

72159-12

2/26/2009

1/8



U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Registration Division (7505C)
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

EPA Reg. Number:

72159-12

Date of Issuance:

FEB 26 2009

NOTICE OF PESTICIDE:

- Registration
- Reregistration

(under FIFRA, as amended)

Term of Issuance:

Conditional/Expires June 4, 2011

Name of Pesticide Product:

Agrisel Gladiator Place Pack Pellets

Name and Address of Registrant (include ZIP Code):

Agrisel USA, Inc.
PO Box 3528
Suwanee, GA 30024

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA section 3(c)(7)(A) provided that you:

1. Submit and/or cite all data required for registration/reregistration/registration review of your product when the Agency requires all registrants of similar products to submit such data.
2. Make the following label changes before you release the product for shipment:
 - a. Revise the EPA Registration Number to read, "EPA Reg. No. 72159-12."

Signature of Approving Official:

John Hebert, Product Manager (07)
Insecticide-Rodenticide Branch, Registration Division (7505P)

Date:

Feb. 26, 2009

b. Revise your "FIRST AID" and "NOTE TO PHYSICIAN OR VETERINARIAN" text as follows:

<p style="text-align: center;">FIRST AID</p> <p style="text-align: center;">HAVE LABEL WHEN OBTAINING TREATMENT ADVICE</p> <p>IF SWALLOWED:</p> <ul style="list-style-type: none">• Call a poison control center, doctor, 1-877-854-2494, or 1-800-858-7378¹ [optional phone numbers] immediately for treatment advice.• Have a 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. <p>IF ON SKIN OR CLOTHING:</p> <ul style="list-style-type: none">• Take off contaminated clothing.• Rinse skin with plenty of water for 15-20 minutes• Call a poison control center or physician immediately for treatment advice. <p>IF IN EYES:</p> <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>¹ Also call this number for information on health concerns and pesticide incidents. [If you choose to use this phone number.]</p>
<p style="text-align: center;">NOTE TO PHYSICIAN</p> <p>This product is not an anticoagulant type of rodenticide. If ingested, limit absorption by either emesis or gastric lavage. Sublethal symptoms, if present, would be the result of cerebral edema and should be treated accordingly through administration of an osmotic diuretic and corticosteroid.</p>
<p style="text-align: center;">TREATMENT FOR PET POISONING</p> <p>If animal eats bait, call veterinarian or 1-800-xxx-xxxx [optional] at once.</p> <p style="text-align: center;">NOTE TO VETERINARIAN</p> <p>Nerve Poison: Bromethalin: For animals ingesting bait and/or showing poisoning signs [insert major examples], give [insert treatment].</p>

c. Change "CAUTION" to read "WARNING" and revise that text as follows:

WARNING: May be fatal if swallowed. Harmful if absorbed through the skin. Keep away from children, domestic animals and pets. Causes moderate eye irritation. Do not get in eyes, on skin, or on clothing.

All handlers (including applicators) must wear shoes plus socks, and gloves. Any person who retrieves carcasses or unused bait following application of this product must wear gloves.

User Safety Requirements

Follow manufacturer's instruction for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry. Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash hands thoroughly after applying bait and before eating, drinking, chewing gum, using tobacco or using the toilet and change into clean clothing.

d. In the **ENVIRONMENTAL HAZARDS** section, revise the statement beginning with "*Dogs and other...*" so it reads "*Dogs and other scavenging mammals and birds might be poisoned if they feed upon animals that have eaten this bait.*"

e. Add the following statement to the **READ THIS LABEL** section of the **DIRECTIONS FOR USE**: "*Use only for sites, pests, and application methods described on this label.*"

f. Revise the **USE RESTRICTIONS** section to state "*This product may be used only to control Norway rats, roof rats, and house mice. For use inside and against the outside walls of homes, industrial and agricultural buildings, and similar man-made structures and in alleys located in urban areas, inside transport vehicles (ships, trains, aircraft), and inside and against outside walls or related port or terminal buildings. Do not place bait in areas where there is a possibility of contaminating food or surfaces that come in direct contact with food. Do not use in edible product areas of food or feed processing plants or other areas where food or feed is commercially prepared or processes. Do not contaminate food/feed or food/feed handling equipment or place near or inside ventilation duct openings.*"

g. In the second sentence within the **SELECTION OF TREATMENT AREAS**, change "*comers*" to "*corners*".

h. Under **APPLICATION DIRECTIONS**, insert **HOUSE** before **MICE**.

i. Insert "**Pesticide**" before "**Disposal**" in the **STORAGE AND DISPOSAL** section.

j. State whether the container is refillable or nonrefillable.

k. As stated in 40CFR156.140(a)(4), a batch code must be included on the label or package for container and containment for nonrefillables.

3. Storage stability (830.6317) and corrosion characteristics (830.6320) data must be submitted within 18 months.

4. This product is not in compliance with the Agency's revised May 28, 2008 "*Risk Mitigation Decision for Ten Rodenticides*" and this registration will expire June 4, 2011.

5. **Note:** Should you wish to add/retain a reference to the company's website on your label, please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, **regardless of whether a website is 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 Agency 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.

6. Submit one copy of the revised final printed label for the record before you release the product for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records.

John Hebert
Product Manager (07)
Insecticide-Rodenticide Branch
Registration Division (7505C)

Enclosure

5/8

Agrisel Gladiator Place Pack Pellets

Mouse and Rat Poison
For Indoor and Outdoor Rodent Control
Kills Norway Rats, Roof Rats, and House Mice

ACCEPTED
with COMMENTS
In EPA Letter Dated
FEB 26 2009
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
72159-12

House Mice, Norway Rats and Roof Rats usually consume a lethal dose in a single night's feeding, but it may take two or more days from time of bait consumption for these rodents to die. Rodents cease feeding after consuming a toxic dose. This product is effective against anticoagulant-resistant mice and rats.

