

432-1225

12/28/2001

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Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 05-31-98



United States
Environmental Protection Agency
Washington, DC 20460

- Registration
- Amendment
- Other:

OPP Identifier Number
XXXXXX

Application for Pesticide - Section I

1. Company/Product Number 432-1225	2. EPA Product Manager Marion Johnson	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) H&G 61748A Fipronil Insecticide	PM# 10	
5. Name and Address of Applicant (Include ZIP Code) Aventis Environmental Science USA LP 95 Chestnut Ridge Road Montvale, N.J. 07645 <u>PLEASE SEND ALL CORRESPONDENCE TO "CONTACT POINT" LISTED BELOW</u> <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(I), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

- Amendment - Explain below.
- Resubmission in response to Agency letter dated _____
- Notification - Explain below.
- Final printed labels in response to Agency letter dated _____
- "Me Too" Application
- Other - Explain below

NOTIFICATION

DEC 28 2001

Explanation: Use additional page(s) if necessary. (For Section I and Section II.)

- Notification of:**
- Modified existing marketing claims
 - Revised emergency and product use information contact information
 - Revised spreader settings chart
 - Added money back guarantee statements

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
*Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On labeling accompanying product	
6. Manner in Which Label is Affixed to Product		<input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		<input type="checkbox"/> Other _____	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)		
Name Adrian Krygsman	Title Manager, Registration	Telephone No. (Include Area Code) 201-307-6884
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Manager, Registration	
4. Typed Name Adrian Krygsman	5. Date 12/06/01	

DEC 28 2001

H&G 61748A Fipronil Insecticide

- REPRESENTS REVOLUTIONARY EFFECTIVENESS IN IMPORTED FIRE ANT CONTROL
- REVOLUTIONARY FIRE ANT CONTROL
- FROM THE MAKERS OF GARDEN TECH SEVIN
- ONE APPLICATION
- SEASON LONG CONTROL
- PREVENTS NEW MOUNDS FROM FORMING
- COVERS 5,000 SQ. FT.
- EASY TO USE GRANULES
- GUARANTEED! SEASON-LONG FIRE ANT CONTROL
- CONTAINS FIPRONIL
- FOR OUTDOOR USE ON HOME LAWNS
- CONTROLS IMPORTED FIRE ANTS
- TREATS UP TO 5000 SQ. FT.
- READY TO USE
- ONE SPRING APPLICATION PROVIDES SEASON LONG CONTROL
- EASY AND QUICK TO APPLY WITH A DROP OR BROADCAST SPREADER
- LONG LASTING RESIDUAL ACTION
- LONGER LASTING THAN BAITS OR CONTACT INSECTICIDES
- SATISFACTION GUARANTEED OR MONEY BACK

ACTIVE INGREDIENT:

*Fipronil: 5-amino-1-(2,6-dichloro-4-(trifluoromethyl) phenyl)-4-((1,R,S)-(trifluoromethyl)sulfinyl)-1-H-pyrazole-3-carbonitrile 0.0103%

Other INGREDIENTS 99.9897%

*Protected by U.S. Patent No. 5,232,940

EPA Reg. No. 432-1225

EPA Est. No. 432-xxxx

KEEP OUT OF REACH OF CHILDREN CAUTION PRECAUCIÓN

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do understand this label, find someone to explain it to you).

For MEDICAL And TRANSPORTATION Emergencies ONLY Call 24 Hours A Day 1-800-424-9300

For PRODUCT USE Information Call 1-800- 969-7200 OR GO TO WWW.GARDENING123.COM/PRODUCT INFO

First Aid

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 doctor for treatment advice.
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 do so by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.

If in Eyes:	<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.
NOTE TO PHYSICIAN: There is no specific antidote. All treatment should be based on observed signs and symptoms of distress in the patient.	

PRECAUTIONARY STATEMENTS

HAZARD TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if absorbed through the skin. Causes eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling.

Wear long sleeved shirt and long pants and shoes plus socks.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to birds, fish, and aquatic invertebrates. Do not apply directly to water or to areas where surface water is present or to intertidal areas below the mean high water mark. Runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Fipronil presents revolutionary effectiveness in imported fire ant control. However, this product is toxic to bird species and freshwater and saltwater animals. Please follow label directions closely and practice the following:

Do not apply within 15 feet of bodies of fresh water: lakes, reservoirs, rivers, permanent streams, marshes, natural ponds, and commercial fish ponds. A 15 foot buffer of uniform groundcover must exist between application zone and borders of freshwater (uniform ground cover is defined as land which supports vegetation of greater than 2 inches throughout).

