

80917-1

3-11-2008

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

Technology Science Group Inc.
c/o Amy Plato Roberts
1150 18th St, NW.
Washington, DC 20036

MAR 11 2008

Subject: Product Name: Shake Way Deer Repellent Granules
EPA Reg. No: 80917-1
Application for label Notification dated February 7, 2008 to add alternant brand name "Shake-Away Coyote Urine Granules", correct math errors in the Direction for use section, and add marketing text in the form table to list the three Shake-Away Products.

Dear Mrs. Roberts:

The Biopesticides and Pollution Prevention Division is in receipt of your application for Notification under 98-10 dated above. A preliminary screen of this request has been conducted for its applicability under PRN 98-10 and it has been determined that the action(s) requested falls within the scope of PRN 98-10. Our records have been duly noted, and the label submitted with this application has been stamped "Notification, received and reviewed" and will be placed accordingly in our records.

Questions concerning this action should be directed to Mr. Raderrio Wilkins at (703) 308-1259 or email at wilkins.raderrio@epa.gov.

Sincerely,

Linda Hollis

Linda Hollis, Chief
Biochemical Pesticides Branch
Biopesticides and Pollution Prevention Division

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United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 8091-1	80817-1	2. EPA Product Manager Linda Hollis	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Shake-Away Deer Repellent Granules		PM# 91/Biochemical Pesticides Br/BPPD	
5. Name and Address of Applicant (Include ZIP Code) Shake-Away 2330 Whitney Avenue Hamden, CT 06518 <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

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

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

NOTIFICATION to add an alternate brand name, correct a math error and add marketing text. See attached cover letter dated February 7, 2008 for details.

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 for 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 terms of PR Notice 98-10 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.

Section - III

1. Material This Product Will Be Packaged In:

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	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container

3. Location of Net Contents Information
 Label Container

4. Size(s) Retail Container

5. Location of Label Directions
 on container label

6. Manner in Which Label is Affixed to Product
 Lithograph Paper glued Stenciled Other _____

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name Amy Plato Roberts / aroberts@tsgusa.com	Title Regulatory Consultant	Telephone No. (Include Area Code) (202) 828-8964
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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 or both under applicable law.

2. Signature 	3. Title Regulatory Consultant	6. Date Application Received (Stamped)
4. Typed Name Amy Plato Roberts	5. Date February 7, 2008	

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WASHINGTON

1150 18th Street, N.W.
Suite 1000
Washington, D.C. 20036
Telephone 202 223-4392
Fax 202 872-0745

February 7, 2008

Linda Hollis
Chief, Biochemical Pesticides Branch
Biopesticides and Pollution Prevention Division (7511P)
Office of Pesticide Programs, EPA
One Potomac Yard, 2777 South Crystal Drive
Arlington, VA 22202

**RE: Shake-Away® Deer Repellent Granules
EPA Reg. No. 80917-1**

**NOTIFICATION to add an alternate brand name, correct a math error and
add marketing text per PRN 98-10**

SACRAMENTO

712 Fifth Street
Suite A
Davis, CA 95616
Telephone 530 757-1298
Fax 530 757-1299

Dear Ms. Hollis:

Enclosed with this letter you will find the following in support of a notification to add alternate brand names for the above referenced product:

- 1) Notification form;
- 2) One (1) copy of the revised label with the alternate brand names highlighted in redline.

This label notification is to make the following label changes:

- a. Add the alternate brand name "Shake-Away® Coyote Urine Granules."
- b. Correct a math error the Directions for Use section under "Coverage" (page 3). The previous label incorrectly listed "(3800 linear feet – for 12 lb bottle)." The correct calculation is "(5760 linear feet – for 12 lb bottle)." This correction was previously made on the other labels from Shake-Away for similar products (80917-4 and 80917-5).
- c. Add marketing text in the form of a table that lists the three Shake-Away animal repellent products that are available. The table provides the product name, EPA Registration Number and labeled pests.

CANADA

275 Slater Street
Suite 900
Ottawa, Ontario
K1P 5H9
Telephone 613 247-6285
Fax 613 236-3754

There are no other changes made to the label at this time. If you have any questions or comments, please do not hesitate to let me know.

Sincerely,

Amy Plato Roberts
Regulatory Consultant for Shake-Away
Direct dial: (202) 828-8964; Email: aroberts@tsgusa.com

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Text pesticide label without graphics, pictures or illustrations

Shake-Away® Deer Repellent Granules

(Alternate Brand Names: Shake-Away® Deer Repellent 90-Day Packs; Shake-Away® Coyote Urine Granules)

Active Ingredient:	
Coyote Urine.....	5.00%
Other Ingredients:	<u>95.00%</u>
Total:	100.0%

NOTIFICATION
 Date Reviewed: 3/11/08
 Reviewed By: [Signature]

**Keep Out of Reach of Children
CAUTION**

See (back panel) (insert label) (insert instructions) for (additional) Precautionary Statements and Directions for Use.

