

100-1261

01-04-2011

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16

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



OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

January 4, 2011

Thomas J. Parshley
Syngenta Crop Protection, Inc.
P.O. Box 18300
Greensboro, NC 27419

Dear Mr. Parshley:

Subject: Amended labeling to revise the storage and disposal directions, update the warranty language, and add marketing claims

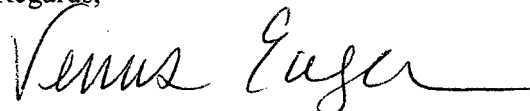
Thiamethoxam Ant Killer Gel
EPA Reg. No. 100-1261
Your submission dated December 17, 2010

The proposed labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, is acceptable with the following comments:

- Under the "[Useful] [Ant Control] Tips" section (page 5), revise the 6th bulleted statement to read, "Do not apply gel where the surface temperature is exceedingly hot because the gel could liquefy."
- Under the Pesticide Disposal section (pages 6 and 10), replace the statement "Pesticide wastes are toxic" with "Pesticide wastes may be hazardous." (Per the Label Review Manual, this change is intended to correct some confusion between pesticide toxicity categories and RCRA hazardous wastes.)
- Under the marketing claims (page 12), delete the word "fast" in claim #20.
- Under the marketing claims (page 12), delete the phrase "so they die fast" in claim #21.
- Under the marketing claims (page 12), delete the word "nonstop" in claim #22.
- Under the marketing claims (page 13), delete the word "now" in claim #35.
- Under the marketing claims (page 13), revise claim #61 to read, "Starts killing even hidden ants within hours."

A stamped copy is enclosed for your records. Please submit two copies of your final printed labeling before you release the product for shipment. Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). If you have any questions, please contact Julie Chao by phone at: (703) 308-8735, or by email at: chao.julie@epa.gov.

Regards,



Venus Eagle, Product Manager (01)
Insecticide-Rodenticide Branch
Registration Division (7505P)

Enclosure

4
16

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals**CAUTION**

Wash hands thoroughly with soap and water after handling bait containers.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

HOT LINE NUMBER

For 24 Hour Medical Emergency Assistance (Human or Animal) or
Chemical Emergency Assistance (Spill, Leak, Fire, or Accident),
Call

[1-800-888-8372] [ALTERNATE PHONE NUMBER]

CONDITIONS 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. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather or crop conditions, presence of other materials or other influencing factors in the use of the product, which are beyond the control of SYNGENTA CROP PROTECTION, Inc. or Seller. To the extent permitted by applicable law, Buyer and User agree to hold SYNGENTA and Seller harmless for any claims relating to such factors.

SYNGENTA 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, when used in accordance with directions under normal use conditions. To the extent permitted by applicable law: (1) this warranty does not extend to the use of the product contrary to label instructions, or under conditions not reasonably foreseeable to or beyond the control of Seller or SYNGENTA, and (2) Buyer and User assume the risk of any such use. To the extent permitted by applicable law, SYNGENTA MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS WARRANTED BY THIS LABEL.

To the extent permitted by applicable law, in no event shall SYNGENTA be liable for

any incidental, consequential or special damages resulting from the use or handling of this product. **TO THE EXTENT PERMITTED BY APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF SYNGENTA 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 SYNGENTA OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

SYNGENTA and Seller offer this product, and Buyer and User accept it, subject to the foregoing Conditions of Sale and Limitation of Warranty and Liability, which may not be modified except by written agreement signed by a duly authorized representative of SYNGENTA.

DIRECTIONS FOR USE

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

- Read entire label before using this product.
- Do not treat areas that are easily accessible to children and pets.
- If the area to be treated has been recently treated with insecticide, thoroughly clean the area before applying Thiamethoxam Ant Killer Gel.
- Do not spray insecticide over gel or the gel may become repellent to ants.
- Do not apply gel in or on electrical equipment or wiring due to shock hazard

How Thiamethoxam Ant Killer Gel Works *(optional section)*

- Thiamethoxam Ant Killer Gel is designed for the control of ants: excluding fire, harvester and Pharaoh ants.
- Ants, excluding fire, harvester and Pharaoh ants, are attracted to the bait and the moisture in Thiamethoxam Ant Killer Gel.
- After ants, excluding fire, harvester and Pharaoh ants, feed on the gel, they return to the nest and transfer the bait to the queen and the young, thereby killing the entire colony.
- Dead ants, excluding fire, harvester and Pharaoh ants will appear [with]in hours.

- Starts killing ants, excluding fire, harvester and Pharaoh ants, [with]in hours.
- Substantial reduction in foraging ants, excluding fire, harvester and Pharaoh ants, will be noticed within a few days to a week.

How to Apply:

[Optional language for Syringe applicator:

- 1) Remove the cap from the tip, touch the tip to the surface to be treated and depress the plunger.
- 2) Apply bait in cracks, crevices, corners and out of the way places, such as under and behind kitchen appliances and baseboards, under sinks, around window and door frames and in the attic, crawl space and garage.
- 3) Apply gel as multiple spots (about the size of a pea) where ants are seen.]

