

352-644

9/24/2010

10 of 5



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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Tamika N. Davis-Cannon
E.I. DuPont de Nemours and Company
Stine-Haskell Research Center
P.O. Box 30
Newark, DE 19714

SEP 24 2010

Dear Ms. Davis-Cannon:


Subject: Labeling Amendment; Revised Container Handling Labeling
DuPont™ Advion® IMT Fire Ant Bait
EPA Registration No. 352-644
Submission Date: July 30, 2010

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended is acceptable provided you make the following changes under **Optional label statements:**

1. Delete "New! Measure & Pour Cap!". "New" claims are only acceptable for six months after a product is registered.
2. Delete "Next generation ant control". "Exclusive formula", as vague or non-specific terms implying unsupported stated benefits are not acceptable.
3. Change "Fast/effective mound kill/control" to read "Effective mound kill/control".
4. Delete either "Low odor" OR "No Odor" and "Odor-free", as these are contradictory statements.
5. Change "Dual action [formula]". This marketing claim is not supported.
6. Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

Submit one copy of your final printed labeling before you release the product for shipment. A stamped copy of the labeling is enclosed for your records. If you have any questions regarding this label, please contact Jennifer Urbanski at (703) 347-0156 or urbanski.jennifer@epa.gov.

Regards,



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

Enclosure- Stamped Label

2 of 5

MASTER

ACCEPTED
with COMMENTS
In EPA Letter Dated

SEP 24 2010

Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No. 352-644

DuPont™ Advion® IMT

FIRE ANT BAIT

Professional Products

OUTDOOR USE ONLY READY TO USE

- [Optional label statements]
- Easy to Use
- New! Measure & Pour Applicator Cap!
- No Mixing Required/Necessary
- Use Straight from the Bag (Bottle, Container)
- Mound or Broadcast Treatments
- No Watering Necessary
- Kills Fire Ants
- Kills the Queen(s)
- Kills the Mound
- Kills the Colony
- Controls the Mound
- Controls the Colony
- Plus Helps Stop New Mounds from Forming
- No Mound Movement
- No Mound Movement Means Less Product Needed
- No Mound Movement Means No Additional Treatment
- Controls Mounds You See plus Those You Don't
- Kills Mounds You See plus Those You Don't
- Effective Kill of Fire Ants
- Fire Ants Find/Pick Up Bait in Minutes
- Treats (depends on package size) Mounds
- No Odor
- Odor-Free
- Contains Advion*
- Guaranteed to kill or your money back
- Low odor
- Destroys the mound
- Destroys/kills the mound/queen/colony in (as few as) 3 days
- Can be applied as broadcast or (individual) mound treatment
- Kills the queen(s) and/& the colony/mound
- Guaranteed kill [or your money back]
- Money back guarantee
- Dual action [formula]
- Treat [individual] mounds or broadcast [your choice]
- For mound or broadcast treatment/application
- Fast/effective mound kill/control
- Deep reaching formula
- Fire ants think it's food!
- Great value
- Exclusive formula
- Kills visible and/& plus hidden mounds
- Next generation fire ant control
- Just sprinkle/shake and/& walk away
- No mound relocation
- Gets down deep to get the queen(s)
- Worker ants feed the queen(s) a deadly dose

Active Ingredient	By Weight
Indoxacarb (S)-methyl 7-chloro-2,5-dihydro-2-[[[methoxy-carbonyl][4(trifluoromethoxy)phenyl]amino]-carbonyl]indeno[1,2-e][1,3,4]oxadiazine-4a-(3H)-carboxylate	0.008%
Other ingredients	99.992%
TOTAL	100.000%

EPA Reg. No. 352-644 EPA Est. No. _____
 Net contents: _____
 E. I. du Pont de Nemours and Company
 1007 Market Street
 Wilmington, Delaware 19898

KEEP OUT OF REACH OF CHILDREN CAUTION PRECAUCION

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

FIRST AID

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

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Wash thoroughly with soap and water after handling.

ENVIRONMENTAL HAZARDS

Do not apply where/when conditions could favor runoff. Runoff of this product will be reduced by avoiding applications when rainfall is forecasted to occur within 48 hours. Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Cover, incorporate, or clean up granules that are spilled. Do not contaminate water when disposing of equipment rinsewater or put product or rinse water down any drain.



The miracles of science™

**OPEN RESEALABLE LABEL
FOR DIRECTIONS AND PRECAUTIONS
PRODUCT FACTS**

Treats X Mounds [Depends on package size]	
Treats X Square Feet [Depends on package size]	
KILLS	Fire Ants
PESTS/INSECTS/BUGS	
WHERE TO USE	<ul style="list-style-type: none"> - On Lawns - Perimeter of Home - Around Ornamental Plants (Flowers, Shrubs & Trees) - Around Home Gardens - On sidewalks, patios and driveways
PEOPLE & PETS [icon]	- People and pets may return to treated areas after product application has been completed
[phone/ computer icon]	<p>[Option 1 contact information] Questions, Comments or Medical Information. Call 1-800-XXX-XXXX [Option 2 format for contact information] If you have a medical emergency, need consultation on diagnosis, therapy and analysis please call xxx-xxx-xxx If you have questions relating to product use or application, please call xxx-xxx-xxx. If you have a product spill or transportation emergency call xxx-xxx xxx. For Material Safety Data Sheet please go to www.xxx.com, or call xxx-xxx-xxx.</p>

DIRECTIONS FOR USE

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

AMOUNT TO USE [icon]
[Optional instruction for mound treatments using containers without measuring cap]
- Mound Treatment: 4 Tablespoons per Mound
- Broadcast Application: 1 pound per 1,000 square feet

Do not use kitchen utensils for measuring. Keep measuring utensils with pest control products and away from children.

