



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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

May 3, 2019

Megan Priest
Regulatory Consultant
Bio-Repellent Scientific Industries, Inc.
c/o Technology Sciences Group, Inc.
1150 18th Street, NW Suite 1000
Washington, DC 20036

Subject: Pesticide Registration Improvement Act (PRIA) Labeling Amendment – Adding Rat (Repellency) to the product label.
Product Name: Pignx Caulking Gel
EPA Registration Number: 84418-1
Application Date: October 26, 2018
OPP Decision Number: 545572

Dear Ms. Priest:

The amended labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable under FIFRA section 3(c)(5).

You must submit and/or cite all data required for registration or registration review of your product when the U.S. Environmental Protection Agency (EPA) requires all registrants of similar products to submit such data.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one (1) copy of the final printed labeling before you release this product for shipment with the new labeling. In accordance with 40 CFR § 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. “To distribute or sell” is defined under FIFRA section 2(gg) and its implementing regulation at 40 § CFR 152.3.

Should you wish to add/retain a reference to your company’s website on your label, then please be aware that the website becomes labeling under FIFRA and is subject to review by the EPA. If the website is false or misleading, the product will be considered to be misbranded and sale or distribution of the product is unlawful under FIFRA section 12(a)(1)(E). 40 CFR § 156.10(a)(5) lists examples of statements the EPA may consider false or misleading. In addition, regardless of whether a website is

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referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the EPA find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA-approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance Assurance.

Your release for shipment of this product constitutes acceptance of these terms. If these terms are not complied with, this registration will be subject to cancellation in accordance with FIFRA section 6.

If you have any questions, please contact Menyon Adams by phone at (703) 347-8496 or via email at adams.menyon@epa.gov.

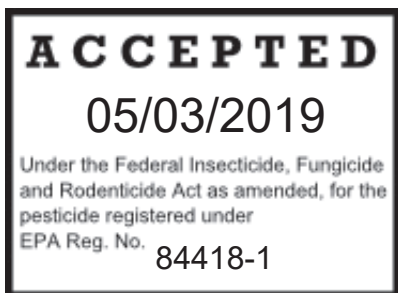
Sincerely,

A handwritten signature in blue ink that reads "Andrew C. Bryceland". The signature is fluid and cursive, with the first name being the most prominent.

Andrew Bryceland, Team Leader
Biochemical Pesticides Branch
Biopesticides and Pollution
Prevention Division (7511P)
Office of Pesticide Programs

Enclosure

PiGNX Caulking Gel Master Label:



Sublabel A: Bird Repellent

Sublabel B: Rat Repellent

Note to reviewer: Language within brackets is optional.
If brackets and parenthesis are present, one of the options
within the parenthesis must be chosen.

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Sublabel A: Bird Repellent

[This master label bears directions for residential and commercial use]

PiGNX® Caulking Gel

Deters pigeons from congregating, roosting and returning. PiGNX® is a repellent and deterrent.
For use indoors or outdoors.

ACTIVE INGREDIENT:

CAPSAICIN	0.0357%
OTHER INGREDIENTS	<u>99.9643%</u>
Total.....	100.0000%

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

See [(back)(side)(other)] panel[s] for additional Precautionary Statements

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EPA Establishment Number: _____

Net Contents: _____

When PiGNX® Caulking Gel is applied according to application specifications, pigeons will not return to treated area for 30 days or longer if gel is left intact and undisturbed. Reapplications will be required on an as-needed basis in areas of high pigeon pressure where the product gel has been disturbed or removed due to foot contact by pigeons.

PiGNX® is a repellent, it is not an avian toxicant.

**Use as directed.
Please read entire label prior to use.**

[Residential use sites]

Typical application areas include but are not limited to residential buildings (such as residential rooftops, canopies, windowsills, ledges, beams, conduits, awnings, and patios), and other residential structures (such as statues, garages, barns, and shed).

[Commercial use sites]

Typical commercial application areas include but are not limited to buildings (such as rooftops, canopies, windowsills, ledges, beams, conduits, awnings, water lines, parapets, fascias, sub roofs and walls, and cooling units), and other structures (such as statues, bridges, signs, sheds, and overhangs).

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Precautionary Statements

HAZARDS TO HUMANS and DOMESTIC ANIMALS CAUTION

Harmful if swallowed. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. [For MSDS, contact 1-866-744-6988].

