

67356-7

9/5/2012

1/11



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

September 5, 2012

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Woodstream Corporation
69 N. Locust Street
Litz, PA 17543-0327
Attn: Mark A. Mongiovi

Subject: Notification of Label Action- additional language, other Minor Revisions per
PR Notice 98-10.

1. **Havahart® Caring Control for Pets and Wildlife – brand logo.**
2. **Shake vigorously before use.**

EPA Reg. No: 67356-7.
Product Name: Deer Off® RTU III.

Dear Mr. Mongiovi:

The Biopesticides and Pollution Prevention Division is in receipt of your application for Notification under Pesticide Registration Notice (PRN) 98-10 dated above. A 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 this Notice. Our records have been duly noted, and the label submitted with this application has been stamped "Notification Accepted" and will be placed accordingly in our records.

Three (3) copies of final printed labeling must be submitted to the Agency before your product as modified, may be sold or distributed [PR Notice 82-2 and 40 CFR 156.10(a) (6)].

If you have any questions regarding this action, you may contact Mr. Sylvester George at (703) 603-0688 or via e-mail at george.sylvester@epa.gov.

Sincerely,

Linda A. Hollis

Linda A. Hollis, Chief
Biochemical Pesticide Branch
Biopesticides and Pollution
Prevention Division (7511P)



United States
Environmental Protection Agency
 Washington, DC 20460

- Registration
- Amendment
- Other: NOTIFICATION**

OPP Identifier
 Number

Application for Pesticide - Section I

1. Company/Product Number 67356-7	2. EPA Product Manager Linda Hollis	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
2. Company/Product (Name) Deer Off® RTU III	PM# Branch Chief	
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 _____	

Notification Accepted

Section - II

Date: 9/5/2012

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

Sylvester Perry

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
 Please reference attached explanation

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 checked="" 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 checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input 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 16oz, 32oz, 48 oz, 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 type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input checked="" 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 <i>M.A. Mongiovi</i>	3. Title Regulatory Affairs Specialist	
4. Typed Name Mark A. Mongiovi	5. Date 8-13-12	

3/11

August 13, 2012

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: Notification Division

**SUBJECT: NOTIFICATION OF LABEL ACTION PER PR-Notice 98-10:
Other Minor Revisions
Deer Off® RTU III (EPA Reg. No. 67356-7)**

Enclosed please find a Notification of Label Action per PR-Notice 98-10 for Other Minor Revisions for the subject product. Also enclosed, please find one (1) copy of our revised master label with changes highlighted and one (1) clean copy for your records.

If you have any questions and/or need any additional information, please call me at (717) 626 -2125 ext: 219 or email mmongiovi@woodstream.com.

Sincerely,



Mark Mongiovi
Regulatory Affairs Specialist
Woodstream Corporation

Encl:
EPA Form 8570-1
Copy of revised master label with changes highlighted
One clean copy of revised master label



4/11

EPA Reg No.: 67356-7

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

OTHER MINOR REVISIONS: (CURRENT LANGUAGE) (ADDITIONAL LANGUAGE)

MASTER LABEL- FRONT PANEL (Page 1 of 1)

[Optional Logos/Marketing Claims]

- Repels Deer, Rabbits and Squirrels
- Patented Dual Deterrent™ – Repels by Scent and Taste
- For Use on Flower Gardens, Ornamentals, Plants, Shrubs, Bulbs, Trees and Seedlings
- Satisfaction Guaranteed
- Ready-To-Use
- For Organic Gardening
- OMRI® Listed Organic Materials Review Institute
- Havahart® Caring Control for Pets and Wildlife

-[optional logo]
 -[optional logo]
 -[brand logo]

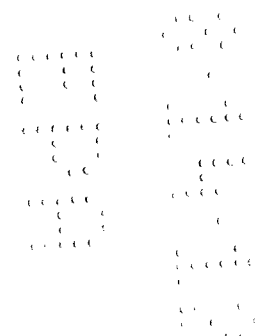
MASTER LABEL- FRONT PANEL (Page 1 of 1)

SHAKE [VIGOROUSLY] [WELL] BEFORE [USE] [USING]

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.


 Mark A. Mongiovi
 Regulatory Affairs Specialist
 Woodstream Corporation

8/13/2012



5/11

MASTER LABEL- FRONT PANEL (Page 1 of 1)

DEER OFF® RTU III

Notification Accepted

Date: 9/5/2012
Reviewer: *Sybil Reag*

[Additional Brand Names]

DEER OFF®III READY-TO-USE DEER, RABBIT, AND SQUIRREL REPELLENT
Ready-To-Use Deer Off® II

[Optional Logos/Marketing Claims]

- Repels Deer, Rabbits and Squirrels
- Patented Dual Deterrent™ – Repels by Scent and Taste
- For Use on Flower Gardens, Ornamentals, Plants, Shrubs, Bulbs, Trees and Seedlings
- Satisfaction Guaranteed
- Ready-To-Use
- For Organic Gardening -[optional logo]
- OMRI® Listed Organic Materials Review Institute -[optional logo]
- Havahart® Caring Control for Pets and Wildlife -[brand logo]