EPA Reg. No.: 80917-1
EPA Est. No.:

Net Contents: (Total: XX oz. (XX grams).) (4 packs per box, each pack X oz. (XX grams))

Manufactured by:
Shake-Away
2330 Whitney Avenue
Hamden, CT 06518
www.shake-away.com
toll-free: 1-800-517-9207

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FIRST AID	
If swallowed	<ul style="list-style-type: none"> • Call 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 the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If on skin or clothing	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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.
<p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment. (In the U.S.) You may also contact 1-800-222-1222 for emergency medical treatment information.</p>	

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals. Caution: Harmful if swallowed. Avoid contact of mouth, skin, or eyes. Wash hands before eating, drinking, chewing gum, using tobacco or using bathroom facilities.

DIRECTIONS FOR USE

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

General:

Animals use urine to communicate in the wild. When they repeatedly smell a predator's odor, animals conclude it's a "dangerous" place and choose instead to move elsewhere. Shake-Away® Deer Repellent Granules creates the illusion that coyotes are present in your lawn or garden.

Use Shake-Away® Deer Repellent Granules to repel:

- Armadillo
- Beavers
- Deer
- Elk
- Domestic Cats
- Groundhogs
- Javalina
- Rabbits
- Woodchucks

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Directions for Use for 90-Day Packs -

Application Directions:

- One application lasts 90 days.

- Shake-Away® Deer Repellent 90-Day Packs kit contains: Four Shake-Away® Deer Repellent 90-Day Packs, two twist ties for hanging.

Hanging -

Hang one pack every 10 to 20 feet around your garden or flowerbed perimeter, ensuring there is a pack on every outside corner. Suspend each pack approximately 2 to 4 feet above ground. For best results on isolated trees and bushes, consider hanging one or two packs on each bush or tree. **DO NOT OPEN PACKS OR DISPERSE CONTENTS.**

Replacing -

Replace each pack after 90 days. When replacing, hang the new pack in the same location. Allow up to two to three weeks for Shake-Away® Deer Repellent 90-Day Packs to take full effect. For best results squeeze the 90- Day Pack a few times when first applying, and four to six weeks thereafter to break up granules to release the scent.

Directions for Use for loose granules -

Application Directions:

Use Restrictions – This product is not for direct application to plants intended for human consumption (i.e. food plants). Apply only to the perimeter of where food plants are grown. To create a repellent barrier, apply this product to soil, ground cover, bark mulch, perimeter vegetation and non-food vegetation adjacent to food plants.

General use in yards, around gardens -

Apply Shake-Away® Deer Repellent twice a week for the first two weeks, then twice a month for maintenance. Sprinkle Shake-Away® Deer Repellent lightly in and around areas where animals are causing damage, or in areas you want to protect. Allow up to two to three weeks for Shake-Away® Deer Repellent to take full effect.

Coverage –

Each bottle of Shake-Away® Deer Repellent will cover up to (600 linear feet – for 20 oz bottle) (5760 linear feet – for 12 lb bottle) when applied as directed.

<p>STORAGE AND DISPOSAL</p> <p>Do not contaminate water, food or feed by storage and disposal.</p> <p>Storage: Store in a cool, dry place.</p> <p>If empty: Do not reuse this container. Place in trash or offer for recycling if available.</p> <p>If partially filled: Call your local solid waste agency or 1-800-CLEANUP for disposal instructions. Never place unused product down any indoor or outdoor drain.</p>
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(Warranty Statement)

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Optional Label Claims:

- Deer repellent granules (in 90-Day Packs)
- Cat repellent granules (in 90-Day Packs)
- Repels deer
- Can (also) be (used to repel) (for) (armadillos) (beavers) (deer) (domestic cats) (elk) (groundhogs) (javalina) (rabbits) (woodchucks).
- Can be used for Domestic Cats.
- Create the illusion that predators are present!
- Create the illusion that predators are present – in your lawn or garden.
- Slow release (granule) (repellent).
- Granulated Predator Urine (in 90-Day Packs)
- Easy to Use
- The Original Shake-Away®
- Patent-Pending
- Made in the U.S.A.
- There's a Shake-Away® product for every situation.

Product	EPA Reg. #	Use for
Shake-Away® Coyote Urine Granules	80917-1	Deer, Elk, Beavers, Armadillos, Javalinas, Rabbits
Shake-Away® Fox Urine Granules	80917-4	Rabbits, Gophers, Groundhogs, Possums, Porcupines, Woodchucks
Shake-Away® Coyote / Fox Urine Granules	80917-5	Domestic Cats, Moles, Voles, Shrews

All Shake-Away products are sold separately.