

79529-31

12/15/2008

1/9



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

DEC 15 2008

Ms. Kathleen Young
Black Flag Brands, LLC
Homax Group, Inc.
26901 Cannon Road, Suite 190
Bedford Heights, OH 44146

Subject: Label Amendment - Add Refill Size & Use Instructions

Black Flag Home Insect Control Concentrate
EPA Registration No. 79529-31

Your letter dated September 17, 2008

Dear Ms. Young;

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. Revise the last sentence under Disposal to read "*If empty: Place in trash or offer for recycling, if available. If partially filled: Call your local solid waste agency for disposal instructions. Never placed unused product down any indoor or outdoor drain.*"
2. Delete the claims "*No shaking required /No shake formula.*" These claims are in conflict with the use instructions.

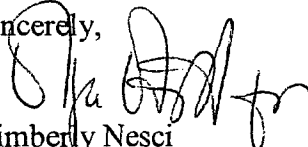
Note that if you intend to distribute the added refill size under a different product name, you must submit the alternate product name to the Agency for approval.

2/9

Also note that "New/ New formula" is a time limited claim. As per our June 2008 Registration Notice you may market your product with this claim for only 6 months.

If you have questions regarding this action, please contact Olga Odiott at (703) 308-9369.

Sincerely,



Kimberly Nesci
Interim Product Manager 13
Insecticide Branch
Registration Division (7505P)

3/9

79529-31

Lbl Amendment (091208)

XXXXXX = Additions ~~XXXXXX~~ = Deletions

BLACK FLAG HOME INSECT CONTROL CONCENTRATE

- Kills [62] listed insects *{Note to reviewer: The actual number used in claim "Kills xx listed insects" is dependent on the specific final printed label for each size bottle. Some uses may be omitted due to space limitations. The actual number of insects will not exceed 62.}*
- Single Use Refill [makes][makes up][produces][supplies][yields] [1.5 Gal.][1.3 Gal][1.0 Gal] of spray.
- Single Use Refill [makes][makes up][produces][supplies][yields] [1.5 Gal.][1.3 Gal][1.0 Gal] of ready-to-use spray
- Makes up to [1][2] Gal. of [finished product][ready-to-use spray][spray].
- Concentrated Formula 16 oz [makes][makes up][produces][provides] [supplies][yields] up to 2 Gal. ready-to-use spray.
- Concentrated Formula 16 oz [makes][makes up][produces][provides] [supplies][yields] two 1 Gal. of [ready-to-use spray][spray]
- [16 oz] Refill to [make][produce][make up] [2] Gal [ready-to-use spray][spray]
- Black Flag Home Insect Control Refill
- Concentrated Formula 12 oz.[makes] [makes up][produces][supplies][yields] 1.5 Gal. [ready to use spray] [of spray]
- Concentrated Formula 10.4 oz. [makes][makes up][produces][supplies][yields] 1.3 Gal. [ready to use spray] [of spray]
- Concentrated Formula 8 oz. [makes][makes up][produces][supplies][yields] 1.0 Gal. [ready to use spray] [of spray]
- Refill Concentrate
- Refill To Make [Produce][Make up]1.5 Gal [1.3 Gal][1.0 Gal] Ready to Use Spray
- Refill To Make [Produce][Make up]1.5 Gal [1.3 Gal][1.0 Gal] of spray.
- Water-Based
- For Indoor and Outdoor Use
- Kills on Contact!
- Kills by Contact!
- Kills Fast!
- Long Lasting
- Kills German Cockroaches for Up to 3 months [12 weeks] [Indoors]
- Up to 3 months [12 weeks] German Cockroach control [Indoors]
- Kills German Cockroaches for Up to 9 months [36 weeks][Indoors] on non-porous surfaces
- Up to 9 months [36 weeks] German Cockroach control [Indoors] on non-porous surfaces
- Kills Houseflies for up to 5 months [20 weeks]
- Up to 5 months [20 weeks] control of houseflies

ACCEPTED
with COMMENTS
In EPA Letter Dated
DEC 15 2008
 Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No. 79529-31

- Keeps killing Carpenter Ants Up To 4 Weeks [30 Days, 1 Month] on non-porous surfaces
- Kills mosquitos, flies, roaches, fleas, ticks, centipedes, scorpions, spiders
- Kills Ticks that may transmit Lyme Disease
- Kills stable flies for up to 4 months [18 weeks]
- Up to 4 months [18 weeks] control of stable flies
- Non-Staining
- Guaranteed to work or your money back
- America's 1st name in pest control since 1833
- Won't Stain Or Discolor
- Easy-To-Use
- No Drips – No Runs
- Stays where you spray
- No shaking required
- No shake formula
- No drip formula
- Kills listed home invading pests
- Kills pantry pests
- [New] [16 oz] [12 oz][10.4oz][8oz] refill [conc][concentrate] available
- New formula!
- For indoor and [&] outdoor insect [pest] control [use]
- Ready-to-use
- Home [Bug][Pest][Insect] control
- Bug [pest] [insect]control system
- Keeps listed insects out of your home
- Kills [hidden] bugs [in cracks][crevices]
- Whole house [home] treatment for listed insects
- Use indoors, kitchens, bathrooms, doors & windows, basements, attics
- For Use Around Horse Stables
- For Use on Houseplants and Ornamental Plants
- For Use on Roses, Asters, Azaleas, Mums, Marigolds, Snapdragons, Zinnias, and Other Ornamentals
- Kills [Controls] Aphids, Japanese Beetles, Armyworms, Lace Bugs, Spider Mites, Mealybugs
- Dual Purpose – Kills Indoor [Pests] and Outdoor Ornamental Garden Pests
- Long Lasting and Gives Immediate Results When Spraying Insects Directly
- No Oily [Greasy] Residue]

