

US ENVIRONMENTAL PROTECTION AGENCY OFFICE OF PESTICIDES PROGRAMS REGISTRATION DIVISION (TS-767) WASHINGTON, DC 20460	EPA REGISTRATION NO. 69217-1	DATE OF ISSUANCE FEB 27 1997
	TERM OF ISSUANCE <i>Unconditional</i>	
NOTICE OF PESTICIDE: <input checked="" type="checkbox"/> REGISTRATION <input type="checkbox"/> REREGISTRATION (Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended)	NAME OF PESTICIDE PRODUCT Prevent	

NAME AND ADDRESS OF REGISTRANT (Include ZIP code)

Mity-Nice Products, Co.
 810 N. Hwy 61
 Wentzville, MO 63385

176/ 5-519230

NOTE: Changes in labeling formula differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above U.S. EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby Registered/Reregistered under the Federal Insecticide, Fungicide, and Rodenticide Act.

A copy of the labeling accepted in connection with this Registration/Reregistration is returned herewith.

Registration is in no way to be construed as an indorsement or approval of this product by this Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is unconditionally registered in accordance with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) section 3(c)(5) provided that you:

A. Make the labeling changes listed below and submit one (1) copy of final printed labeling before you release the product for shipment:

1. Add "EPA Reg. No. 69217-1" to your label.
2. The following claim would be acceptable:

Discourages squirrels and chipmunks from feeding on wild bird food.

[If you do not want to claim chipmunks, just delete references to them in your final printed labeling. However, in the future, if you wish to add them to your label, you will need to make a formal registration amendment and receive approval before marketing. Another option is to retain chipmunks on your approved label of record but delete them from the text used for product that will be initially marketed. Then, you could add the claim in the future without our approval because the use had already been approved. The choice is yours.]

ATTACHMENT IS APPLICABLE

SIGNATURE OF APPROVING OFFICIAL	DATE
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3. Restructure the "DIRECTIONS FOR USE" as indicated below.

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 in yards around homes and other buildings to discourage gray squirrels, red squirrels, fox squirrels and chipmunks from feeding on seeds and other dry feed placed in feeders or on the ground to feed wild birds.

Mixing Directions: Wearing eye protection and gloves at an outdoor, wind-protected location, mix 1/2 cup of vegetable oil with contents of self-closing package (3 tablespoons). Then add oily mixture to a container with a securable top. Select a container large enough to facilitate mixing of PREVENT with the amount of feed to be treated. Close top of container securely and shake container thoroughly, inverting the container occasionally to promote complete mixing.

Application Directions: Using gloves, fill feeders or place treated feed on ground in the manner appropriate for the species of birds that you are trying to feed. Repeat use of treated feed if squirrels and chipmunks return.

[Note that, like the labeling to "Squirrel Away", the product must be packaged in self-closing subpackages to reduce the possible exposure of the product to those mixing it.]

5. Revise your "STORAGE AND DISPOSAL" statements as follows:

STORAGE AND DISPOSAL

Storage: Store unused product in self-lock plastic bag and treated feed in secured container, in a dry place inaccessible to children and pets.

Disposal: Dispose of self-lock bag, including any unused material, by securely wrapping in newspaper and discarding in trash.

B. You will need to relabel all existing stocks in your possession with the new labeling.

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.

If you have questions about this registration, please contact Mr. Dan Peacock at 703-305-5407. A stamped copy of the labeling is enclosed for your records.

Sincerely yours,



William W. Jacobs, PhD
Product Manager (14)
Insecticide-Rodenticide Branch
Registration Division (H7504C)

- Enclosures: 1. Stamped Label
- 2. A-79 Enclosure

Peacock WP#11:A:\Capsaici\69217-1.NOT:305-5407,-6600:2/17/97

BEST AVAILABLE COPY

PREVENT™

SQUIRREL REPELLENT



DISCOURAGES SQUIRRELS FROM FEEDING ON WILD BIRD FOOD

CAUTION

Keep out of reach of children.

FIRST AID

If in eyes, or on skin, flush with plenty of water.

If irritation persists, get medical attention.

SEE BACK PANEL FOR ADDITIONAL PRECAUTIONS

ACTIVE INGREDIENTS

Capsaicin and related capsaicinoids* 0.75%

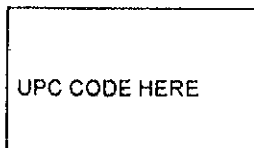
INERT INGREDIENTS 99.25%

TOTAL 100%

*made from ground hot cayenne peppers

Net. contents 8 oz.

MITY-NICE PRODUCTS CO. WENTZVILLE MO, 63388



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PRECAUTIONARY STATEMENTS

Hazards to Humans and Domesticated Animals

CAUTION: Strong, temporary irritant to eyes, nose and skin. Avoid contact with powder and treated bird feed. Wash thoroughly with soap and water after handling. Do not allow children to use this product.

Environmental Hazards

Do not apply directly to water. Do not contaminate water when disposing of equipment washwater or rinsate.

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 in yards around homes and other buildings to discourage gray, red and fox squirrels from feeding on bird food.

Mixing Directions: Wearing eye protection and gloves at an outdoor, wind-protected location, in a large container with a securable lid, mix 3 tablespoons PREVENT™ with ½ cup vegetable oil, add 5lbs. bird seed replace lid and mix well.

Application Directions: Use gloves to fill feeder. Repeat if needed.

STORAGE AND DISPOSAL

Storage: Store unused Prevent™ and treated seed in a secure container inaccessible to children and pets.

Disposal: Wrap all contaminated items securely in newspaper, place in trash. EPA Reg. no. *****EPA Est. no. *****

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Under the Federal Insecticide, Fungicide, and Rodenticide Act no act shall be made or attempted register a under FIFRA Reg. No.

69217-1