

69261-4

10/20/2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

October 20, 2009

Sharon M. Johnston
DiaSource, Inc.
3509 Crescent Rim Drive
Boise, ID 83706

Subject: Amendment – Adding additional public health pests
DiaSource Diatomaceous Earth Crawling Insect Killer
EPA Reg. No. 69261-4
Your submission dated May 29, 2009

Dear Ms. Johnston:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable subject to the comments listed below. Two (2) copies of the finished labeling must be submitted prior to releasing the product for shipment. A stamped copy of the label is enclosed for your records.

1. Replace “Wash thoroughly with soap and water after handling” with “Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet” in the *Precautionary Statements*.
2. On the front panel replace “This product is intended for indoor and outdoor use to control ants, spiders, fleas, houseflies, little houseflies, cockroaches, mites, earwigs and other crawling insects” with “This product is intended for indoor and outdoor use to kill ants (excluding pharaoh ants), spiders (excluding black widow and brown recluse spiders), fleas, houseflies, little houseflies, German cockroaches, mites (excluding chiggers and dust mites), earwigs”. There wasn’t sufficient data to support residual control claims and several public health pests. Please see attached efficacy review dated August 25, 2009.

3. Also on the front panel replace "CONTROLS CRAWLING INSECTS" with "KILLS CRAWLING INSECTS". Please see attached efficacy review dated August 25, 2009.
4. Delete both the *Livestock Housing Structures* and *Poultry Houses* sections. These uses sites are not supported by the Manufacturing Use product.
5. Revise the *Indoor Use* section as follows:
 - a. Replace "To control cockroaches, ants, spiders, fleas, earwigs and other crawling insects" with "To kill German cockroaches, ants (excluding pharaoh ants), spiders (excluding black widow and brown recluse spiders), fleas, earwigs". There wasn't sufficient data to support residual control claims and several public health pests.
 - b. Replace "Direct contact with dry dust is required for effective control" with "Direct contact with dry dust is required to kill listed insect"
 - c. Replace "No individual spot treatments should exceed 2 sq. ft." with "Individual spot treatments must not exceed 2 sq. ft."
 - d. Replace "To control fleas infesting pet areas:" with "To kill fleas infesting pet areas:"
 - e. Replace "DiaSource D.E. will kill live fleas, repel others and help deodorize carpet or rug" with "DiaSource D.E. will kill live fleas".
 - f. Under the Outdoor Use section replace "To control ants, spiders, earwigs, mites and other crawling insects" with "To kill ants (excluding pharaoh ants), spiders (excluding black widow and brown recluse spiders), earwigs, mites (excluding chiggers and dust mites)". There wasn't sufficient data to support residual control claims and several public health pests.
6. Re-instate "Not for use in federally inspected meat and poultry plants".

Note, both distributor names "Eden's Organic Crawling Insect Killer" distributor No. 69261-4-83575 and "Nano-O Organic Crawling Insect Killer" distributor No. 69261-4-84060 are misleading claims as to safety and are approved for use at this time. Both haven't be reviewed to determine if they meet the criteria of PR Notice 2003-1. Also the phrase "Crawling Insect Killer" in the product name has been classified as an implied efficacy claim because of the slow-acting nature of the active ingredient.

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If you have any questions regarding this action, please contact BeWanda Alexander at Alexander.bewanda@epa.gov or (703) 305-7460.

Sincerely,



Richard Gebken
Interim Product Manager 13
Insecticide Branch
Registration Division (7505P)

Enclosure

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**DiaSource DIATOMACEOUS EARTH
CRAWLING INSECT KILLER**

ACCEPTED
with COMMENTS
In EPA Letter Dated
OCT 20 2009
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
69261-4

CONTROLS CRAWLING INSECTS

ACTIVE INGREDIENT:

Diatomaceous earth (including silicon dioxide, other oxides and moisture)..... 100.0%

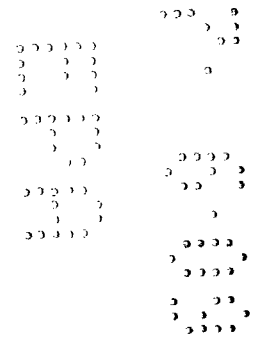
EPA Reg. No. 69261-4

EPA Est. No.

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

See Side/Back Panel for Additional Precautions

NET WT.



**FOR USE IN AND AROUND THE HOME AND OTHER RESIDENTIAL AREAS, INDOOR/OUTDOOR
BUSINESS, COMMERCIAL, INSTITUTIONAL AREAS, FOOD/FEED HANDLING ESTABLISHMENTS,
LIVESTOCK QUARTERS AND POULTRY HOUSES**

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, houseflies, little houseflies, cockroaches, mites, earwigs and other crawling insects.

**PRECAUTIONARY STATEMENTS
Hazards to Humans & 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: It 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 floor 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 a thin coat of dust to rugs and carpets. 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 D.E. will kill live fleas, repel others and help deodorize carpet or rug.

LIVESTOCK HOUSING STRUCTURES: For use in and around livestock housing structures, swine houses, cattle barns, calf hutches, loafing barns, horse stables and pet kennels. To control ants, spiders, fleas, houseflies, little houseflies, cockroaches, mites, litter beetles, hide beetles, earwigs and other crawling insects, apply dust evenly at a rate of 1 pound per 150 square feet. Apply dust using hand or power duster or other suitable equipment. Apply uniformly to infested areas of walls and floors. Pay particular attention to cracks and crevices, bedding, wall voids and around window and door frames. Applications are permitted when animals are present. Do not apply directly to animal feed or watering equipment. Repeat treatments as necessary to maintain adequate control.

POULTRY HOUSES: To control bedbugs, mites, litter beetles (darkling beetles) and hide beetles, apply dust to litter at a rate of 4 pounds per 1000 square feet of surface area. Uniformly cover floors and walls, paying particular attention to cracks and crevices, corners and underneath feed and watering equipment and lines. Avoid contamination of feed and water. Applications can be made up to 75 pounds per 1000 square feet for severe infestations and in moist areas. If litter is greater than 3 inches deep, apply up to an additional 25 pounds per 1000 sq. ft. per additional inch of litter. Applications are permitted mid-flock while birds are present. Litter should be retreated when replaced and before each new batch of poultry is introduced to the facility.

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, edges or areas where insects are active or inhabit such as the junctions between walls, floors, concrete walkways, concrete pads, overhangs, roofs, ceilings, structural ledges, eaves, harborage areas, around equipment and storage areas. Direct contact with dry dust is required for effective control. Repeat treatment in problem areas as necessary for control.

STORAGE & DISPOSAL

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

Storage: Store in original container in a dry location.

Disposal: If empty: Non-refillable container. Do not reuse or refill this container. 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.

IN CASE OF SPILL: Vacuum or dampen with water and sweep. Dispose of in trash or at a 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. Conditions of use such as moisture, compatibility with other chemicals and conditions

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of application may vary. To the extent consistent with applicable law, seller makes no claims other than those stated on this label.

Manufactured by:
DiaSource Inc.
P.O. Box 7801
Boise, Idaho 83707

