

69332-5

4/15/2010

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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Ms. Susan Craft
Pet Logic, LLC
P.O. Box 540160
Omaha, NE 68130

APR 15 2010

Subject: Label Notification(s) for Pesticide Registration 2007-4

Dear Ms. Craft:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated for March 3, 2010

EPA Registration Number: 69332-5 ectomethrin H2O Equine Spray

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.

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 "Richard Gebken".

Richard Gebken
Product Manager
Insecticide Branch
Registration Division (7504P)

| | | | |
|--|---|--|-----------------------|
|  EPA | 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 69332-5 | 2. EPA Product Manager Richard Gebken | 3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted |
| 4. Company/Product (Name) ectomethrin H2O Equine Spray | PM# 10 | |
| 5. Name and Address of Applicant (Include ZIP Code) Pet Logic, LLC P.O. Box 540160 Omaha NE 68154 <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 _____ | NOTIFICATION APR 15 2010 |
| <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 label change per PRN 2007-4. This notification is consistent with the provisions of PR Notice 2007-4 and EPA regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156., 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 requirements of 40 CFR 156.10, 156.140, 156.144, 156.146 and 156.156, 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.

"Warranty & Disclaimer" section in accordance with the guidance document entitled "Guidance on Warranty Statements" dated Oct. 17, 2006.

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) _____ | |
| <i>* Certification must be submitted</i> | | If "Yes" Unit Packaging wgt. No. per container | If "Yes" Package wgt No. per container | | | | |
| 3. Location of Net Contents Information | | | 4. Size(s) Retail Container | | 5. Location of Label Directions | | |
| <input type="checkbox"/> Label <input type="checkbox"/> Container | | | | | <input type="checkbox"/> On label | | |
| 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 Susan Craft | Title Regulatory Specialist | Telephone No. (Include Area Code) 402-938-7021 | | | |
| 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 both under applicable law. | | | | | 6. Date Application Received (Stamped) |
| 2. Signature  | | 3. Title Regulatory Specialist | | | |
| 4. Typed Name Susan Craft | | 5. Date March 3, 2010 | | | |

Pet Logic LLC

P.O. Box 540224 · Omaha, NE 68154 · Telephone 402-938-7000 · Fax 402-938-7099

March 3, 2010

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
US Environmental Protection Agency
Room S-4900 One Potomac Yard
2777 Crystal Drive
Arlington, VA 22202

SUBJECT: ectomethrin H2O Equine Spray - 69332-5
Notification of label revision per PRN 2007-4 and "Warranty & Disclaimer" section in accordance with the guidance document entitled "Guidance on Warranty Statements" dated Oct. 17. 2006.

Dear Mr. Gebken:

Pet Logic, LLC submits the following administrative documents in support of the Notification per PR Notice 2007-4 to update the "Storage and Disposal." Also to include "Warranty Statement" per "Warranty & Disclaimer" section in accordance with the guidance document entitled "Guidance on Warranty Statements" dated Oct. 17. 2006.

- Notification (EPA Form 8570-1)
- 2 copies of revised master label

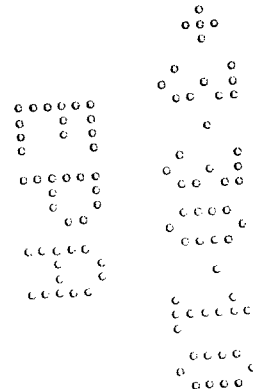
Should you have any questions about this submission, please contact me at (402) 938-7021 or email at scraft@sergeants.com.

Sincerely,



Susan Craft
Regulatory Affairs Specialist

Enclosures



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Sergeant's Master Label

3 March 2010 Revised storage, disposal
& warranty
Information in [] is optional.

English V1
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EPA Reg. No. 69332-5
EPA SAL 21 February 2008

FRONT PANEL

HORSE SPRAY
Cypermethrin

[Optional text appears in brackets – the final label may include some or all of the optional text on front, back or side label panels]

ectomethrin H₂O Equine Spray

[(ABN) ectomethrin H₂O Equine Spray]
[(ABN) ectomethrin H₂O Equine Fly Spray]