[Optional language for pump applicator:

- 1) Remove the cap to open.
- 2) Pump the device to create multiple spots (about the size of a pea) of gel.
- 3) Place the bait near ant trails so the ants will [be attracted,][find the bait,] stop and take the bait back to the nest
- 4) When finished, replace th cap to close. Keep the cap on the pump to prevent the gel from drying out.]

[Optional language for tube applicator:

- 1) Twist the cap to the LEFT to open.
- 2) Squeeze gently to create multiple spots (about the size of a pea) of gel.
- 3) Place the bait near ant trails so the ants will [be attracted,][find the bait,] stop and take the bait back to the nest
- 4) When finished, twist the cap to the RIGHT to close. [For convenience,] you can store the tube standing up. Keep the cap on the tube to prevent the gel from drying out.]

Where to Apply

[Indoors

- Place bait where ants are foraging, where they are entering the structure, or areas of high moisture such as:
 - under and behind kitchen appliances
 - under sinks
 - along baseboards, cracks, crevices and holes

- near pipes and water heaters
 - around windows, door frames and screens
 - food storage areas
 - in the attic, crawl space and garage
- Do not treat food preparation surfaces.
 - Do not place bait in areas that are routinely washed, as washing will remove or dilute bait or spread the bait onto the surface.]

[Outdoors

- Place bait where ants enter the structure, next to ant trails, or to areas of high moisture such as:
 - Around windows, door frames and screens
 - Soffits, eaves, weep holes
 - Entry points for pipes
- Avoid placing bait in areas exposed to direct sunlight, extreme heat or cold, or excessive moisture since the length of bait effectiveness may be reduced.]

[Useful] [Ant Control] Tips:

- [Inspect and eliminate entry points where ants are entering the structure.]
- [Remove food sources indoors and near outdoor entry points (such as honeydew-producing insects like aphids).]
- Place the gel near ant trails without disrupting the ants to ensure the ants take the bait back to the nest.
- [Ant activity is often high in kitchens and bathrooms (see illustrations). Also, place gel in or near cracks and crevices and areas where ants may enter your home, such as outside doorways and window sills.]
- Inspect regularly after placing gel. If gel has been consumed and ants are still present, re-apply.
- Avoid applying gel where the surface temperature is exceedingly hot because the gel could liquify.

Recommended placement of gel bait

[Diagram of] Kitchen

On shelves

Cracks and crevices of counters

Behind sink

[Diagram of] Bathroom

Behind Sink

Behind Toilet

At Drain Areas

Cabinet edges and corners inaccessible to children and pets

[Diagram of] Under Sink Areas

Under Dishwasher

Under Sink

At Drain Area

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in original container in a cool, dry area, out of the reach of children and pets.

Pesticide Disposal and Container Handling: *(consumer products)*

Nonrefillable container Do not reuse or refill this container.

If empty: Place in trash or offer for recycling if available.

If partly filled: Call your local solid waste agency or 1-800-888-8372 [Alternate phone number] for disposal instructions. Never place unused product down any indoor or outdoor drain.

Pesticide Disposal *(other than consumer product)*

Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA regional office.

Container Handling *(other than consumer product-less than 5 gallons)*

Nonrefillable container. Do not reuse or refill this container.

Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store

rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration or by other proceures allowed by state and local ordinances.

Container Handling *(other than consumer product -greater than 5 gallons)*

Non-refillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other side and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use and disposal. Repeat this procedure two more times. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or by other proceures allowed by state and local ordinances.

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Manufactured for:
 Syngenta Crop Protection, Inc.
 P.O. Box 18300
 Greensboro, North Carolina 27419-8300

SCP 1261A-M(draft)

This Ant Gel Killer 1261A-M(draft)clean-lg-12-16-10 00010-01261.20101216.claims.pdf

19
16

(tube/syringe *label consumer product*)

Thiamethoxam Ant Killer Gel
KEEP OUT OF THE REACH OF CHILDREN.

CAUTION

EPA Reg. No. 100-1261 Read Entire label

Contains 0.003% Thiamethoxam [SCP 1261A-xxxxx]

Net Weight xxxxxx

11
16

(Non-detachable container label - other than consumer product)

Thiamethoxam Ant Killer Gel

Kills ants (excluding fire, harvester and Pharaoh ants)[indoors] [and] [outdoors] .

Active Ingredient:

Thiamethoxam¹ (CAS No. 153719-23-4)..... 0.003%

Other Ingredients:..... 99.997%

Total:..... 100.000%

KEEP OUT OF REACH OF CHILDREN.

CAUTION

See additional precautionary statements and directions for use [in booklet][on label].

EPA Reg. No. 100-1261

EPA Est. xxxxx

SCP 1261A-L(draft)

Net Weight

12
16

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION

Wash hands thoroughly with soap and water after handling bait containers.

