

75844-2

05/31/2006

Print Form

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Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 2-28-



United States Environmental Protection Agency Washington, DC 20460

Registration Amendment Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 75844-2
2. EPA Product Manager George LaRocca
3. Proposed Classification None Restricted
4. Company/Product (Name) Andrew M. Martin Co., Nv. Inc. /SBP-2001
5. Name and Address of Applicant Andrew M. Martin Co. NV. Inc. 1802 N. Carson St. # 212-2808, Carson City, NV
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

Amendment - Explain below. Resubmission in response to Agency letter dated. Notification - Explain below. Final printed labels in response to Agency letter dated. "Me Too" Application. Other - Explain below. NOTIFICATION MAY 31 2006

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

To modify label verbiage to include a general claim on the list of claims which is actually covered by the individual claims (required by NYS)

Section - III

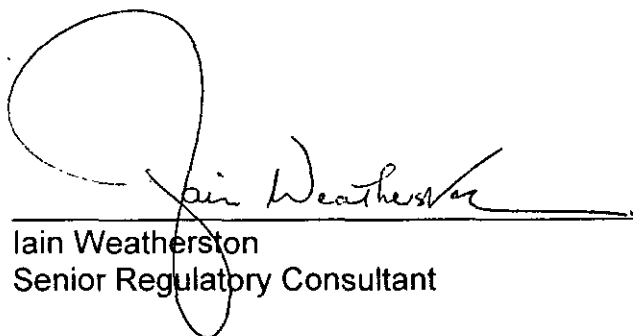
1. Material This Product Will Be Packaged In: Child-Resistant Packaging, Unit Packaging, Water Soluble Packaging, 2. Type of Container, 3. Location of Net Contents Information, 4. Size(s) Retail Container, 5. Location of Label Directions, 6. Manner in Which Label is Affixed to Product

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.) Name: Iain Weatherston, Title: Sr. Regulatory Consultant, Telephone No.: 623-535-4060. Certification: I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. 2. Signature: Iain Weatherston, 3. Title: Sr. Regulatory Consultant, 4. Typed Name: Iain Weatherston, 5. Date: May 20, 2006, 6. Date Application Received (Stamped)

Certification

"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. I understand that it is a violation of 18 U.S.C. Sec. 1001 to wilfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-1- 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."

  
\_\_\_\_\_  
Iain Weatherston  
Senior Regulatory Consultant

May 20, 2006  
Date

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NOTIFICATION

MAY 3 1 2006

# CELEBRATION™ / FREEDOM™ 45 SPOT-ON

- KILLS AND REPELS FLIES, MOSQUITOES, GNATS AND TICKS ON HORSES
- KILLS AND REPELS HORN FLIES, FACE FLIES, STABLE FLIES, HORSE FLIES, DEER FLIES, BLACK FLIES, HOUSE FLIES, GNATS, MOSQUITOES AND TICKS ON HORSES FOR UP TO TWO WEEKS
- KILLS AND REPELS HORN FLIES, FACE FLIES, STABLE FLIES AND HOUSE FLIES FOR UP TO TWO WEEKS
- ▶ KILLS AND REPELS TICKS AND MOSQUITOES FOR UP TO TWO WEEKS (14 DAYS)
- ▶ KILLS AND REPELS MOSQUITOES FOR UP TO TWO WEEKS
- ▶ KILLS AND REPELS TICKS ON HORSES
- ▶ KILLS AND REPELS TICKS ON HORSES FOR UP TO TWO WEEKS (14 DAYS)
- ▶ KILLS AND REPELS TICKS ON HORSES FOR UP TO THREE WEEKS (21 DAYS)
- KILLS AND REPELS HORN FLIES, FACE FLIES, STABLE FLIES, HORSE FLIES, DEER FLIES, BLACK FLIES, HOUSE FLIES, GNATS, MOSQUITOES AND TICKS ON HORSES
- PROTECTS HORSES FROM HORN FLIES, FACE FLIES, STABLE FLIES, HORSE FLIES, DEER FLIES, BLACK FLIES, HOUSE FLIES, GNATS, MOSQUITOES AND TICKS FOR UP TO TWO WEEKS
- PROTECTS HORSES FROM HORN FLIES, FACE FLIES, STABLE FLIES, HORSE FLIES, DEER FLIES, BLACK FLIES, HOUSE FLIES, GNATS, MOSQUITOES AND TICKS
- PROTECTS HORSES FROM NUISANCE AND BITING FLIES
- ▶ PROTECTS HORSES FROM NUISANCE AND BITING FLIES FOR UP TO TWO WEEKS
- ▶ PROTECTS HORSES FROM TICKS
- ▶ PROTECTS HORSES FROM TICKS FOR UP TO TWO WEEKS (14 DAYS)
- ▶ PROTECTS HORSES FROM TICKS FOR UP TO THREE WEEKS (21 DAYS)

