

SEP 13 2006

Mr. Chad Mateer
Regulatory Affairs
Woodstream Corporation
69 N. Locust Street
P.O. B ox 327
Lititz, PA 17543-0327

**Subject: Deer Off Deer Repellent Spray
EPA Registration No.67356-2
Requested Notification of additional label language dated July 10,
2006(EPA Submission # 796835)**

Dear Mr. Mateer:

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 does not clearly fall within the scope of PRN 98-10 and will require additional administrative (label) review of your files.

BPPD has therefore determined that this action will be more efficiently processed as a label amendment. A summary of our findings include:

- It is unclear if you are proposing to add a warranty statement to the product label or if the proposed language is designed to be used as part of the marketing claims for this product.
- Our records indicate that certain data requirements (Efficacy of Browsing Animal Repellants) defined in the initial registration may be outstanding. Enclosed is a copy of the Agency's request for those data.

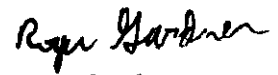
A response to this action, now reflected as a label amendment, will be provided to you in 90 days from the date of this letter. Should we find during our review process that additional concerns have arisen, you will be notified within that time frame. Our records have been duly noted that this action, previously submitted as a notification, will be processed as a label amendment.

CONCURRENCES

SYMBOL	▶ 7511P	7511P	7511 P				
SURNAME	▶ greene	Diycilant	Gardner				
DATE	▶ 9/12/06	9/13/06	9/13/06				

Questions concerning this action as an amendment should be directed to Todd Peterson at 703 308-7224 or email at Peterson.todd@epa.gov .

Sincerely,



Roger Gardner
Acting Chief, Biochemical Pesticides Branch
Biopesticides and Pollution Prevention Division
Office of Pesticide Programs (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
306668

Application for Pesticide - Section I

1. Company/Product Number 67356-2	2. EPA Product Manager Sheryl Reilly Chief, Biochemical Pesticides Branch	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Deer Off® Deer Repellent Spray	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. _____ Product Name _____	

Section - II

- 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

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

Notification of Label Action Per PR-Notice 98-10: Please reference the attached explanation

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 wgt.	No. per container	If "Yes" Package wgt.	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 <input type="checkbox"/> On Label <input type="checkbox"/> On labeling accompanying product	
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 Chad Mateer	Title Regulatory Affairs Specialist	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 <i>Chad Mateer</i>	3. Title Regulatory Affairs Specialist	
4. Typed Name Chad Mateer	5. Date 07-10-06	

4 8 8

ATTACHMENT TO NOTIFICATION DATED 07-10-06

OPP Identifier Number: 306668

Notification of Label Action Per PR-Notice 98-10:

Addition of Label Language-

Front Label Panel:

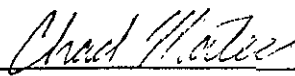
"Satisfaction Guaranteed"

Back Label Panel:

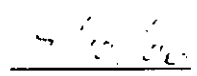
"Woodstream Corporation and its subsidiaries will not accept liability for damage or injury resulting from misuse. For information on this pesticide product (including health concerns, medical emergencies, or pesticide incidents), call the National Pesticide Information Center at 1-800-858-7378."

"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."

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.



Chad Mateer
Regulatory Affairs Specialist



EPA Reg. No. 67356-2
Notification of Label Action - Addition of Label Language
July 10, 2006
MASTER LABEL- FRONT PANEL (Page # 1 of 1)

DEER OFF® DEER REPELLENT SPRAY

- Deer, Rabbit, and Squirrel Repellent
- Repels by Odor and Taste
- Use on Edible Crops, Bulbs, Gardens, Lawns, and Landscaped Areas
- Ready-to-Use
- Long-Lasting
- Satisfaction Guaranteed

ACTIVE INGREDIENTS:

Putrescent Whole Egg Solids.....	0.7813%
Capsaicin and related Capsaicinoids.....	0.0006%
Garlic.....	0.0006%
OTHER INGREDIENTS:	99.2175%
TOTAL:	100.0000%

[additional brand names]

DEER OFF® DEER, RABBIT, AND SQUIRREL REPELLENT

www.havahart.com

KEEP OUT OF REACH OF CHILDREN

CAUTION (See back panel for additional precautionary statements)