<p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment.</p>
<p>HOT LINE NUMBER For 24 Hour Medical Emergency Assistance (Human or Animal) or Chemical Emergency Assistance (Spill, Leak, Fire, or Accident), Call [1-800-888-8372] [ALTERNATE PHONE NUMBER]</p>

<p>STORAGE AND DISPOSAL</p> <p>Do not contaminate water, food or feed by storage and disposal.</p> <p>Pesticide Storage: Store in original container in a cool, dry area, out of the reach of children and pets.</p> <p>Pesticide Disposal Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA regional office.</p> <p>Container Handling (less than 5 gallons) Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration or by other procedures allowed by state and local ordinances.</p> <p>Container Handling (greater than 5 gallons) Non-refillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow</p>

13
16

begins to drip. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other side and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use and disposal. Repeat this procedure two more times. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local ordinances.

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[Optional]

Comprehensive List of Marketing Claims

1. Starts killing in hours and kills for up to 1 month
2. Starts killing in hours and kills for up to 4 weeks
3. Starts working in hours and works for up to 1 month
4. Starts working in hours and works for up to 4 weeks
5. Lasts for up to 1 month
6. Lasts for up to 4 weeks
7. Continues to work for up to 1 month
8. Continues to work for up to 4 weeks
9. Continues to kill for up to 1 month
10. Continues to kill for up to 4 weeks
11. Kills ants, excluding fire, harvester and Pharaoh ants, [continuously] for up to 1 month
12. Kills ants, excluding fire, harvester and Pharaoh ants, [continuously] for up to 4 weeks
13. [Contains Thiamethoxam, which] keeps killing ants, excluding fire, harvester and Pharaoh ants, for up to 1 month
14. [Contains Thiamethoxam, which] keeps killing ants, excluding fire, harvester and Pharaoh ants, for up to 4 weeks
15. Long lasting control
16. Starts killing [with]in hours
17. Kills in [24] hours
18. See visible results overnight
19. Relief from [even] severe ant, excluding fire, harvester and Pharaoh ants, problems
20. [Attracts and] Kills ants, excluding fire, harvester and Pharaoh ants, [including] [Carpenter] [Indoor] [Outdoor] [Argentine] [Crazy] [Ghost] [Odorous] [ants] [fast]
21. Ants, excluding fire, harvester and Pharaoh ants, find the bait fast, so they die fast
22. [Raid Ant Bait Gel] contains Thiamethoxam, an ingredient that keeps killing ants, excluding fire, harvester and Pharaoh ants, nonstop
23. Kills ants, excluding fire, harvester and Pharaoh ants, where they breed
24. [Raid Ant Gel Bait is] So effective it kills ants, excluding fire, harvester and Pharaoh ants, where they breed [for up to 1 month]
25. [Raid Ant Gel Bait is] So effective it kills ants, excluding fire, harvester and Pharaoh ants, where they breed [for up to 4 weeks]
26. Destroys the [queen and the] [entire] colony
27. Kills the [queen and the] [entire] colony
28. Destroys the queen
29. Kills the queen
30. Kills the colony and keeps [on] killing ants, excluding fire, harvester and Pharaoh ants, for [up to] 1 month

31. Kills the colony and keeps [on] killing ants, excluding fire, harvester and Pharaoh ants, for [up to] 4 weeks
32. Kills ants, excluding fire, harvester and Pharaoh ants, at the source
33. Kills the ants, excluding fire, harvester and Pharaoh ants, you see and the ants you don't
34. Kills even hidden ants, excluding fire, harvester and Pharaoh ants
35. Kills ants, excluding fire, harvester and Pharaoh ants [now]
36. Ants, excluding fire, harvester and Pharaoh ants, take the bait back to the nest
37. Gel Bait Technology
38. Ant (excluding fire, harvester and Pharaoh ants) Defense System
39. Specially formulated for ants, excluding fire, harvester and Pharaoh ants
40. Kills sugar loving ants, excluding fire, harvester and Pharaoh ants
41. For control of sweet eating ants, excluding fire, harvester and Pharaoh ants
42. Preferred formula [for ants, excluding fire, harvester and Pharaoh ants]
43. Clear gel
44. Non-staining [gel]
45. No odor [gel] [bait]
46. Odorless [gel] [bait]
47. No vapor [fumes][or odor]
48. [Leaves] no [lingering][lasting][harsh][chemical] odor
49. Easy to use
50. Apply to cracks and crevices
51. Apply to hard-to-reach places
52. Guaranteed to work or your money back [- see back panel]
53. Guaranteed to work or your money back [- see back label]
54. Satisfaction guarantee[d] or your money back
55. Raid kills bugs dead TM
56. Use indoors & outdoors
57. 1. Ants, excluding fire, harvester and Pharaoh ants, eat bait. 2. Crawl away to die.
58. Precision [placement][bait]
59. Ants, excluding fire, harvester and Pharaoh ants, love it!
60. Apply clear gel in hard-to-reach places[such as cracks and crevices].
61. Kills even hidden ants within hours

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16
56

[optional]

For non-emergency (e.g., current product information) call
[Syngenta Crop Protection at 1-800-334-9481][Company name and optional alternate
phone number].

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SCP 1261A-M(draft)

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