NOTIFICATION

APR 15 2010

- [Protects against horseflies]
- [Specially designed sponge applicator]
- [For Use On Horses & Ponies]
- [Repels & Kills Mosquitoes that may transmit West Nile Virus]
- [Water-Based Formula]
- [For Horses and Ponies]
- [Protects against biting and nuisance flies, gnats and mosquitoes (culex spp)]
- [Provides repellency and quick knockdown from biting and nuisance flies, gnats and mosquitoes (culex spp.) that may transmit West Nile Virus]
- [Sweat Resistant Fly Spray]
- [Up to 14 days fly control]
- [For Horses and ponies]
- [Won't sweat off!]
- [Unique formulation stays active [effective] and keeps working even when the horse sweats]
- [Field tested and proven effective]
- [Long-lasting fly repellency that protects and stays active for up to 14 days]
- [14-day fly protection]
- [Works day and night]
- [For use on horses and ponies]
- [Ready to use, {Product Name} insecticide/repellent unique formulation stays active and keeps working even when the horse sweats. Provides repellency and long lasting protection from : Horseflies, Houseflies, Stableflies, Faceflies, Hornflies, Deerflies, Gnats, Mosquitos (culex spp.) that may transmit West Nile Virus.]
- [Stays active for up to 14 days on flies]
- [Ready-to-use, {Product Name} insecticide/repellent/ formula provides repellency, quick knockdown from flies, gnats and mosquitoes (culex spp).]

ACTIVE INGREDIENTS:

Cypermethrin, CAS # 52315-07-8.....1.00%

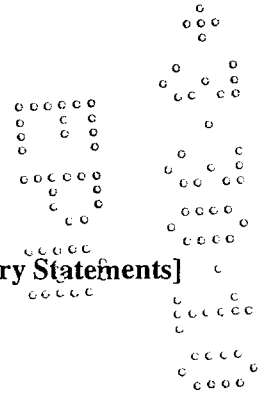
OTHER INGREDIENTS:99.00%

TOTAL 100.00%

KEEP OUT OF THE REACH OF CHILDREN
CAUTION

See [Back] [or] [Side] Panel[s] for Additional [Precautions] [Precautionary Statements]

NET CONTENTS **XXX fl oz (XXX mL)**



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BACK PANEL

HORSE SPRAY

{Product Name}

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if swallowed. Avoid contact with eyes, skin, or clothing. Avoid contamination of food. Wash hands with soap and water after use.

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not apply to any body of water. Do not contaminate water when disposing of equipment wash waters.

DIRECTIONS FOR USE

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

Not for use on horses intended for human consumption.

Shake well before using. To protect horses and ponies from Horse Flies, House Flies, Stable Flies, Face Flies, Horn Flies, Deer Flies, Gnats, Mosquitoes (culex spp): Thoroughly brush the horse's coat prior to applications to remove loose dirt and debris. For dirty horses, shampoo and rinse thoroughly. Wait until the coat is completely dry before applying this product. {Product Name} unique sweat resistant formula contains a special conditioner that binds to the hair shaft so it keeps working when the horse sweats.

[{Sponge-On Application:} Shake well before using. Apply {Product Name} with the specially designed sponge applicator attached to the bottle. For horse's face, **avoid getting spray into horse's eyes, nose or mouth.** Apply to horse's entire body, sponging against the lay of the coat to ensure adequate coverage. *Optional text to be used when product is packed in sponge applicator bottle.*]

{Spray or Wipe Application:} Application should be liberal for best results. For horse's face, **always apply as a wipe** using a piece of clean, absorbent cloth, toweling (Turkish) or sponge. **Avoid getting spray into horse's eyes, nose or mouth.** Wear rubber glove or mitt when applying as a wipe. Spray or wipe horse's entire body while brushing against the lay of the coat to insure adequate coverage.

Reapply every 14 days for fly control normal conditions for initial applications. Reapply every 5 to 7 days for mosquito repellency. Also, reapply each time animal is washed or exposed to heavy rain.

STORAGE AND DISPOSAL

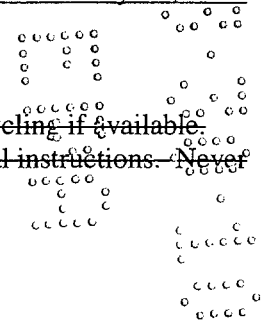
PESTICIDE STORAGE: Store in original container in a cool, dry place inaccessible to children and pets and away from heat and open flame.

