

67356-2

9/18/2008

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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 Spray
EPA Reg. No: 67356-2
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)

 EPA	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other: Notification	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 67356-2	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 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)(1), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section – II

NOTIFICATION
 Date Reviewed: 9/18/08
 Reviewed By: D. Hudson

<input type="checkbox"/> Amendment – Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<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.)

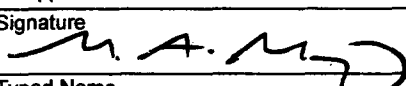
Notification of Label Action Per PR-Notice 98-10: Other Minor Revisions – Addition of Brand Logo (Please reference attached explanation for changes)

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:				2. Type of Container	
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	<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input checked="" type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 16oz, 32oz, 64oz, 128oz		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"/> Other _____ <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled					

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
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	

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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 Spray (EPA Reg. No. 67356-2)**

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



EPA Reg. No. 67356-2

Notification of Label Action – Other Minor Revisions – Addition of Brand Logo

Date Reviewed: 9-18-08

August 4, 2008

Page 1 of 6

Reviewed By: D. Hudson

MASTER LABEL- FRONT PANEL (Page 1 of 1)

DEER OFF® DEER REPELLENT SPRAY

[Additional Brand Names]

DEER OFF® DEER, RABBIT, AND SQUIRREL REPELLENT

[Optional Marketing Claims/Logos]

- Deer, Rabbit, and Squirrel Repellent
- Repels by Odor and Taste
- Use on Bulbs, Gardens, Lawns, and Landscaped Areas
- Ready-to-Use
- Satisfaction Guaranteed
- Havahart® - Caring Control for Pets and Wildlife [Brand Logo]

ACTIVE INGREDIENTS:

Putrescent Whole Egg Solids.....0.7813%
 Capsaicin and related Capsaicinoids.....0.0006%
 Garlic.....0.0006%

OTHER INGREDIENTS:.....99.2175%

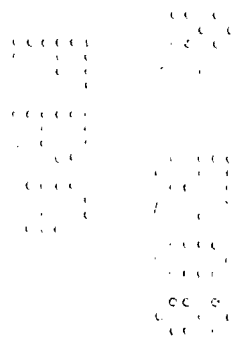
TOTAL: 100.0000%

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: 16 FL. OZ (1PT.) (473 ml)
 32 FL.OZ. (1QT.) (946 ml)
 64 FL. OZ (2QT.) (1.89 l)
 128 FL. OZ (1GAL.) (3.79 l)



MASTER LABEL-BACK PANEL (Page 1 of 4)

DEER OFF®

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

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

[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 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 64 fl. oz size only]

Treats 90-100 ornamental shrubs four feet tall or approximately 800-1000 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.

DIRECTIONS FOR USE

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

USE RESTRICTIONS: Use this product to repel deer, rabbits and tree squirrels that feed on flowers, plants, shrubs, grass, bulbs, trees and seedlings. Do not apply at temperatures below 40°F, or in wet, windy conditions.

MASTER LABEL-BACK PANEL (Page 2 of 4)

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.

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 every 2 – 3 months, or as new growth emerges and if the effects of the previous treatment appear to be waning. Reapply after rain. Clean sprayer after each application to prevent clogging.

[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.

[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 64 fl. oz size only]

Two quarts of DEER-OFF® ready-to-use spray treats 90-100 ornamental shrubs 4 feet tall or an area of about 1000 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.

[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.

MASTER LABEL-BACK PANEL (Page 3 of 4)

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.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco.

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: For terrestrial uses: 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 contaminate water when disposing of equipment washwater or rinsate.

MASTER LABEL-BACK PANEL (Page 4 of 4)

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.

Manufactured for:



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

EPA Reg. No. 67356-2
EPA Est. No. 779-NY-01
Patent #5,368,866

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DEER OFF ® is a registered trademark of Woodstream Corporation

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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 Spray every 2-3 months or more often during periods when rain occurs
- [16 Fl Oz.] Covers up to 250 SQ. Ft.
- [32 Fl Oz.] Covers up to 500 SQ. Ft.
- [64 Fl Oz.] Covers up to 1000 SQ. Ft.
- [128 Fl Oz.] Covers up to 2000 SQ. Ft.