FIRST AID	
If Swallowed	<ul style="list-style-type: none">• Call a poison control center or doctor immediately for treatment advice.• Have a person sip a glass of water if able to swallow.• Do not induce vomiting unless told to by a poison control center or doctor.• Do not give anything to an unconscious person.
If On Skin	<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 eyes open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes
HOTLINE Have the product container or label with you when calling a poison control center or doctor or going for treatment. For general information on product use, etc., call the National Pesticides Information Center at 1-800-858-7378. For emergencies, call the poison control center 1-800-222-1222.	

Environmental Hazards:

FOR TERRESTRIAL USES. This product may be toxic to aquatic organisms. Do not apply or allow runoff to reach lakes, streams or ponds. Do not contaminate water by cleaning off equipment or disposal of equipment washwater or rinsate. Do not dump water into sewers or other bodies of water.

DIRECTIONS FOR USE

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

Application Instructions: Use one 10 oz. tube for every ten (10) linear feet. Lay down a continuous bead of PiGNX® Caulking Gel in a zigzag pattern using at least a ½ inch bead that will allow the pigeons to easily and frequently step on the gel (larger beads up to 1 inch are acceptable depending on treatment surface characteristics). Do not apply more than one 10 oz. tube per application (0.00357 oz. active ingredient/10 linear feet). Use as necessary to treat roosting areas gathering areas, reproduction areas and other surface areas where pigeons frequent to ensure complete bird dislocation is maintained. Clean and dry surfaces before application for best results. If surface cannot be cleaned before application, PiGNX can be applied on top of soiled and damp surfaces if necessary. PiGNX® can be applied to indoor and outdoor surfaces, which include wood, metal, plastic, tile, brick, cinderblock, and cement. Apply PiGNX® at

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20°F to 90°F (-7°C to 32°C). Do not apply in wet or snowy weather for best results. Installation works best when surfaces are clean and dry. Easy-to-apply tubes fit into a standard caulking gun.

Do not expose yourself directly to bird feces.

1. Cut end of tube off at the nozzle stem.
2. Screw on applicator nozzle and use directly or cut off nozzle tip for a larger bead half way down the application tube.
3. Load and lock PiGNX tube into standard caulking gun.
4. Slowly pull caulking trigger. There is very little product resistance—be careful as it can come out of tube.
5. Lay down continuous bead of PiGNX Caulking Gel in a zigzag pattern so birds will step in the gel.
6. Excess applied gel from tube may be cleaned with a clean, dry rag or paper towel.

STORAGE AND DISPOSAL

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

Pesticide Storage: Do not store this product above 140°F or below 20°F for extended periods of time. Keep containers tightly closed and product in original containers when not in use.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at any approved waste disposal facility.

Container Disposal: Non-refillable container. DO not reuse or refill this container. Offer for recycling, if available. If not available, dispose of in a sanitary landfill, or incineration, or if allowed by State and local authorities, by burning. If burned, stay out of smoke.

WARRANTY

To the extent consistent with applicable law, BRSI warrants that this product conforms to the chemical description on the product label and is reasonably fit when used in accordance with the directions for use. However, it is impossible to eliminate all risks inherently associated with the use of this product. This warranty does not extend to the use of this product in a manner inconsistent with its labeling or when used under abnormal conditions, such as adverse weather conditions and presence of other materials. These factors are beyond the control of BRSI or the Seller. All such risks shall be assumed by the Buyer.

To the extent consistent with applicable law, BRSI makes no other express or implied warranty and it expressly excludes and disclaims all implied warranties of fitness or merchantability for a particular purpose. To the extent consistent with applicable law, BRSI or the Seller are not liable for consequential, special, or indirect damages resulting from the use or handling of this product.

Customer Service/Questions: 1-714-497-9491

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Manufacturer:
Biorepellent Scientific Industries, Inc.
10250 Colima Road
Whittier, CA 90603

Optional Label Claims

- Approved for food preparation areas
- PiGNX® is a registered trademark of Biorepellent Scientific Industries, Inc.
- Recycle Symbol (2)
- NSF Logo
- Patent Number: [Insert Patent Number]
- Made in California, USA

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Sublabel B: Rat Repellent Sublabel

PiGNX® Caulking Gel

(Alternate Brand Name: DETOUR® Gel for Rats)

[This master label bears directions for residential and commercial use]

Rat Repellent

Non-Toxicant

Repels rats.

Detour Gel for Rats is a repellent.

For use indoors.