ACTIVE INGREDIENTS:

Putrescent Whole Egg Solids.....	4.63%
Capsaicin and related Capsaicinoids.....	0.001%
Garlic.....	0.001%
OTHER INGREDIENTS:	<u>95.368%</u>
TOTAL:	100.000%

KEEP OUT OF REACH OF CHILDREN

CAUTION (See back panel for additional precautionary statements and first aid)

STORE IN A COOL AREA, AVOID FREEZING
SHAKE [VIGOROUSLY] [WELL] BEFORE [USE] [USING]

www.havahart.com

Net Contents: 16 FL. OZ (1PT.) (473 ml), 32 FL.OZ. (1QT.) (946 ml), 48 FL.
(1.5QT) OZ (1.42l), 64 FL OZ (0.5 GAL) (1.89l), 128 FL. OZ
(1GAL.) (3.79 l)

6/11

MASTER LABEL- BACK PANEL (Page 1 of 4)

GENERAL INFORMATION

DEER OFF® RTU III protects against deer, rabbits and tree squirrels that feed on and damage flowers, ornamentals, plants, shrubs, bulbs, trees and seedlings.

Patented Dual Deterrent System™ provides scent and taste barriers to repel deer, rabbits, and tree squirrels from browsing and feeding upon flowers, ornamentals, plants, shrubs, bulbs, trees and seedlings. Weather-resistant formula provides effective control. Reapply DEER OFF® RTU III every 2 to 3 months or more often during periods when rain occurs.

[for 16 fl. oz size only]

One pint of DEER OFF® RTU III treats up to 25 ornamental shrubs four feet tall or an area of about 250 square feet, depending on surface conditions, plant density and size of plantings.

[for 32 fl. oz size only]

One quart of DEER OFF® RTU III treats up to 50 ornamental shrubs four feet tall or an area of about 500 square feet, depending on surface conditions, plant density and size of plantings.

[for 48 fl. oz size only]

One and a half quarts of DEER OFF® RTU III treats up to 75 ornamental shrubs four feet tall or an area of about 750 square feet, depending on surface conditions, plant density and size of plantings.

[for 64 fl. oz size only]

One half gallon of DEER OFF® RTU III treats up to 100 ornamental shrubs four feet tall or an area of about 1000 square feet, depending on surface conditions, plant density, and size of plantings.

[for 128 fl. oz size only]

One gallon of DEER OFF® RTU III treats up to 200 ornamental shrubs four feet tall or an area of about 2000 square feet, depending on surface conditions, plant 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, bulbs, trees and seedlings. Do not apply at temperatures below 40°F, or in wet, windy conditions. Apply only in dry conditions and only under conditions favoring prompt drying of spray (lightly breezy, mild dry weather with low

7/11

MASTER LABEL- BACK PANEL (Page 2 of 4)

relative humidity). If spray is used in wet conditions or in damp, cold, foggy or misty, weather, or if precipitation or freezing occurs before spray can dry, protection may be partially or completely lost. Protect product from freezing. Freezing makes DEER OFF® RTU III unusable.

IMPORTANT: 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® RTU III before use. Before large-scale treatments, test product on a small area of that plant type to avoid possible plant damage. Use with caution on open blooms and sensitive varieties such as impatiens, fuchsia and begonias.

[To apply, turn nozzle to spray or stream and pump trigger until material starts to dispense.] [To apply, pump handle to pressurize container and then depress trigger until material starts to dispense. Adjust nozzle to desired spray pattern] [To apply, place dip tube into container and tighten cap. Turn spray nozzle one half turn. Depress trigger until material starts to dispense. Adjust stream by turning nozzle to obtain the finest mist possible for the weather conditions experienced that day.] Spray leaves, stems, flowers and branches thoroughly from all angles, until leaves are well wetted.

[for 16 fl. oz size only]

One pint of DEER-OFF® RTU III treats 20-25 ornamental shrubs 4 feet tall or approximately 200-250 square feet.

[for 32 fl. oz size only]

One quart of DEER-OFF® RTU III treats 40-50 ornamental shrubs 4 feet tall or approximately 400-500 square feet.

[for 48 fl. oz size only]

One and a half quarts of DEER-OFF® RTU III treats 60-75 ornamental shrubs 4 feet tall or approximately 600-750 square feet.

[for 64 fl. oz size only]

One half gallon of DEER-OFF® RTU III treats 90-100 ornamental shrubs 4 feet tall or approximately 800-1000 square feet.

[for 128 fl. oz size only]

One gallon of DEER-OFF® RTU III treats 180-200 ornamental shrubs 4 feet tall or approximately 1600-2000 square feet.