FOR USE ON HORSES ONLY  
NOT FOR USE ON FOALS UNDER THREE (3) MONTHS OF AGE

<b>ACTIVE INGREDIENT</b>	
PERMETHRIN* [CAS# 52645-53-1] .....	45.00%
INERT INGREDIENT .....	55.00%
	<b>TOTAL 100.00% [w/w]</b>

\* Cis/trans ratio: max 55%[±] cis and min 45%[±] trans

## KEEP OUT OF REACH OF CHILDREN CAUTION

SEE BACK PANEL FOR PRECAUTIONARY STATEMENTS  
READ ALL DIRECTIONS BEFORE USING THIS PRODUCT

Andrew M. Martin Co. NV, Inc  
1802 N. Carson Street, Suite 212-2808  
Carson City, NV. 89701

EPA Registration Symbol: 75844-?  
EPA Establishment No. 75844-CA-01

Each tube provides two (2) weeks (14 days) protection  
Package contains (x) weeks supply

NET CONTENTS: ? X 9 cc applicators

Celebration / Freedom 45  
Draft label, iteration5  
May 20, 2006

## PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

### CAUTION

Harmful if swallowed or absorbed through the skin. Causes moderate eye irritation. Avoid contact with the skin eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

### FIRST AID

#### IF SWALLOWED:

- Call a poison control center or doctor immediately for treatment advice.
- Have person sip a glass of water if able to swallow.
- Do not induce vomiting unless told to do so by a poison control center or doctor.

#### 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.

#### IF IN EYES

- Hold eye open and rinse slowly and gently with water for 15 - 20 minutes.
- Remove contact lenses, if present, after first 5 minutes, then continue rinsing.
- Call a poison control center or doctor for treatment advice.

#### HOT LINE NUMBER

Have product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact the Rocky Mountain Poison Control Center at 1-303-595-4869.

### ENVIRONMENTAL HAZARDS

This product is extremely toxic to fish. Do not apply directly to water. Do not contaminate water when cleaning equipment or disposing of equipment washwaters.

### CHEMICAL HAZARDS

Combustible. Do not use or store near heat or open flame.

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## STORAGE AND DISPOSAL STATEMENTS

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

- PESTICIDE STORAGE:** Store in a cool, dry place. Protect from freezing.
- PESTICIDE DISPOSAL:** Call your local solid waste agency or [1-800-CLEANUP or equivalent organization] for disposal instructions. Unless otherwise instructed place in the trash. Never pour unused product down the drain or on the ground.
- CONTAINER DISPOSAL:** Do not reuse empty container. Place in trash.

## DIRECTIONS FOR USE

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

Sensitivities can occur after using ANY pesticide product on animals. If signs of sensitivity occur, wash area with mild soap and rinse with large amounts of water. If signs continue, consult a veterinarian immediately.

Do not use on horses intended for food use

*Not for use on foals under three [3] months of age*

Ready to use, no dilution necessary

Hold tube in upright position pointing away from user's face and body. Break off tip or cut with scissors. Using the cc marks on the body of the applicator as a guide apply CELEBRATION™ FREEDOM™ 45 as follows, by gently squeezing the applicator:

- 1) streak 2 cc on the poll.
- 2) streak 0.5 cc on each side of the withers. [1 cc total]
- 3) streak 1 cc on each side of the of the hind quarters. [2 cc total]
- 4) spot 1 cc to the back of each front leg below the elbow. [2 cc total]
- 5) spot 1 cc above each hock, on the gaskin muscle. [2 cc total]

Place empty applicator in trash. Do not reapply for 14 days.