STORE IN A COOL AREA

SHAKE WELL BEFORE USING

NET CONTENTS: 32 FL.OZ. (1QT.) (946 ml)
 16 FL. OZ (1PT.) (473 ml)
 128 FL. OZ (1GAL.) (3.79 l)

EPA Reg. No. 67356-2
Notification of Label Action - Addition of Label Language
July 10, 2006
MASTER LABEL-BACK PANEL (Page #1 of 3)

DEER OFF®

Protects against deer, rabbits, tree squirrels and other animals that feed on and damage flowers, plants, shrubs, grass, bulbs, edible crops, trees and seedlings.

Patented Dual Deterrent System™ provides odor and taste barriers to repel deer, rabbits, tree squirrels and other animals from browsing and feeding upon edible crops, flowers, grass, bulbs, shrubs, plants, seedlings and trees. Weather-resistant formula provides effective, long-lasting protection [by forming both an odor and taste barrier to repel pests.]

[for 32 fl. oz size only]

Treats 45-50 ornamental shrubs four feet tall or approximately 400-500 square feet, depending on surface conditions, density and size of plantings.

[for 16 fl. oz size only]

Treats 20-25 ornamental shrubs four feet tall or approximately 200-250 square feet, depending on surface conditions, density and size of plantings.

[for 128 fl. oz. size only]

Treats 180-200 ornamental shrubs four feet tall or approximately 1600-2000 square feet, depending on surface conditions, density and size of plantings.

Woodstream Corporation and its subsidiaries will not accept liability for damage or injury resulting from misuse. For information on this pesticide product (including health concerns, medical emergencies, or pesticide incidents), call the National Pesticide Information Center at 1-800-858-7378.

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. 67356-2
EPA Est. No. 63416-MN-01
Patent #5,368,866

EPA Reg. No. 67356-2
Notification of Label Action - Addition of Label Language
July 10, 2006
MASTER LABEL-BACK PANEL (Page #2 of 3)

Manufactured for:



Woodstream Corporation
69 North Locust Street
Lititz, PA 17543
For Information call 800-800-1819
www.havahart.com

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, plants, shrubs, grass, bulbs, edible crops, trees and seedlings. Do not apply at temperatures below 40°F, or in wet, windy conditions.

Food Crops: Spray up to two weeks before harvesting; wash edibles well before eating. Apply at temperatures between 40° F and 90° F, but not in wet, windy conditions. Each application lasts 2 to 3 months under normal deer pressure and weather conditions.

APPLICATION DIRECTIONS: Shake the container of DEER-OFF® spray before use. Spray leaves, stems, flowers and branches thoroughly from all angles, until run-off or leaves look wet. Treat vulnerable plants at the beginning of each damage season.

Reapply 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 32 fl. oz size only]

One quart of DEER-OFF® ready-to-use spray treats 45-50 ornamental shrubs 4 feet tall or an area of about 500 sq. ft. Surface conditions, size and texture of planting will affect the area for treatment with a given quantity of spray. Before large-scale treatments, test product on a small area of plant type to avoid possible plant damage.

[for 16 fl. oz size only]

One pint of DEER-OFF® ready-to-use spray treats 20-25 ornamental shrubs 4 feet tall or an area of about 250 sq. ft. Surface conditions and size of planting will affect the area for treatment with a given quantity of spray. Before large-scale treatments, test product on a small area of plant type to avoid possible plant damage.

EPA Reg. No. 67356-2
Notification of Label Action - Addition of Label Language
July 10, 2006
MASTER LABEL-BACK PANEL (Page #3 of 3)

[for 128 fl. oz size only]

One gallon of DEER-OFF® ready-to-use spray treats 180-200 ornamental shrubs 4 feet tall or an area of about 2000 sq. ft. Surface conditions, size and texture of planting will affect the area for treatment with a given quantity of spray. Before large-scale treatments, test product on a small area of plant type to avoid possible plant damage.

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:	
<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. 	
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.

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** - Do not reuse this container. Place in trash or offer for recycling if available. **If partly filled**- Call you local solid waste agency or 1-800-CLEANUP for disposal instructions. Never place unused product down any indoor or outdoor drain.