ACTIVE INGREDIENTS:

Deltamethrin.....	0.32%
OTHER INGREDIENTS.....	99.68%
	100.00%

KEEP OUT OF REACH OF CHILDREN

CAUTION

See back panel for additional precautionary statements

Net Contents:

8 Fl oz

10.4 Fl oz

12 Fl oz

16 Fl oz

DIRECTIONS FOR USE

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

For Indoor and Outdoor Residential Home Use Only:

To Be Used As A Refill for Black Flag Home Insect Control [or product name] [Only].

To an empty [Black Flag Home Insect Control] [or product name] [container] [sprayer] add [1 bottle] of Black Flag Home Insect Control Refill Concentrate [or product name][12 Fl oz for 1.5 Gal], [10.4 Fl oz for 1.3 Gal], [8 Fl oz for 1 Gal] and fill slowly with water until full. Replace [cap] [sprayer] and shake well before using. [Shake sprayer well before each use.]

{Note to Reviewer: Marketing language for 16 oz Black Flag Home Insect Control Concentrate refill }

One 16 oz bottle [will make] [makes] [provides] [yields] [supplies] [up to] 2 Gal. of Black Flag Home Insect Control [or product name} Ready-To-Use Spray.

{Use Instructions for 16 Fl oz Black Flag Home Insect Control Concentrate Refill}

To an empty [product name] [container] [sprayer] add [1/2 bottle] [8 oz] of Black Flag Home Insect Control Concentrate [or product name] and fill slowly with water to make 1 Gallon of [Ready-To-Use Spray] spray . Replace [cap][sprayer] and shake well before using. [Shake sprayer well before each use.] Store unused Black Flag Home Insect Control Concentrate in original container, with cap tightly closed in a cool, dry area away from [inaccessible to] children.. See Storage and Disposal for additional storage instructions.

[Note: If sprayer does not function properly, remove nozzle cover and check nozzle and holes in rubber component for obstructions. Replace nozzle cover and use as instructed.]

HOW TO USE:

Hold container upright. Do not spray up into air. Use only for spot treatment. Adjust sprayer to mist or spray. Hold sprayer 12 inches from the insect or surface to be sprayed. Spray until the surface is slightly moist but not to the point of runoff. Repeat treatment [application] as necessary but do not apply more than [once per week][one application per week]. Children and pets may re-enter treated areas after the spray has dried. Cover all food handling surfaces and cover or remove all food and cooking utensils or wash thoroughly after treatment. Exposed food should be covered or removed.

INDOORS:

To Kill Cockroaches, Ants (including Carpenter Ants), Box Elder Bugs, Carpet Beetles, Centipedes, Crickets, Firebrats, Gnats, Ground Beetles, Houseflies, Mosquitos, Palmetto Bugs, Silverfish, Small Flying Moths, Sowbugs, Spiders, and Waterbugs:

Spray directly on insects or indoor areas where these insects may live and hide including in kitchens and bathrooms; behind baseboards; along cracks and crevices; behind and under refrigerators, sinks, stoves, storage areas, and cabinets; around doors and windows; around plumbing; in attics, basements, and crawl spaces; garbage cans; edges of floor coverings and under rugs. Flying insects resting on treated surfaces will be killed.

To Kill Fleas & Ticks:

Remove pet bedding and destroy or clean thoroughly. Spray pet resting quarters until moist. Put fresh bedding down once spray has dried. Do not spray animals directly. For best results, pets should be treated with an appropriate flea and/or tick control product registered for use on pets before allowing them to return to the treated area. Also treat rugs and carpets that may be infested.

Horse Stables: To Kill stable flies, horn flies, houseflies, face flies, horse flies, deer flies, mosquitos and gnats:

Apply thoroughly to surfaces until wet. Insects coming to rest on treated surfaces will be killed or repelled. Do not treat more than once per week. Do not spray animals or humans, or apply to animal feed or watering equipment. Controls stable flies for up to 4 months.

To Kill Pantry Pests including Rusty, Merchant and Saw-Toothed Grain Beetles, Red and Confused Flour Beetles, Chocolate Moths, Cigarette Beetles, Clover Mites, Cluster Flies, Drugstore Beetles, Elm Leaf Beetles, Rice Weevils, Lesser Grain Borers, Spider Beetles, and Tobacco Moths:

Treat exposed stages. Remove all foodstuffs, utensils and shelf paper from area to be treated. Apply spray to shelves and in cracks and crevices behind and under pantry. Allow to dry prior to replacement of shelf paper, food, and utensils. Wash any exposed food handling surfaces and utensils before use.