## WARRANTY

Andrew M. Martin, Co. NV. Inc., warrants that this product conforms to the chemical description on the label. Andrew M. Martin, Co. NV. Inc., neither makes nor authorizes any agent or representative to make any other warranty of fitness or of merchantability, guarantee or representation, express or implied, concerning this material. Andrew M. Martin, Co. NV. Inc.'s maximum liability for breach of this warranty shall not exceed the purchase price of this product. Buyer and user acknowledge and assume all risks and liabilities resulting from the handling, storage and use of this material which extend beyond the use of the product under normal conditions in accord with the statements on this label.



Technology Sciences Group Inc.  
Arizona: Registration Division  
4061 North 156<sup>th</sup> Drive  
Goodyear, AZ 85338  
Phone: (623) 535-4060  
FAX (623) 535-4061  
E-Mail: jazkatz@uswest.net



Iain Weatherston, Ph.D.  
Senior Regulatory Consultant  
Pesticide Division

Ms. Linda G. Arrington  
Team Leader - Notification Team  
EPA - OPP - RD  
One Potomac Yard  
2777 South Crystal Drive  
Arlington, VA 22202.

May 20, 2006

**SUBJECT:** Notification of verbiage change on the label of SBP-2001 [75844-2]

**COMPANY:** Andrew M. Martin Co., NV Inc.  
1802 N. Carson Street Suite 212-2808  
Carson City, NV 89701.

**CONTACT:** Iain Weatherston, Ph.D.  
Technology Sciences Group, Inc.  
4061 North 156<sup>th</sup> Drive  
Goodyear, AZ 85338  
Tel: 623-535-4060  
Fax: 623-535-4061  
E-mail: jazkatz@uswest.net

Dear Linda:

As agent for, and on behalf of Andrew M. Martin Co., NV., Inc I wish to submit at this time, in compliance with the terms of 40 CFR 152.146 and PRN 98-10 a notification informing the Agency of minor verbiage changes to the label of SBP-2001 [78544-2] which is marked as Celebration and Freedom 45 for Horses under supplemental registrations.

Recently the New York State Department of Environmental Conservation delayed the state registration of the product Celebration on the grounds that the finished product label is not identical to the most recent stamped approved label (dated March 29, 2005). The point of contention is that on the finished product label there is a statement (in four places) "KILLS AND REPELS FLIES, MOSQUITOES, GNATS AND TICKS ON HORSES" (see computer generated figure of packaging, verbiage is highlighted in blue).

This statement *per se* is not on the stamped approved label (see enclosed SAL) however the claims for the specific arthropod species approved on the label are more than regulatory adequate to include the more generic statement to which the pesticide regulators in New York State object.

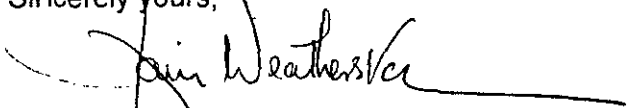
Include with this notification are two copies of a draft label containing as the first claim the statement "KILLS AND REPELS FLIES, MOSQUITOES, GNATS AND TICKS ON HORSES."

I have included two copies of this updated label, one with the new verbiage highlighted in yellow and the other to be used for inclusion in the PPLS database.

In addition to these labels I have included a fully executed Application for Pesticide Registration complete with a certification statement.

Linda, I thank you for your assistance with this matter and if there are any questions or further information is required, please do not hesitate to contact me.

Sincerely yours,

A handwritten signature in black ink that reads "Iain Weatherston". The signature is written in a cursive style and is positioned below the "Sincerely yours," text.

Iain Weatherston

attachments:\ EPA Form 8570-1  
Stamped, approved label for SBP-2001  
Draft label for Celebration  
Computer generated art work for Celebration final package.