

69261-4

1-8-2008

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

JAN 08 2008

Mr. Richard Evons  
Product Registration  
DiaSource, Inc.  
P.O. Box 7801  
Boise, Idaho 83707

SUBJECT: Application for Pesticide Notification (PRN 98-10)  
Request Warranty Statement Language Change  
EPA Reg. No. 69261-4  
Application Dated December 4, 2007

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 12/04/07 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped 'Notification' and will be placed in our records.

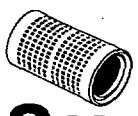
If you have any questions, please call me directly at 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

*Linda Arrington*  
for

Linda Arrington  
Notifications & Minor Formulations Team Leader  
Registration Division (7505P)  
Office of Pesticide Programs

2/3



# DiaSource®

Document Processing Desk (NOTIF)  
Office of Pesticide Programs (7504C)  
U.S. Environmental Protection Agency  
Room 266A, Crystal Mall 2  
1921 Jefferson Davis Highway  
Arlington, VA 22202-4501

December 4, 2007

Re: Notification of change to our label's **Warranty Statement** language, per EPA PR Notice 98-10  
Diasource Diatomaceous Earth Crawling Insect Killer, EPA Reg. No. 69261-4

Enclosed please find;

- Completed and signed EPA Form 8570-1
- One copy of our existing label
- Two copies of our EPA label with the Warranty Statement language change.

Also please note this additional language to Form 8570-1, Section II, Explanation:

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.

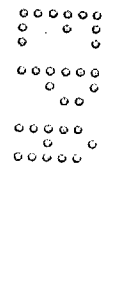
Thank you for your attention to this matter.

Yours truly,

Richard Evons, President  
DiaSource, Inc.

**Sent via UPS 2<sup>nd</sup> Day Delivery**

RECEIVED  
DEC 10 2007



Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060



United States  
Environmental Protection Agency  
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number DiaSource, Inc. / 69261-4	2. EPA Product Manager	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Diasource Diatomaceous Earth Crawling Insect Killer	PM# 13	
5. Name and Address of Applicant (Include ZIP Code) DiaSource, Inc. P.O. 7801 Boise, Idaho 83707 <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: <input checked="" type="checkbox"/> 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.

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

Notification of change to "Warranty Statement" per PR Notice 98-10. 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. (see attached page for balance of explanation)

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 Richard Evons	Title President	Telephone No. (Include Area Code) (208) 384-5063
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) 
2. Signature 	3. Title President	
4. Typed Name Richard Evons	5. Date Dec 4, 2007	

## DIASOURCE DIATOMACEOUS EARTH

### CRAWLING INSECT KILLER CONTROLS CRAWLING INSECTS

#### ACTIVE INGREDIENT:

Diatomaceous Earth 100%  
(including silicon dioxide, other oxides and moisture)

**KEEP OUT OF REACH OF CHILDREN**

### CAUTION

EPA Registration No. 69261-4

EPA Establishment No. 69261-OR-1

NET WT. 50 lbs.

#### FOR USE IN AND AROUND THE HOME AND OTHER RESIDENTIAL AREAS, INDOOR/OUTDOOR BUSI- NESS, COMMERCIAL, INSTITUTIONAL AREAS, FOOD/FEED HANDLING ESTABLISHMENTS

DiaSource Diatomaceous Earth consists of the skeletal remains of fresh water diatoms and contains amorphous silicon dioxide. This product is intended for indoor and outdoor use to control ants, spiders, fleas, cockroaches, mites, earwigs, and other crawling insects.

#### 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. Use adequate ventilation and avoid breathing dust. For prolonged exposure to dust, use a suitable dust mask approved by NIOSH/MSHA.

#### 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. Call 1-800-222-1222 for further information.

### DIRECTIONS FOR USE

#### IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN A MANNER INCONSISTENT WITH ITS LABELING.

**INDOOR USE:** To control cockroaches, ants, spiders, fleas, earwigs, and other crawling insects. Using a hand duster, apply lightly in dry areas where crawling insect pests are found or may hide, including cracks and crevices, along baseboards, around sinks, cabinets, refrigerators and stoves; and in attics and basements. Direct contact with dry dust is required for effective control. In food handling areas, or areas where food or feed products are prepared or stored, apply as a "Crack and Crevice" or a "Spot" treatment. As a crack and crevice treatment apply sparingly into cracks and crevices using equipment designed to place powder into specific locations. Limit spot treatments to walls or floors where pests are suspected of hiding. No individual spot treatments should exceed 2 sq. ft. All food or feed items must be removed or covered before treatment. Treat open spaces below floors, above ceilings, within walls, under stairs, underneath and behind equipment or appliances, around pipes, around sinks, in utility closets and around garbage and waste cans. For best results, apply to dry areas. Repeat treatment on dry surfaces as needed to maintain control of problem pests. If treated area becomes moist, sweep or vacuum dust and discard in trash.

To control fleas infesting pet areas: Thoroughly treat floor, bedding in and around pet's sleeping quarters. Treat surrounding cracks and crevices, baseboards, furniture, carpeting and wherever fleas are suspected. Apply dust to rugs and carpets with thin coat of dust. Rake (not sweep) nap back and forth, causing dust to enter rug or carpet. Leave overnight. Repeat applications and vacuum every 3-4 days as necessary for effective flea control. DiaSource DE will kill live fleas, repel others and help deodorize carpet or rug.

Not for use in federally inspected meat and poultry plants.

**OUTDOOR USE:** To control ants, spiders, earwigs, mites, and other crawling insects.

Using a hand duster or other equipment suitable for application of dusts, dust lightly in areas where insects are found such as windowsills and door frames, around foundations and along ant trails. Direct contact with dry dust is required for effective control. Repeat treatment in problem areas as necessary for control.

#### STORAGE AND DISPOSAL

Store in original container in a dry location.

**IF EMPTY:** Do not reuse this container. Place in trash or offer for recycling if available.

**IF PARTLY FILLED:** Call your local solid waste agency or 1-800-CLEANUP for disposal instructions. Never place unused product down any indoor or outdoor drain.

**IN CASE OF SPILL:** Vacuum or dampen with water and sweep. Dispose of in trash or at local sanitary landfill.

#### WARRANTY STATEMENT

Seller warrants that this product conforms to its chemical description and is reasonably fit for the purpose stated on the label. Since conditions of use such as moisture, compatibility with other chemicals, and conditions of application may vary, seller makes no claims other than those stated on this label.

**DiaSource**

Manufactured by:

DiaSource Inc.

P.O. Box 7801

Boise, Idaho 83707

EXISTING  
WARRANTY  
1/24/99

## DIASOURCE DIATOMACEOUS EARTH

# CRAWLING INSECT KILLER

## CONTROLS CRAWLING INSECTS

### ACTIVE INGREDIENT:

Diatomaceous Earth 100%  
(including silicon dioxide, other oxides and moisture)

**KEEP OUT OF REACH OF CHILDREN**

## CAUTION

EPA Registration No. 69261-4 - 83488

EPA Establishment No. 69261-OR-1

NET WT. 50 lbs.

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Manufact

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P.O. Box . . . . .

Boise, Idaho 83707

NEW WARRANTY  
LANGUAGE PER  
NOTIF

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