8/11

MASTER LABEL- BACK PANEL (Page 3 of 4)

[for all sizes]

Surface conditions, size, and texture of plantings will affect the coverage with a given quantity of spray. Clean sprayer after each application to prevent clogging. 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 heavy rain.

STORAGE AND DISPOSAL

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

PESTICIDE 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.

CONTAINER 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 your 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, using tobacco or using the toilet.

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. For emergency information concerning this product, call the National Pesticides Information Center at 1-800-858-7378, 6:30 AM to 4:30 PM Pacific Time (PT), seven days a week. During other times, call the poison control center at 1-800-222-1222.

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.

9/11

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: If for any reason you are not 100% satisfied, Woodstream will refund the suggested retail price or replace this product. Woodstream will not be liable for any damage, direct or incidental. Refund or replacement product is our only obligation. Call 1-800-800-1819 ext. 490.

Manufactured for:



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

EPA Reg. No. 67356-7
EPA Est. No. 63416-MN-001

© Copyright 2008 Woodstream Corporation
DEER OFF ® is a registered trademark of Woodstream Corporation

DEER OFF
WOODSTREAM CORPORATION
LITITZ, PA 17543
800-800-1819
WWW.HAVAHART.COM

10/11

MASTER LABEL – OPTIONAL CLAIMS (Page 1 of 2)

[Additional - Optional Marketing/Advertising Claims]

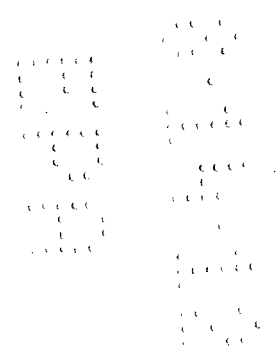
- Deer, Rabbit and Squirrel Repellent
- Prevents Deer, Rabbit & Squirrel Damage
- Protects against deer, rabbits and tree squirrels that feed on and damage flowers, ornamentals, plants, shrubs, bulbs, trees and seedlings.
- Protects Against Deer, Rabbit & Tree Squirrel Damage
- Repels rabbits from ornamentals
- Protects ornamental trees and shrubs
- (For) Use on flowers, ornamentals, plants, shrubs, 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, ornamentals, plants, shrubs, grass, bulbs, trees and seedlings.
- Provides Dual Protection.
- Repels by (Odor) (Scent) and Taste
- Both (Odor) (Scent) and Taste Barrier
- No Mixing Required
- Dries Odorless to Humans
- Fast Acting
- Protects your flower garden and ornamentals for up to 3 months.*
- Repels (deer) up to 3 months*
- (Protects) (Controls) up to 3 months*
- Residual Control – Up to 3 months*
- (Single) (One) (1) Application (last) (protects) (repels(deer)) up to 3 months*
- Season-Long Control*
- Weather Resistant Formula Provides Effective Damage Control*
- Weather Resistant Formula*
- Get Long-Lasting (Results) (Control) (Protection) with (a Single) (One) (1) Application*

[Qualifying statement(s) to be displayed for above * claims]

*When applied as directed

[or]

*Reapply DEER OFF® RTU III every 2-3 months or more often during periods when rain occurs.



11/11

MASTER LABEL – OPTIONAL CLAIMS (Page 2 of 2)

- 100% Satisfaction Guaranteed
- New! *[claim valid for 6 months from date of first stamped “accepted” label only]*
- Improved Formulation! *[claim valid for 6 months from date of first stamped “accepted” label only]*
- New and Improved! (-Higher Concentration of (Odor) (Scent) and Taste Barriers)
[claim valid for 6 months from date of first stamped “accepted” label only]
- Increased Active Ingredients!
[claim valid for 6 months from date of first stamped “accepted” label only]
- (Four times) (4 X) more active ingredient than the original Deer Off formula**

[Qualifying statement to be displayed for above ** claim]

*****Four times more putrescent whole egg solids***

- [16 Fl Oz.] Covers (Protects) up to 250 SQ. Ft.
- [32 Fl Oz.] Covers (Protects) up to 500 SQ. Ft.
- [48 Fl Oz.] Covers (Protects) up to 750 SQ. Ft.
- [64 Fl Oz.] Covers (Protects) up to 1000 SQ. Ft.
- [128 Fl Oz.] Covers (Protects) up to 2000 SQ. Ft.
- [48 Fl Oz., 64 Fl Oz., 128 Fl Oz.] Protects more plants than standard quart size
- [48 Fl Oz., 64 Fl Oz.] Adjustable nozzle for multiple spray patterns
- [48 Fl Oz.] 50% More than the Quart Size
- [64 Fl Oz.] 100% More than the Quart Size
- [48 Fl Oz., 64 Fl Oz.] Ready To Use Pump Sprayer
- [48 Fl Oz.] LARGE 48oz. SIZE PUMP SPRAYER
- [64 Fl Oz.] LARGE 64oz. SIZE PUMP SPRAYER

11/11