XXXXXX = Additions ~~XXXXXX~~ = Deletions

Webbing Clothes Moth: Apply as a crack and crevice treatment in closets and other storage areas where these pests are found. This treatment will not control moth larvae already on clothes. Do not apply to clothing.

To Kill Bedbugs:

Apply to cracks and crevices where evidence of bedbugs occurs. This includes bed frames, box springs, inside empty dressers and clothes closets and carpet edges, high and low wall moldings and wallpaper edges. Do not use this product on mattresses, pillows, bed linens, or clothes. Remove all clothes and other articles from dressers or clothes closets before application. Allow all treated areas to dry thoroughly before use. Not recommended for use as sole protection against bedbugs. If evidence of bedbugs is found in/on mattresses, use products approved for this use.

OUTDOORS:

Spray with wind if breeze is blowing. Do not contaminate fish ponds or apply directly to water. Remove all exposed food and cooking utensils. Cover all food handling surfaces or wash thoroughly after treatment and before use. Do not use on edible crops.

To Kill Ants, Crickets, Sowbugs (Pillbugs), Cockroaches including Asian Cockroaches, Centipedes, Dog Ticks, Fleas, Gnats, Houseflies, Lone Star Ticks, Mole Crickets, Mosquitoes, Silverfish, and Waterbugs:

Spray directly on insects or outdoor areas where insects live and hide including the perimeter of foundations around homes and residential storage buildings; doors and windows; window screens and frames; light fixtures; eaves; porches; patios, decks; garages; and infested bushes, grass, and weeds. Spray ant trails and hills. Spray ant nests until wet.

To Kill Carpenter Ants or Carpenter Bees:

Apply to voids or channels of damaged wood. Treat cracks and crevices of wooden sections between the wood and foundation of the home or outdoor storage structures.

To Kill Wasps, Hornets, Yellow Jackets and Bees:

Spray directly at nest openings. Applications should be made late in the evening when insects are at rest.

Houseplants: To Kill Aphids, Japanese Beetles, Lace Bugs, Leafminers, Mealybugs, Mites, and Spider Mites. Remove plants from living and eating areas prior to spraying. Plants can be returned after the leaves are dry. If plants cannot be moved, cover or remove exposed food and food handling surfaces.

Spray both leaf surfaces. Avoid wetting blossoms if possible. Do not apply more than once per week.

Ornamental Garden Insects: To Kill Japanese Beetles, Whiteflies, Aphids, Armyworms, Lace Bugs, Mealybugs, Exposed Thrips, Pavement Ants, Spiders, Spider and Red Mites, Clover Mites and Leafminers.

Spray directly to insects on African Violets, Asters, Azaleas, Begonias, Camellias, Carnations, Chrysanthemums[Mums], Dahlias, Delphiniums, Dogwoods, English Ivy, Euonymus, Fuchsia, Geraniums, Crassula, Grape Vine, Kentia Palm, Laurel, Marigolds, Rhododendrons, Roses, Rubber Plants, Snapdragons, Stocks, Wandering Jew, Zinnias, and other ornamentals.

Apply spray at least 18 inches from plants. Cover both leaf surfaces thoroughly, but not to the point to runoff. Tender foliage, young plants, and new growth may be damaged if temperatures exceed 90° F. Do not apply to vegetable plants or other plants used for food. Not for use on plants grown for sale or other commercial use.

STORAGE AND DISPOSAL

STORAGE: Store in original container in a cool, dry area away from [inaccessible to] children. [Do not transport or store below 32° F (0 ° C).] [Protect from freezing.] [Store above 32° F.] If freezing occurs, allow product to thaw and shake well before using [use]. [Some product separation may occur on freezing which is reversible on shaking]. Freezing does not adversely affect [this product][performance].

DISPOSAL:

Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if inhaled. Avoid breathing spray mist. Contact with product may result in transient tingling and reddening of the skin. Avoid contact with skin or clothing. Remove and wash contaminated clothing before reuse. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.

FIRST AID

IF INHALED: Move person to fresh air.

If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.

Call a poison control center or doctor for further treatment advice.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. In case of medical emergencies or health and safety inquiries or in case of fire, leaking or damaged containers, information may be obtained by calling 1-866-767-5047.

ENVIRONMENTAL HAZARDS

This product is extremely toxic to fish and aquatic invertebrates. This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area.

To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.

PHYSICAL OR CHEMICAL HAZARDS

Do not apply this product in or on electrical equipment due to possibility of shock hazard.

Notice: To the extent consistent with applicable law, the buyer assumes all responsibility for safety and use not in accordance with directions.

Questions? Comments? Call (800) 887-3524 or E-mail info@BlackFlagBrands.com

Sold By:

© Black Flag Brands, LLC

3300 Corporate Drive

Joliet, IL 60431

www.blackflag.com

EPA REG NO: 79529-31

EPA EST NO: XXXX

The first letter of the lot code corresponds to the establishment.