

80917-4

12/19/2008

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

December 19, 2008

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Amy Plato Roberts
Regulatory Consulting for
Shake-Away
1150 18th Street, NW, Suite 1000
Washington, DC 20036

RE: Product Name: Shake-Away Critter Repellent Granules
EPA Reg. No: 80917-4
Application for Label Notification dated October 21, 2008 to Add NY State Requested
Text to Indoor Application Directions and Update Storage and Disposal Instruction

Dear Ms. Roberts:

The Biopesticides and Pollution Prevention Division is in receipt of your application for Notification under Pesticide Registration (PR) Notice 98-10 dated above. A preliminary screen of this request has been conducted for its applicability under PR Notice 98-10 and it has been determined that the action(s) requested falls within the scope of PR Notice 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 Ms. Diana Hudson at (703) 308-8713 or email at HUDSON.DIANA@EPA.GOV.

Sincerely,

Linda Hollis

Linda Hollis, Chief
Biochemical Pesticides Branch
Biopesticides and Pollution Prevention
Division (7511P)

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95



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 80917-4	2. EPA Product Manager Linda Hollis	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) ShakeAway Critter Repellent Granules	PM# 91 Biochemical Pesticides Branch/BPP	
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

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<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.

NOTIFICATION
Date Reviewed: 12-19-08
Reviewed By: D. Hudson

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

NOTIFICATION to add NY State-requested text to indoor application directions, and add PRN 2007-1 container disposal statements. Refer to cover letter dated October 21, 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 <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/> on container 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 Amy Plato Roberts / aroberts@tsgusa.com	Title Regulatory Consultant	Telephone No. (Include Area Code) (202) 828-8964
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.		6. Date Application Received (Stamped)
2. Signature 	3. Title Regulatory Consultant	
4. Typed Name Amy Plato Roberts	5. Date October 21, 2008	



October 21, 2008

WASHINGTON

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

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® Critter Repellent Granules
EPA Reg. No. 80917-4**

NOTIFICATION to add NY State-requested text to indoor application directions, and add PRN 2007-1 container disposal statements

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 label notification per PRN 98-10 to add NY State-requested text to indoor application directions, and add PRN 2007-1 container disposal statements for the above referenced product:

- 1) Notification form;
- 2) One (1) copy of the revised label with all changes highlighted in redline.

This label notification is to make the following label changes:

- a. Add NY-State requested text to the indoor application directions for "In Attics, Basements, Garages and Sheds" to remove reference to a plastic or paper bowl and to include "but in an area inaccessible to children" at the end of the placement instructions.
- c. Addition of PRN 2007-1 container disposal statements and batch code.

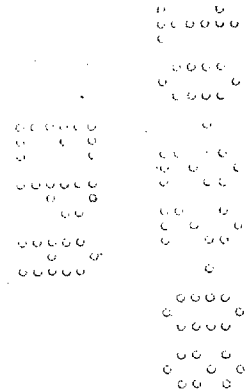
There are no other changes made to the label at this time. If you have any questions or comments, please do not hesitate to let me know.

CANADA

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

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® Critter Repellent Granules

NOTIFICATION

Date Reviewed: 12-19-08

Reviewed By: D. Hudson

(Alternate Brand Name: Shake-Away® Fox Urine Granules)

Active Ingredient:

Fox Urine5.00%

Other Ingredients:.....95.00%

Total: 100.00%

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.: 80917-4

EPA Est. No.:

Net Contents: XX oz. (XX grams).

Manufactured by:

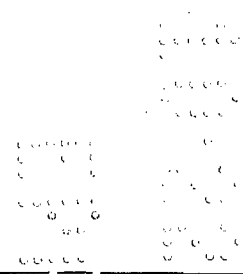
Shake-Away

2330 Whitney Avenue

Hamden, CT 06518

www.shake-away.com

toll-free: 1-800-517-9207



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® Critter Repellent Granules uses the same laws of nature to protect your yard and garden. Shake-Away® Critter Repellent Granules' creates the illusion that foxes are present in your lawn or garden.

Use Shake-Away® Critter Repellent Granules to repel:

- Gophers
- Groundhogs
- Possums
- Porcupines
- Rabbits
- Woodchucks

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® Critter Repellent Granules twice a week for the first two weeks, then twice a month for maintenance. Sprinkle Shake-Away® Critter Repellent Granules A lightly in and around areas where animals are causing damage, or in areas you want to protect.

In attics, basements, garages and sheds –

Place two to four ounces of Shake-Away® Critter Repellent Granules (in an open container) (on a paper plate or other open container) ~~such as a plastic or paper bowl.~~ Place one (container) (plate) per every 8' X 10' area (80 sq. ft.) where animals are getting in, but in an area inaccessible to children. Replace every four to six weeks, or as needed.

Allow up to two to three weeks for Shake-Away® Critter Repellent Granules to take full effect.

Coverage –

Use one ounce of Shake-Away® Critter Repellent Granules for every 30 linear feet. Each bottle of Shake-Away® Critter Repellent Granules 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: Nonrefillable container. Do not reuse or refill 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>

(Warranty Statement)

(Batch Code / Lot Number: XXXXX)

Optional Label Claims:

- (Small) critter repellent granules
- Repels rabbits
- Can (also) be used for small critters – Gophers, Groundhogs, Possums, Porcupines, Rabbits, Woodchucks
- An effective way to create the illusion that predators are present!
- Create the illusion that predators are present – in your lawn or garden.
- Granulated Predator Urine
- Easy to Use
- Slow release (granule) (repellent).
- 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.