HOW IT WORKS (Optional section)

DuPont™ ADVION® IMT fire ant bait contains the active ingredient indoxacarb in a formulation that is highly attractive to imported fire ants.

Fire ant colonies are started by newly mated queens that fly into an area, burrow into the ground and begin laying eggs. Several flights are common during the summer, often shortly after a rain. It takes several weeks for new mounds to appear. Combining broadcast applications with mound treatments eliminates/controls visible mounds and helps to prevent new mounds from forming. [Optional container back panel instructions/graphics for container designed for mound treatment use only with measuring cap]

FOR BEST RESULTS	
HOW TO APPLY [icon]	<p>[Optional for instruction for containers without measuring cap]</p> <p>Mound Treatment: Sprinkle bait evenly around each mound in a 4-foot diameter circle. Apply gently to avoid disturbing ants.</p> <p>Broadcast Application: Use a hand held or rotary broadcast spreader.</p> <p>[Option to specify spreaders and settings.]</p>
MOWING [mower icon]	- Avoid mowing 1 day before and after application.
WATER/RAINFALL [water icon]	<ul style="list-style-type: none"> - Do not water-in bait. - Do not water within 6 hours of a mound or 24 hours of a broadcast application - If rain occurs within 6 hours of a mound application or 24 hours of a broadcast application, adequate foraging of the bait may not occur and retreatment may be necessary.
WHEN TO APPLY	<ul style="list-style-type: none"> - Apply when fire ants are active (usually when temperatures are greater than 70° F). - The best time to apply is in the cooler morning and late evening when fire ant foraging is at its peak. - Mounds will usually be destroyed within 3 to 7 days. Large mounds may require a repeat application. - Make a broadcast application every other month during the warm months to keep fire ants from establishing/starting/forming new mounds, but limit number of Advion IMT fire ant bait broadcast applications in treated areas to 4 per year.

[Optional instructions for containers with measuring cap]

How to Apply Mound Treatment

To prepare for application remove cap and remove inner foil liner. Replace cap.

(Step 1 graphic of cap):

Rotate cap to "fill" position as indicated. Turn bottle upside down allowing contents to fill chamber.

(Step 2 graphic of cap)

While bottle is upside down, rotate cap to "apply" position as indicated. Turn bottle to upright position.

(Step 3 graphic of cap)

Open the cap. Shake contents over and around mound until empty. Repeat process for each mound treated.

Always read and follow instructions as indicated inside before using.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: : Store in a cool, dry place out of reach of children and domestic animals. Store in original container only.

CONTAINER HANDLING: If empty: Nonrefillable container. Do not reuse or refill this container. Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency [Optional: or 1-800-XXX-XXXX] for disposal instructions. Never place unused product down any indoor or outdoor drain.

Nonrefillable Paper or Plastic Bags, Fiber Sacks including Flexible Intermediate Bulk Containers (FIBC) or Fiber Drums With Liners: Nonrefillable container. Do not reuse or refill this container.

Completely empty paper or plastic bag, fiber sack or drum liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application or manufacturing equipment. Then offer for recycling if available or dispose of empty paper or plastic bag, fiber sack or fiber drum and liner in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances.

Refillable Fiber Drums With Liners: Refillable container (fiber drum only). Refilling Fiber Drum: Refill this fiber drum with DuPont™ ADVION® IMT fire ant bait containing indoxacarb only. Do not reuse this fiber drum for any other purpose. Cleaning before refilling is the responsibility of the refiller. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application or manufacturing equipment. Disposing of Fiber Drum and/or Liner: Do not reuse this fiber drum for any other purpose other than refilling (see preceding). Cleaning the container (liner and/or fiber drum) before final disposal is the responsibility of the person disposing of the container. Offer the liner for recycling if available or dispose of liner in a sanitary landfill, or by incineration.

Do not burn, unless allowed by state and local ordinances. If drum is contaminated and cannot be reused, dispose of it in the manner required for its liner. To clean the fiber drum before final disposal, completely empty the fiber drum by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application or manufacturing equipment. Then offer the fiber drum for recycling if available or dispose of in a sanitary landfill, or by incineration.

5065

Notice: Buyer assumes all risks of use, storage or handling of this product not in accordance with directions.

[Option Guarantee Statement]

The [company name] Guarantee: If for any reason you are not satisfied with this product, mail us proof of purchase to obtain a full refund of your purchase price.

[Optional]

TERMS AND CONDITIONS OF USE

If terms of the following Warranty Disclaimer and Inherent Risks of Use are not acceptable, then return unopened package at once to the seller for a full refund of purchase price paid. Otherwise, use by the buyer or any other user constitutes acceptance of the terms under Warranty Disclaimer and Inherent Risks of Use.

WARRANTY DISCLAIMER

To the extent consistent with applicable law, seller warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, SELLER MAKES NO EXPRESS NOR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

INHERENT RISKS OF USE

It is impossible to eliminate all risks associated with the use of this product. Lack of performance, or other unintended consequences may occur due to such factors as use of the product contrary to the label instructions (including adverse conditions noted on the label, such as unfavorable temperature, soil conditions, etc.), abnormal conditions (such as extreme weather conditions), presence of other materials, the manner of application, or other factors, all of which are beyond the control of the Seller and beyond what is expressly warranted by this label. All such risks shall be assumed by the Buyer.

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