

67702-6



08-12-2010
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

1/10

AUG 12 2010

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

W. Neudorff GmbH KG
C/o Mr. Walter G. Talarek PC
1008 Riva Ridge Drive
Great Falls, VA 22066-1620

Subject: Label Notification(s) for Pesticide Registration 98-10

Dear Mr. Talarek:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated for June 2, 2010

EPA Registration Number: 67702-6 NEU1161 RTU

The Registration Division (RD) has conducted a review of this request for applicability Under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Should you wish to retain the company's website on your label, then please be aware that the language presented in the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to the false and misleading provisions of 40 CFR 156.10(a)(5). Therefore should the Agency find or if it is brought to our attention that a website contains claims substantially differing from the EPA approved section 3 registration, the website will be referred to the EPA's Office of Enforcement and Compliance Assurance.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on non-refillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact Melody Banks on 703 305-5413.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Suarez", written over a horizontal line.

Mark Suarez
Product Manager 13
Insecticide Branch
Registration Division (7504P)



United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☐ Amendment
☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 67702-6	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) NEU1161 RTU	PM# 10	
5. Name and Address of Applicant (Include ZIP Code) W. Neudorff GmbH KG c/o Walter G. Talarek PC 1008 Riva Ridge Drive Great Falls, VA 22066-1620 <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

<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.

NOTIFICATION

AUG 12 2010

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

Notification of minor revisions to product's label under PR Notice 98-10. See the enclosed letter to Mr. Richard Gebken, PM 10, for a full explanation of the revisions being made by the notification and the certification required by PR Notice 98-10.

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 Walter G. Talarek		Title Authorized Agent		Telephone No. (Include Area Code) 703-759-4837	
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) AUG 12 2010
2. Signature 		3. Title Authorized Agent			
4. Typed Name Walter G. Talarek		5. Date June 2, 2010			

3
10

LAW OFFICES OF
WALTER G. TALAREK, P.C.

1008 RIVA RIDGE DRIVE
GREAT FALLS, VA 22066-1620

PHONE: 703-759-4837

FAX: 703-759-5548

E-MAIL: WTALAREK@VERIZON.NET

June 2, 2010

DELIVERED BY COURIER

Richard Gebken
PM 10, Registration Division
c/o Document Process Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

Re: NEU1161 RTU
EPA Reg. No. 67702-6
Notification

Dear Mr. Gebken:

Please find enclosed W. Neudorff GmbH KG's (Neudorff's) application for a notification for the registration for NEU1161 RTU, EPA Reg. No. 67702-6. In essence, this notification would revise the product's label as follows:

1. Add an optional warranty statement; and
2. Add three (3) optional marketing claims; and

Two (2) copies of the revised label are enclosed. One (1) of the copies has the revisions being made by this notification highlighted in yellow.

This notification is consistent with PR Notice 98-10 and EPA's 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 U.S.C. Sec. 1001 to willfully make any false statement 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.

If you have any questions about this notification, please feel free to contact me.

$$\frac{4}{10}$$

Walter G. Talarek
Authorized Agent
W. Neudorff GmbH KG

Enclosure – Application for Notification

Page 2 of 2

5
10

NEU1161 RTU

NOTIFICATION

AUG 12 2010

Active Ingredients	By Wt.
Pyrethrins	0.01%
Canola Oil	1.00%
Other Ingredients.....	<u>98.99%</u>
Total	100.00%

This product contains 0.0824 lbs. of canola oil and 0.0008 lbs. of pyrethrins per gallon.

[when The Scotts Company uses the brand name Ecosense when selling or distributing this product, it must place a qualifying symbol after the brand name and, in close proximity to the brand name, place the statement “economically sensible alternative pest control”]

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID
IF ON SKIN OR CLOTHING: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.
Have the product container or label with you when calling a poison control center of doctor, or going for treatment. For additional information on this pesticide product, you may call 1-800-xxx-xxxx or the National Pesticide Information Center at 1-800-858-7378 for emergency medical treatment information.

NET CONTENTS: 16 fl. oz., 22 fl. oz., 24 fl. oz., 32 fl. oz, 1 gallon

EPA Registration #: 67702-6

EPA Establishment # 67702-DEU-1

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals: CAUTION: Avoid contact with skin or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco.

User Safety Recommendations

- Users should wash hands with plenty of soap and water before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Environmental Hazards: This product is toxic to aquatic organisms including fish and invertebrates. Do not apply directly to water or near water. Drift and run-off may be hazardous to fish in water adjacent to treated areas. Do not contaminate water when disposing of equipment, washwater, or rinsate. See Directions for Use for additional precautions and requirements.

Only for use in home gardens, home indoor houseplants, and home greenhouses.

USE RESTRICTIONS

Do not allow adults, children or pets to enter the treated area until sprays have dried.

Remove pets, birds, and cover fish aquariums before spraying.

Do not apply within 21 days of a sulfur application.

Do not use NEU1161 RTU spray when temperatures are above 90°F.

Do not apply more than 10 times per season.

Do not reapply within 3 days except under extreme pest pressure.

Do not apply more than 1 time per day.

In case of extreme pest pressure do not reapply within 24 hours.

Do not apply directly to or near water, storm drains, or drainage ditches. Do not apply when windy. To prevent product run-off, do not over water treated areas(s) or apply prior to heavy rainfall.

Phytotoxicity:

Oil removes the glaucous (blue) bloom from such evergreens as Colorado blue spruce and Koster spruce. Apply carefully to blooms and buds and on oil sensitive plants such as: Chamaecyparis, Cryptomeria, Japanese Holly, Red Cedar and Smoke Tree. If concerned about sensitivity of plants, test by spraying a portion of the plant and wait several days to determine if burn occurs before spraying larger areas.

