

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Office of the General Counsel

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DEC 01 2020

Mr. Michael Sarli  
Senior Director, Regulatory  
United Industries Corporation  
1 Rider Trail Plaza Drive, Suite 300  
Earth City, MO 63045-1313

Re: Enforcement Discretion for United Industries Corporation chlorpyrifos roach bait products

Dear Mr. Sarli:

This is to advise you that, subject to the terms set forth in this letter, the New York State Department of Environmental Conservation (Department) will exercise its authority to utilize enforcement discretion with respect to the December 31, 2020 cancellation notice of the following self-contained, child-resistant roach bait products that use chlorpyrifos as its active ingredient:

- 1) Product Name: HOT SHOT MAXATTRAX ROACH BAIT  
EPA Registration Number: 9688-67-8845
- 2) Product Name: ELIMINATOR ROACH BAIT  
EPA Registration Number: 9688-67-8845

The Department will allow retailers of the above listed products of the United Industries Corporation to continue to sell the products that have already been distributed to them, until May 31, 2021. The Department is allowing the sale of these products because they were already distributed, the retail distribution network for these products is extensive, and these products are designed to eliminate the potential for human contact with the bait material that contains chlorpyrifos. However, no additional supplies of these products may be sent to distributors or retailers. Residential application of these products, as defined in Section 33-0101 of the New York Environmental Conservation Law, by end users may continue until July 31, 2021. However, commercial application of these products by commercial pesticide applicators will not be allowed after the December 31, 2020 cancellation.

If you have any questions, please contact the Pesticide Enforcement and Compliance Assurance Section in the Bureau of Pesticides Management of the Division of Materials Management at (518) 402-8727.

Sincerely,



Thomas S. Berkman  
Deputy Commissioner  
and General Counsel