

79427-3

03/16/2006

1/4



U.S. ENVIRONMENTAL PROTECTION AGENCY  
Office of Pesticide Programs  
Registration Division (H7505C)  
401 M St., S.W.  
Washington, D.C. 20460

**NOTICE OF PESTICIDE  
Registration**

EPA Reg. Number:  
**79427-3**

Date of Issuance:  
**MAR 16 2006**

Term of Issuance:  
**Conditional Registration**

Name of Pesticide Product:  
**Wellman ADM®**

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

**George G. Misko, Keller & Heckman LLP  
Wellman, Inc.  
P.O. Box 31331  
Charlotte, NC 28231**

**Note:** Changes in labeling 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 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. Registration is in no way to be construed as an endorsement or recommendation of this product by the 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 conditionally registered in accordance with FIFRA sec. 3(c)(7)(A) provided that you:

Submit and/or cite all data required for registration of your product under FIFRA sec. 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of your product under FIFRA section 4.

Make the following label changes:

**1. Hang Tag**

a. Revise the EPA Registration Number to read, EPA Reg. No. 79427-3

b. Remove the following marketing claims:

"Dust mites produce an allergen that may cause allergies in humans."

"Dust mites produce an allergen shown to cause allergies in some humans."

"Boron oxide in the fiber is slowly converted to boric acid by moisture in the air."

"Boric acid provides control of dust mites."

c. Revise the following marketing claim as follows:

"Eliminates dust mites, which are a source of allergens." to "Kills dust mites on the fiber fill that may be a source of home allergens." This claim is currently supported and allowed by the Agency:

Signature of Approving Official:

*Richard Cull*

Date:

**MAR 16 2006**

2/4

d. **Toxicology Conclusions:** The Agency has determined that this product's toxicology category is III for Eye Irritation. This conclusion is based on all information provided, including the rebuttal resubmission dated November 22, 2004. Therefore, the following sections and respective statements are appropriate, and must be added to the label:

**CAUTION**

**PRECAUTIONARY STATEMENTS**

**HAZARDS TO HUMANS AND DOMESTIC ANIMALS:**

**CAUTION:** Fibers contained in this product can cause moderate physical eye irritation. Avoid contacting fiber in the pillow with eyes.

**FIRST AID**

<b>If Fibers Get in Eyes:</b>	<ul style="list-style-type: none"><li>•Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li><li>•Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li><li>•Call a poison control center or doctor for treatment advice.</li></ul>
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-xxx-xxxx <sup>1</sup> for emergency medical treatment information.	


e. **Storage and Disposal:** Revise the Storage and Disposal as follows:

**Disposal**

<b>Disposal:</b>	Place in trash or offer for recycling if available. Call your local solid waste agency or [toll free number which meets the criteria in paragraph II.E.] <sup>2</sup> for disposal instructions..
------------------	---

<sup>1</sup> EPA encourages registrants to include a company telephone number or toll-free hotline number on the pesticide label as first suggested in PR Notice 97-4, Consumer Access Numbers on Pesticide Labels.

<sup>2</sup> The authorities that manage household waste programs are designated in many different ways and usually operate only during normal business hours. A toll-free number, alone or with a web site address, can help consumers locate their local authorities conveniently, or immediately obtain the appropriate disposal instructions for their area. The Agency's intent is that consumers have easy access to locally accurate disposal information, when they need it. EPA considers several toll-free information numbers, including 1-800-CLEANUP which is managed as a public-private partnership, and the toll free numbers some individual companies often provide on their labels, to be likely to meet these criteria. EPA does not expect registrants to create a new toll-free number to meet this need, but to use any of the numbers that already exist, as long as they meet the criteria listed below. The criteria are that the number: (1) provide 18-24 hour service to callers; (2) be cost free to the caller.

Signature of Approving Official: 	Date: MAR 16 2006
---	----------------------

- 3/4
- f. Add "DIRECTIONS FOR USE" as follows:

**DIRECTIONS FOR USE**

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

Wash and thoroughly dry separately from other items. If this [Finished Article Name] is damaged exposing fill fibers, immediately dispose in accordance with the disposal instructions on the label.

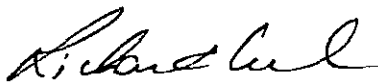
**2. Article Tag [Finished Article Name]**

- a. Revise the EPA Registration Number to read, EPA Reg. No. 79427-3
- b. Modify the following marketing claim by removing and adding the verbiage as follows:  
"~~It has been shown to eliminate~~ The fiber fill in this product kills dust mites, even after ten machine washings."
- c. Revise the ingredient statement to match exactly the statement expressed on the Hang Tag.
- d. Add the Signal Word "CAUTION"
- e. Add the statement: "Refer to label accompanying this product for complete Directions for Use, Precautionary Statements, and Disposal Instructions."

3. Confirmatory Storage Stability (830.6317) and Corrosion Characteristics data (830.6320) must be provided to the Agency for review on or before March 16, 2007.

Submit two copies of the revised final printed label for the record. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records.

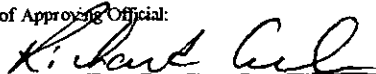
Sincerely,



Richard Gebken  
Product Manager 10  
Insecticide Branch  
Registration Division (7505C)

enclosure

stamped approved label  
copy of product chemistry review

Signature of Approving Official: 	Date: MAR 16 2006
---	----------------------

Wellcare ADM<sup>®</sup> Finished Article Hang-tag (removable by consumer):

**Wellcare ADM<sup>®</sup> [Finished Article]**



**"Eliminates dust mites, which are a source of allergens"**

**"Dust mites produce an allergen that may cause allergies in humans."**

**"Dust mites produce an allergen shown to cause allergies in some humans."**

**ACTIVE INGREDIENT\*:**

Boron oxide ..... 0.6%

**OTHER INGREDIENTS** ..... 99.4%

**Total**..... 100.0%

\*Weight percent of boron oxide in fiber fill only.

Boron oxide in the fiber is slowly converted to boric acid by moisture in the air.

Boric acid provides control of dust mites.

**THIS TAG NOT TO BE REMOVED EXCEPT BY CONSUMER**

**Storage and Disposal**

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

Discard item in trash when it is no longer useful. Do not reuse item for other purposes.

Wellman, Inc.  
Charlotte, NC 28231

EPA Reg. No. 79427-

EPA Establishment No. XXXXX-AB-\_\_\_

Net Weight: \_\_\_\_\_ lb (\_\_\_\_ kg)

**ACCEPTED  
with COMMENTS  
In EPA Letter Dated**

**MAR 16 2006**

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act,  
as amended, for the pesticide  
registered under EPA Reg. No.

**79427-3**

Article Tag (sewn into product seam):

**Wellcare ADM<sup>®</sup>  
[Finished Article]**

**"The fiber fill in this product is  
100% Wellcare ADM<sup>®</sup> Fiber. It  
has been shown to eliminate  
dust mites, even after ten  
machine washings."**

Active Ingredient\*  
boron oxide..... 0.6%

\*Weight percent of boron oxide in  
fiber fill only.

EPA Reg. No. 79427-  
EPA Est. No. XXXXX-AB-001

Dispose of item in trash. Wash  
separately from other items. Refer  
to hang tag for more information.

DRAFT FINISHED ARTICLE LABEL:  
September 22, 2004

4/14