

67356-8

11/13/2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

NOV 13 2009 GMC

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Mark Mongiovi
Product Compliance Specialist
Woodstream Corporation
69 N. Locust Street
Lititz, PA 17543-0327

Subject: Label Amendment Per PR Notice 2000-5
Product Name: DEER OFF® Concentrate III
EPA Reg. No: 67356-8
Your Submission Dated August 17, 2009
Decision Number: 419884

Dear Mr. Mongiovi:

The amendment referred to above, submitted in connection with registration under FIFRA section 3(c)(5) OR 3(c)(7)(A), is acceptable provided that you:

1. Submit and/or cite all data required for registration/reregistration of your product under FIFRA section 3(c)(5) when the Agency requires all registrants of similar products to submit such data.
2. Submit five (5) copies of your final printed labeling before you release the product for shipment. Final printed labeling means the label or labeling of the product when distributed or sold. Clearly legible reproductions or photo reductions will be accepted for unusual labels, such as those silk-screened directly onto glass or metal containers or large bags or drum labels.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product bearing the amended labeling constitutes acceptance of these conditions.

Should you have any questions regarding this action, you may contact Gina Casciano at (703) 605-0513 or via email at casciano.gina@epa.gov. A stamped copy of the label is enclosed for your records.

Sincerely,

Linda A. Hollis, Chief
Biochemical Pesticides Branch
Biopesticides and Pollution

Enclosure		CONCURRENCES					
SYMBOL	7511P	7511P					
SURNAME	Casciano	COLE					
DATE	11/12/09	11/13/09					

ACCEPTED

NOV 13 2009

MASTER LABEL- FRONT PANEL (Page 1 of 1)

Under the Federal Insecticide, Fungicide,
and Rodenticide Act, as amended, for
the pesticide registered under
EPA Reg. No. 67356-8

DEER OFF® CONCENTRATE III

[Additional Brand Names]

DEER OFF®III CONCENTRATE DEER, RABBIT, AND SQUIRREL REPELLENT
Concentrate 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
- Concentrate
- For Organic Gardening -[optional logo]
- OMRI® Listed Organic Materials Review Institute -[optional logo]
- YIELDS -3.5 QUARTS; 1.75 GALLONS; 3.5 GALLONS; 7 GALLONS; 17.5 GALLONS
[for 16 fl. oz] [for 32 fl. oz.] [for 64 fl. Oz.] [for 1 Gal.] [for 2.5 Gal.]

ACTIVE INGREDIENTS:

Putrescent Whole Egg Solids.....	32.41%
Capsaicin and related Capsaicinoids.....	0.007%
Garlic.....	0.007%

OTHER INGREDIENTS:.....67.576%

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 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 5)

GENERAL INFORMATION

DEER OFF® CONCENTRATE 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® CONCENTRATE 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® CONCENTRATE III treats up to 175 ornamental shrubs four feet tall or an area of about 1750 square feet, depending on surface conditions, plant density and size of plantings.

[for 32 fl. oz size only]

One quart of DEER OFF® CONCENTRATE III treats up to 350 ornamental shrubs four feet tall or an area of about 3500 square feet, depending on surface conditions, plant density and size of plantings.

[for 64 fl. Oz. size only]

One half gallon of DEER OFF® CONCENTRATE III treats up to 700 ornamental shrubs four feet tall or an area of about 7000 square feet, depending on surface conditions, plant density, and size of plantings.

[for 1 gallon size only]

One gallon of DEER OFF® CONCENTRATE III treats up to 1400 ornamental shrubs four feet tall or an area of about 14000 square feet, depending on surface conditions, plant density and size of plantings.

[for 2.5 gal. size only]

Two and a half gallons of DEER OFF® CONCENTRATE III treats up to 3500 ornamental shrubs four feet tall or an area of about 35000 square feet, depending on surface conditions, plant density and size of plantings.

MASTER LABEL- BACK PANEL (Page 2 of 5)

DIRECTIONS FOR USE

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

USE RESTRICTIONS: Do not apply to plants intended for human or animal consumption. Use this product to repel deer, rabbits and tree squirrels that feed on flowers, plants, shrubs, bulbs, trees and seedlings. DEER OFF® CONCENTRATE III 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. Apply only in dry conditions and only under conditions favoring prompt drying of spray (lightly breezy, mild dry weather with low 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® CONCENTRATE 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.