ACTIVE INGREDIENT:

CAPSAICIN	0.0357%
OTHER INGREDIENTS	<u>99.9643%</u>
Total.....	100.0000%

KEEP OUT OF REACH OF CHILDREN CAUTION

See [(back)(side)(other)] panel(s) for additional Precautionary Statements

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Net Contents: _____

Detour Gel for Rats must be used in a way that will maximize the chances of the rat coming into contact with it during their foraging. Apply to surface areas where rats frequent or damage.

USE AS DIRECTED. PLEASE READ ENTIRE LABEL PRIOR TO USE.

[Residential use sites]

Typical application areas include but are not limited to residential buildings (such as basements, kitchens, and attics), and other residential structures (such as garages, barns and sheds).

[Commercial use sites]

Typical commercial application areas include but are not limited to buildings (such as basements and kitchens) and other structures (such as bridges and sheds).

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Precautionary Statements

HAZARDS TO HUMANS and DOMESTIC ANIMALS CAUTION

Harmful if swallowed. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. [For MSDS, contact 1-866-744-6988].

FIRST AID	
If Swallowed	<ul style="list-style-type: none">• Call a poison control center or doctor immediately for treatment advice.• Have a person sip a glass of water if able to swallow.• Do not induce vomiting unless told to by a poison control center or doctor.• Do not give anything to an unconscious person.
If On Skin	<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 eyes open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes
HOTLINE Have the product container or label with you when calling a poison control center or doctor or going for treatment. For general information on product use, etc., call the National Pesticides Information Center at 1-800-858-7378. For emergencies, call the poison control center 1-800-222-1222.	

Environmental Hazards:

FOR TERRESTRIAL USES. This product may be toxic to aquatic organisms. Do not apply or allow runoff to reach lakes, streams or ponds. Do not contaminate water by cleaning off equipment or disposal of equipment washwater or rinsate. Do not dump water into sewers or other bodies of water.

DIRECTIONS FOR USE

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

APPLICATION INSTRUCTIONS: Apply on plastic, non-porous surfaces only. Lay down a continuous bead of product in a zigzag pattern using at least a ½ inch bead that will allow the rats to easily and frequently step on the product. **TRAPS MUST BE PLACED IN AREAS SURROUNDING GEL.**

For best results, clean and wipe dirt from application surface prior to application. Wear gloves and eye protection during application.

1. Cut end tube off at nozzle stem.
2. Screw on applicator nozzle and cut off nozzle tip for a ½ inch minimum bead halfway down the applicator nozzle.

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3. Load and lock product tube into standard caulking gun.
4. Slowly pull caulking gun trigger. There is very little product resistance—be careful as it can quickly come out of the tube.
5. Lay down a continuous bead of product in a zigzag pattern so rats will step in the product.
6. Excess applied gel from tube may be cleaned with a clean, dry rag or paper towel. **Apply to plastic, non-porous surfaces areas where rats frequent.**
7. Reapply product every 6 hours.

STORAGE AND DISPOSAL

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

Pesticide Storage: Do not store this product above 140°F or below 20°F for extended periods of time. Keep containers tightly closed and product in original containers when not in use.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at any approved waste disposal facility.

Container Disposal: Non-refillable container. DO not reuse or refill this container. Offer for recycling, if available. If not available, dispose of in a sanitary landfill, or incineration, or if allowed by State and local authorities, by burning. If burned, stay out of smoke.

WARRANTY

To the extent consistent with applicable law, BRSI warrants that this product conforms to the chemical description on the product label and is reasonably fit when used in accordance with the directions for use. However, it is impossible to eliminate all risks inherently associated with the use of this product. This warranty does not extend to the use of this product in a manner inconsistent with its labeling or when used under abnormal conditions, such as adverse weather conditions and presence of other materials. These factors are beyond the control of BRSI or the Seller. All such risks shall be assumed by the Buyer.

To the extent consistent with applicable law, BRSI makes no other express or implied warranty and it expressly excludes and disclaims all implied warranties of fitness or merchantability for a particular purpose. To the extent consistent with applicable law, BRSI or the Seller are not liable for consequential, special, or indirect damages resulting from the use or handling of this product.

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Manufacturer:
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Optional Label Claims

- Approved for food preparation areas
- DETOUR® is a registered trademark of Biorepellent Scientific Industries, Inc.
- Recycle Symbol (2)
- NSF Logo
- Made in California, USA
- Patent Number: [Insert Patent Number]

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