Active Ingredient:	
Bromethalin.....	0.01%
Other Ingredients	99.99%
	Total: 100.00%

FIRST AID

Have label with you when obtaining treatment advice.

- | | |
|-------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| If Swallowed | <ul style="list-style-type: none"> • Call a poison control center or physician 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. |
| 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 physician immediately for treatment advice. |

For more information regarding this product, call 1-877-AGRISEL (247-4735)

NOTE TO PHYSICIAN

This product is not an anticoagulant type of rodenticide. If ingested, limit absorption by either emesis or gastric lavage. Sublethal symptoms, if present, would be the result of cerebral edema and should be treated accordingly through administration of an osmotic diuretic and corticosteroid.

EPA Reg. No.: 72159-____ Net Contents: _____ EPA Est. No.: _____

Agrisel USA, Incorporated
PO Box 3528
Suwanee, GA 30024

6/16

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION**

Keep away from humans, domestic animals, and pets. May be harmful if swallowed. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling bait.

ENVIRONMENTAL HAZARDS

This product is toxic to mammals and birds. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Dogs and other predatory and scavenging mammals might be poisoned if they feed upon animals that have eaten this bait.

DIRECTIONS FOR USE

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

READ THIS LABEL: Read this entire label and follow all use directions and use precautions.

IMPORTANT: Do not expose children, pets or other nontarget animals to rodenticides.

To help to prevent accidents:

1. Store product not in use in a location out of reach of children and pets.
2. Apply bait in locations out of the reach of children, pets, domestic animals and nontarget wildlife, or in tamper-resistant bait stations. These stations must be resistant to destruction by dogs and by children under six years of age, and must be used in a manner that prevents such children from reaching into bait compartments and obtaining bait. If bait can be shaken from stations when they are lifted, units must be secured or otherwise immobilized. Even stronger bait stations are needed in areas open to hoofed livestock, raccoons, bears, or other potentially destructive animals, or in areas prone to vandalism.
3. Dispose of product container and unused, spoiled and unconsumed bait as specified on this label.

USE RESTRICTIONS: This product may be only be used to control Norway rats, roof rats, and house mice in sewers and for use inside and against outside walls of homes, industrial and agricultural buildings, and similar man-made structures, and in alleys located in urban areas, inside transport vehicles (ships, trains, aircraft), and inside and against outside walls of related port or terminal buildings. For use in non-food/non-feed areas. Do not contaminate human or pet food preparations items or areas. Do not place near or inside ventilation duct openings. Do not broadcast bait.

Do not place bait in areas where there is a possibility of contaminating food or surfaces that come in direct contact with food.

SELECTION OF TREATMENT AREAS: Determine areas where rodents will most likely find and consume the bait. Generally, these are along walls, by gnawed openings, in or beside burrows, in corners and concealed places, between floors and walls, or in locations where rodents or their signs have been seen. Remove as much alternative food accessible to rodents as possible.

APPLICATION DIRECTIONS: The active ingredient in this product is different from anticoagulant rodenticides. Individual rodents cease feeding after consuming a toxic dose.

Rats: Apply 2 to 12 place packs per placement. Space placements at intervals of 15 to 30 feet.

Mice: Apply 1 or 2 place packs per placement. Space placements at intervals of 8 to 12 feet. Larger placements, up to 6 place packs, may be needed at points of extremely high mouse activity.

Follow-up: Adjust the amount of bait applied to the level of rodent feeding expected at each bait placement location. Highest bait consumption is expected to occur on the first day or two after treatment. After several days, inspect bait placements and replenish bait at sites where there is heavy feeding or where there is continued evidence of rodent activity. Maintain bait for at least one week and continue baiting until all signs of rodent activity have ceased or it becomes clear that the remaining rodents are not attracted to the bait.

Collect and properly dispose of all dead rodents and leftover bait. To discourage reinfestation, limit sources of rodent food, water, and harborage as much as possible. If reinfestation does occur, repeat treatment. Where a continuous source of infestation is present, establish permanent bait stations and replenish as needed.

STORAGE AND DISPOSAL

HOUSEHOLD USE:

Pesticide Storage: Store only in original container in a cool, dry place inaccessible to children and pets.

Disposal: If empty: Do not reuse this container. Place in trash or offer for recycling if available. If partly filled: Call your local solid waste agency or 1-800-CLEANUP for disposal instructions. Never place any unused product down any indoor or outdoor drain.

NON-HOUSEHOLD USE:

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

Pesticide Storage: Store in original container in a cool, dry place inaccessible to children and pets. Keep containers closed and away from other chemicals.

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

Container Disposal: Dispose of empty container in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned stay out of smoke

CONDITION OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product must be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather, presence of other materials or other influencing factors in the use of the product, which are beyond the control of Agrisel USA, Inc. or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Agrisel USA, Inc. and Seller harmless for any claims relating to such factors.

Agrisel USA, Inc. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks referred to above, when used in accordance with directions under normal use conditions. This warranty does not extend to the use of this product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or Agrisel USA, Inc., and Buyer and User assume the risk of any such use. **TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, AGRISEL USA, INC. MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.**

To the extent consistent with applicable law, neither Agrisel USA, Inc. nor Seller shall be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF AGRISEL USA, INC. AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF AGRISEL USA, INC. OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

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Agrisel design is a registered trademark of Agrisel USA, Inc
Gladiator is a trademark of Agrisel USA, Inc