PESTICIDE DISPOSAL AND CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. **If empty:** 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.**

STORAGE: Store in a cool, dry place.

DISPOSAL: **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 Emergency, call: 1-866-393-0445
Non-Emergency call 1-866-374-0242



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BACK PANEL

HORSE SPRAY

[WARRANTY

Read the entire Directions for Use and Warranty before using this Product. By using this product, user or buyer accepts the following warranty. [The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks inherently associated with the use of this product. Unintended consequences may result because of such factors as weather conditions, presence or absence of other materials, or the manner of application, all of which are beyond the control of Pet Logic, LLC.] Pet Logic, LLC is committed to providing high quality products. To the extent consistent with applicable law, Pet Logic, LLC makes no warranties, express or implied, of merchantability or of fitness for a particular purpose or otherwise, that extend beyond statements on this label. To the extent consistent with applicable law, Pet Logic, LLC, the manufacturer, or the Seller disclaims any liability whatsoever for special, incidental, or consequential damages resulting from the use of this product. To the extent consistent with the law, the exclusive remedy of the user or buyer shall not exceed the purchase price paid.]

~~[NOTE: Pet Logic, LLC WARRANTS THAT THIS PRODUCT CONFORMS TO THE CHEMICAL DESCRIPTION ON THE LABEL AND IS REASONABLY FIT FOR THE PURPOSES STATED ON THE LABEL WHEN USED IN ACCORDANCE WITH THE DIRECTIONS FOR USE. IT IS IMPOSSIBLE TO ELIMINATE ALL RISKS INHERENTLY ASSOCIATED WITH THE USE OF THIS PRODUCT. INEFFECTIVENESS OR OTHER UNINTENDED CONSEQUENCES MAY RESULT BECAUSE OF SUCH FACTORS AS WEATHER CONDITIONS, PRESENCE OF OTHER MATERIALS, OR THE MANNER OR APPLICATION, ALL OF WHICH ARE BEYOND THE CONTROL OF MERIDIAN ANIMAL HEALTH. TO THE FULLEST EXTENT PERMITTED BY LAW, MERIDIAN ANIMAL HEALTH, SHALL NOT BE LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER. EXCEPT AS EXPRESSLY PROVIDED HEREIN, MERIDIAN ANIMAL HEALTH MAKES NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND, EITHER EXPRESSED OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO, MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MERIDIAN ANIMAL HEALTH'S TOTAL LIABILITY, SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.]~~

~~[WARRANTY: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, Pet Logic, LLC MAKES NO WARRANTY OF MERCHANTABILITY, FITNESS FOR ANY PARTICULAR PURPOSE, OR OTHERWISE, EXPRESS OR IMPLIED, CONCERNING THIS PRODUCT OR ITS USES WHICH EXTEND BEYOND THE USE OF THE PRODUCT UNDER NORMAL CONDITIONS IN ACCORDANCE WITH THE STATEMENTS MADE ON THIS LABEL.]~~

~~[NOTE: To the extent consistent with applicable law, buyer assumes all risk of use, storage or handling of this product not in strict accordance with directions given herein.]~~

~~[Money back guarantee: If you, the consumer, are not satisfied with this product for any reason, please send your request for a refund, along with a legible copy of the original dated sales receipt showing your purchase price to the address below. Please allow 6-8 weeks for your refund.]~~

~~[Pet Logic, LLC is committed to providing high quality products. If you have questions or comments about this product, please write: Pet Logic, LLC Consumer Response, PO Box 540160, Omaha, NE 68154]~~

~~[Satisfaction Guaranteed!] [Please return for a refund if not completely satisfied!]~~

Sergeant's Master Label

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Information in [] is optional.

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EPA SAL 21 February 2008

BACK PANEL

HORSE SPRAY

[Manufactured by:]
[Distributed by:]
Pet Logic, LLC
PO Box 540160
Omaha, NE 68154

[Made in USA]
EPA Reg. No. 69332-5
EPA Est. No.
[date & label code] [UPC CODE]

{END - BACK / SIDE PANEL}