PESTS/SITES AND APPLICATION INSTRUCTIONS

[The registrant may use one of the two statements:

NEU1161 RTU will kill exposed aphids, beetles (Colorado potato beetle, flea beetle, Japanese beetle, asparagus beetle), caterpillars (gypsy moth caterpillars, tent caterpillar, diamondback moth larvae, leafrollers), ants (except Fire Ants, Harvester Ants, Carpenter Ants, and Pharaoh Ants), mealybugs, mites, leafhoppers, scale, thrips, fungus gnats, whitefly, adelgids, plant bugs, sawfly larvae, psyllids, spittlebugs, and phylloxera.

OR

Kills exposed aphids, beetles (Colorado potato beetle, flea beetle, Japanese beetle, asparagus beetle), caterpillars (gypsy moth caterpillars, tent caterpillar, diamondback moth larvae, leafrollers), ants (except Fire Ants, harvester Ants, Carpenter Ants, and Pharaoh Ants), mealybugs, mites, leafhoppers, scale, thrips, fungus gnats, whitefly, adelgids, plant bugs, sawfly larvae, psyllids, spittlebugs, and phylloxera.]

OUTDOOR USE

For use outdoors on fruit and nut trees (apples, cherries, peaches, pears, nuts); flowering, foliage plants; corn; melons; tomatoes; vegetables (beans, cabbage, cucurbits, peas, potatoes); figs; small fruits (grapes, strawberry, raspberry); citrus; ornamental and shade trees (birch, evergreens, holly, oak).

HOME GREENHOUSE USE

For use in home greenhouses flowering, foliage plants; melons; tomatoes; vegetables (beans, cabbage, cucurbits, peas, potatoes); small fruits (grapes, strawberry, raspberry); houseplants.

INDOOR USE

For use indoors on houseplants.

DORMANT USE

Kills exposed egg stages of pests present in dormant season and scale insects, mites and mealybugs on dormant shrubs (roses), evergreens, fruit trees and shade trees. Thoroughly wet the dormant plants or trees.

STORAGE AND DISPOSAL

STORAGE: Store this product in its original container and keep in a secure storage area out of reach of children and domestic animals.

DISPOSAL:

If empty: Nonrefillable container. Do not reuse or refill 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.

[The registrant may use one or more of these optional statements:
“NOTICE TO BUYER

Seller warrants that this product conforms to the chemical description on this label and is reasonably fit for purposes stated in the Directions for Use, subject to the inherent risks described above, when used in accordance with the Directions for Use under normal conditions. To the extent consistent with applicable law, this warranty does not extend to use of this product contrary to label directions, or under abnormal use conditions, or under conditions not reasonably foreseeable to Seller. To the extent consistent with applicable law, the seller shall not be liable for any such use. To the extent consistent with applicable law, the Seller makes no other warranties, either expressed or implied.”

OR

[The] (Insert Company Name) Guarantee- If for any reason you are not satisfied with this product, send proof of purchase to the address shown and we will gladly refund your purchase price.”

OR

[The] (Insert Company Name) Guarantee – If for any reason you are not satisfied with this product, mail us proof of purchase to obtain a full refund of your purchase price.

OR

Satisfaction guaranteed

OR

Unconditionally guaranteed

OR

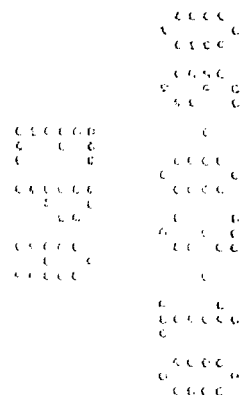
Money back guarantee

[Marketing claims and product information that may be presented on the container or supplemental labeling:

- Dormant and growing season insect spray to kill exposed adelgids, aphids, armored scale, beetle larvae, cankerworms, caterpillars, fungus gnats, lace bugs, leafhoppers, leafminers, leafrollers, mealybugs, mites, plant bugs, psyllids, scale insects, spider mites, thrips, webworms and whiteflies.
- Patented formulation.
- Patented formula

9
10

- Patent #5,700,473
- Kills all accessible stages of listed insects, including eggs.
- Contact insecticide, ovicide.
- Kills mites, whiteflies, aphids, and all accessible stages of listed insects & eggs
- Acts as a repellent (ovipositional and feeding deterrent).
- For roses, flowers & vegetables
- Contains pyrethrins and canola oil botanical insecticides.
- Contains botanical insecticides
- For use on plants-indoors and outdoors
- Can use on (flowers), (vegetables), (fruits) and (roses)
- Easy to use
- Insecticide/Miticide
- Insect spray
- Roses and flowers
- Houseplants and gardens
- Fruits and vegetables
- NEU1161 RTU is a contact killer for both listed insect and listed mite pests.
- Contact insecticide
- For best results, pests must be contacted directly with spray.
- Fast-acting
- Kills listed insects fast
- Kills listed insects on contact
- Kills listed bugs on contact
- Read entire container label before using this product
- May be used up to and including day of harvest.
- Can be used up to and including day of harvest
- PyrolTM is a trademark of W. Neudorff GmbH KG
- Made with PyrolTM Insecticide, a trademark of W. Neudorff GmbH KG
- Contains PyrolTM Insecticide, a trademark of W. Neudorff GmbH KG
- Questions, comments (or medical information) X-XXX-XXX-XXXX
- © 20XX Licensed (insert company name). World rights reserved.
- Manufactured. Distributed by: (insert company name)
- Made in/Produced in: _____ (from US and imported products/parts)
- See back (booklet) label for first aid
- This container is made with a minimum X% recycled material
- Manufactured under [a] license of W. Neudorff GmbH KG[, Germany]
- Designed for Independent Retailers
- (Insert company website)
- Superscript is first letter of lot number



$$\frac{19}{10}$$
