deer Off® Deer Repellent Concentrate vigorously prior to mixing. Mix product with tap water at a ratio of 1 part Deer Off® Deer Repellent Concentrate to 7 parts water. **DO NOT OVER DILUTE THIS PRODUCT.** Do not mix a fungicide or herbicide with Deer Off® Deer Repellent Concentrate for spraying. Some antidesiccants can be applied with Deer Off® Deer Repellent Concentrate to protect vegetation (test first on a small area).

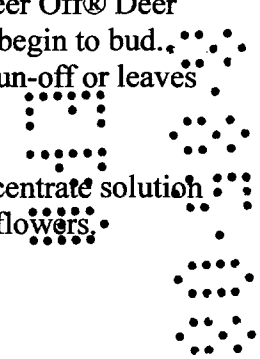
APPLICATION DIRECTIONS:

BULBS: Prior to planting, remove all loose skin and other dead material from the bulb surface. Dip each bulb in undiluted solution for at least 5 minutes, allow to air-dry thoroughly, then plant treated bulbs as usual.

BULBS: Dip bulbs into undiluted Deer Off® Deer Repellent Concentrate and let soak for at least 5 minutes. Remove and allow to air-dry completely prior to planting. Once dry, plant treated bulbs as usual and spray surrounding ground area.

PERENNIALS AND PLANTS: Dilute Deer Off® Deer Repellent Concentrate solution 7:1 with water (per the directions above). Shake container containing Deer Off® Deer Repellent Concentrate diluted spray well before use. Apply when bulbs begin to bud. Spray leaves, stems, flowers and buds thoroughly from all angles, until run-off or leaves look wet.

PERENNIALS AND PLANTS: Dilute Deer Off® Deer Repellent Concentrate solution per the directions below and spray directly onto leaves, stems, buds and flowers.



MASTER LABEL-BACK PANEL (Page 6 of 7)

Apply at temperatures between 40° F and 90° F, but not under wet, windy conditions. Each application can last two to three months under normal animal pressure and weather conditions.

Treat vulnerable plants at the beginning of each damage season. For added protection, spray the surrounding ground area to help drive away pests. Reapply as any new growth emerges and when effects of previous treatment begin to fade. Clean sprayers thoroughly after each application to prevent clogging.

[for 8 fl.oz. size]

One-half pint of Deer Off® Deer Repellent Concentrate treats between 30-40 bulbs.

[For 8 fl. oz. size]

One-half pint of Deer Off® Deer Repellent Concentrate yields enough spray to treat approximately 100 perennials and plants or an area of about 1,000 sq. ft. Surface condition, size and texture of planting will affect the area of treatment with a given quantity of spray. Before large-scale treatments, test product on a small area of each plant type to avoid plant damage.

[for 16 fl.oz. size]

One pint of Deer Off® Deer Repellent Concentrate treats between 65-75 bulbs.

[For 16 fl. oz. size]

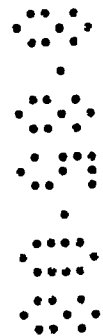
One pint of Deer Off® Deer Repellent Concentrate yields enough spray to treat approximately 200 perennials and plants or an area of about 2,000 sq. ft. Surface condition, size and texture of planting will affect the area of treatment with a given quantity of spray. Before large-scale treatments, test product on a small area of each plant type to avoid plant damage.

[for 32 fl.oz. size]

One quart of Deer Off® Deer Repellent Concentrate treats between 130-150 bulbs.

[For 32 fl. oz. size]

One quart of Deer Off® Deer Repellent Concentrate yields enough spray to treat approximately 400 perennials and plants or an area of about 4,000 sq. ft. Surface condition, size and texture of planting will affect the area of treatment with a given quantity of spray. Before large-scale treatments, test product on a small area of each plant type to avoid plant damage.



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MASTER LABEL-BACK PANEL (Page 7 of 7)

STORAGE AND DISPOSAL

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

STORAGE: Store only in original container, in a cool, dry area. Keep away from children and pets. Protect from heat and freezing. Store between 40° F and 90° F. Keep container tightly closed to prevent spillage and evaporation. If spillage occurs, dilute with water and flush away.

DISPOSAL: If empty - Nonrefillable container. Do not refill or reuse this container. Place in trash or offer for recycling if available.

If partly filled- Call you local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

Note: Seller warrants that this product complies with the specifications expressed in this label. To the extent consistent with applicable law, Seller makes no other warranties, and disclaims all other warranties, express or implied, including but not limited to warranties of merchantability and fitness for the intended purpose. To the extent consistent with applicable law, Seller's liability or default, breach or failure under this label shall be limited to the amount of the purchase price. To the extent consistent with applicable law, Seller shall have no liability for consequential damages.

Satisfaction Guaranteed or your money back. If for any reason you are not 100% satisfied, Woodstream Corporation will refund the suggested retail price or replace this product. Woodstream Corporation will not be liable for any damage, direct or incidental. Refund or replacement product is our only obligation. Mail Proof of Purchase to the address below.

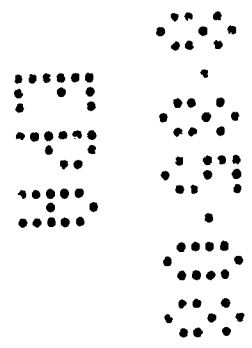
EPA Reg. No. 67356-1
EPA Est. No. 779-NY-01

Patent #5,368,866

Manufactured by:



69 North Locust Street
Lititz PA 17543
For information call 800-800-1819
www.havahart.com



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DEER OFF® is a registered trademark of Woodstream Corporation

MASTER LABEL – OPTIONAL CLAIMS (Page 1 of 1)

[Additional - Optional Marketing/Advertising Claims]

- Patented Dual Deterrent System™ – Repels By Scent & Taste
- Protects Against Deer, Rabbit & Tree Squirrel Damage
- For Use On Bulbs, Flowers, Lawns, & Landscaping
- Weather Resistant Formula*
 - * Reapply Deer Off Deer Repellent Concentrate every 2-3 months or more often during periods when rain occurs
- [16 Fl Oz.] Covers up to 2000 SQ. Ft.
- [32 Fl Oz.] Covers up to 4000 SQ. Ft.
- [1 Gallon] Covers up to 16000 SQ. Ft.
- [2.5 Gallons] Covers up to 40000 SQ. Ft.