MIXING AND DILUTION DIRECTIONS: Shake container of DEER OFF® CONCENTRATE III thoroughly prior to mixing. Mix concentrate with tap water at a ratio of 1 part concentrate to 6 parts water.

[for 16 fl. oz size only]

Contents of 1 pint bottle makes 3.5 quarts of spray when mixed with 6 pints of water.

[for 32 fl. oz size only]

Contents of 1 quart bottle makes 1.75 gallons of spray when mixed with 6 quarts of water.

[for 64 fl. oz size only]

Contents of ½ gallon bottle makes 3.5 gallons of spray when mixed with 3 gallons of water.

[for 1 gallon size only]

Contents of 1 gallon bottle makes 7 gallons of spray when mixed with 6 gallons of water.

[for 2.5 gal. size only]

Contents of 2.5 gallon bottle makes 17.5 gallons of spray when mixed with 15 gallons of water.

DO NOT OVER DILUTE THIS PRODUCT.

MASTER LABEL- BACK PANEL (Page 3 of 5)

APPLICATION DIRECTIONS: Shake the container of DEER OFF® CONCENTRATE III spray thoroughly 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.

[for 16 fl. oz size only]

Spray leaves, stems, flowers and branches thoroughly from all angles, until leaves are well wetted. One pint of DEER OFF® CONCENTRATE III yields enough spray to treat 140-175 ornamental shrubs 4 feet tall or approximately 1400-1750 square feet. Surface conditions, size and density of plantings will affect the area covered with a given quantity of spray.

[for 32 fl. oz size only]

Spray leaves, stems, flowers and branches thoroughly from all angles, until leaves are well wetted. One quart of DEER OFF® CONCENTRATE III yields enough spray to treat 280-350 ornamental shrubs 4 feet tall or approximately 2,800-3,500 square feet. Surface conditions, size and density of plantings will affect the area covered with a given quantity of spray.

[for 64 fl. oz. size only]

Spray leaves, stems, flowers and branches thoroughly from all angles, until leaves are well wetted. One half gallon of DEER OFF® CONCENTRATE III yields enough spray to treat 560-700 ornamental shrubs 4 feet tall or approximately 5,600-7,000 square feet. Surface conditions, size, and texture of plantings will affect the coverage with a given quantity of spray.

[for 1 gallon size only]

Spray leaves, stems, flowers and branches thoroughly from all angles, until leaves are well wetted. One gallon of DEER OFF® CONCENTRATE III yields enough spray to treat 1,120-1,400 ornamental shrubs 4 feet tall or approximately 11,200 – 14,000 square feet. Surface conditions, size and texture of planting will affect the area covered with a given quantity of spray.

[for 2.5 gal. size only]

Spray leaves, stems, flowers and branches thoroughly from all angles, until leaves are well wetted. Two and a half gallons of DEER OFF® CONCENTRATE III yields enough spray to treat 2,800-3,500 ornamental shrubs 4 feet tall or approximately 28,000 -35,000 square feet. Surface conditions, size and texture of planting will affect the area covered with a given quantity of spray.

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MASTER LABEL- BACK PANEL (Page 4 of 5)

[for all sizes]

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.

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, 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, the continue rinsing eye.- Call a poison control center or doctor for treatment advice.
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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.

MASTER LABEL- BACK PANEL (Page 5 of 5)

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. 67356-8
EPA Est. No. 779-NY-01

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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, bulbs, trees and seedlings.
- Provides Dual Protection.
- Repels by (Odor) (Scent) and Taste
- Both (Odor) (Scent) and Taste Barrier
- 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.

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 Ingredient!
[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 1750 SQ. Ft.
- [32 Fl Oz.] Covers (Protects) up to 3500 SQ. Ft.
- [64 Fl Oz.] Covers (Protects) up to 7000 SQ. Ft.
- [1 Gallon] Covers (Protects) up to 14000 SQ. Ft.
- [2.5 Gallons] Covers (Protects) up to 35000 SQ. Ft.