Do not apply within 60 feet of estuarine bodies of water. Estuarine water bodies are brackish, tidal water such as bays, mouths of rivers, salt marshes, and lagoons.

In order to reduce risk to birds, ensure that the application is spread evenly over the treatment area. In Florida, do not use this product within a one-mile radius of scrub oak habitat, which is home to the Florida scrub jay, the sand skink, and the blue tail mole skink.

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.

This product may be used only in the following states:

- | | | |
|------------|----------------|----------------|
| Alabama | Louisiana | South Carolina |
| Arkansas | Mississippi | Tennessee |
| California | New Mexico | Texas |
| Florida | North Carolina | |
| Georgia | Oklahoma | |

STORAGE AND DISPOSAL

STORAGE

Store unused product in original container only, out of reach of children and animals. NEVER TRANSFER THIS PRODUCT TO ANOTHER CONTAINER FOR STORAGE.

PESTICIDE DISPOSAL

Containers may be disposed of by securely wrapping container in several layers of newspaper and discarding in trash. NEVER REUSE EMPTY CONTAINERS.

FOR USE ON DOMESTIC TURF

GENERAL INFORMATION

H&G 61748A Fipronil Insecticide controls imported fire ants in residential lawns. The performance of this product may vary with insect pest and environmental conditions. To control other insect pests that may be present such as mole crickets, fleas, ticks and chinch bugs you may use Sevin® Granular Flea, Tick, and Grub Killer.

*Fire ants begin to die within 7-14 days. *Complete control can be expected in as little as three weeks. *Apply in the spring, then water in immediately after application.

SPECIFIC USE DIRECTIONS

Make application with broadcast or drop spreader to your entire lawn to prevent imported fire ants from establishing and/or to control existing populations. Measure your lawn to calculate the square feet (= Length X Width of lawn area) and evenly distribute H&G 61748A Fipronil Insecticide across the entire lawn. Apply at a rate of 2 pounds per 1,000 square feet (a 10 pound bag will treat 5000 square feet). Apply water to treated area immediately after application.

TO CONTROL FIRE ANTS IN YOUR YARD:

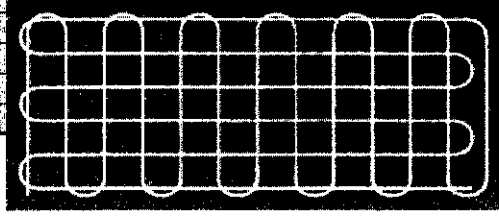
Apply H&G 61748A Fipronil Insecticide in the spring to eliminate mounds from the treated area for up to one season. Fire ants begin to die within 7-14 days after treatment and control can be expected within 6 weeks.

TO PREVENT FIRE ANTS MOUNDS FROM FORMING:

Apply a broadcast treatment in the early spring, when the weather is cooler and fire ants are dormant, to prevent mounds from becoming active again in the springtime.

Spreader Settings for Lawn Applications at Label Rates (to apply 2 lbs. of product per 1000 sq. ft. of lawn)

BROADCAST SPREADERS	SETTINGS	DROP SPREADERS	SETTINGS
Cyclone® Rotary	2.0	K-Gro® Drop	3.00
Earthway Rotary	6.0	Ortho® Drop	3.00
Ev-N-Spread®	8.0	Republic® E-Z Drop®	2.25
K-Gro® Rotary	.75	Scotts® AccuGreen® 1000	3.00
Ortho® Rotary	2.50	Scotts® AccuGreen® 2000	2.75
Precision® Rotary (#SB50)	5.25	Scotts® AccuGreen® 3000	2.75
Red Devil® Rotary	1.5	Scotts® Drop®	
Republic EZ Rotary	2.50	(#PF1, PF2, PF3, PF4)	3.50
Scotts® Speedygreen® 2000	2.12	Sears® Drop	2.25
Scotts® Speedygreen® 3000	2.12		
Sears® Rotary	2.50		
True Temper® Rotary	2.0		
Vigoro® Rotary	5.25		
Vigoro® Rotary	1.5		



A crisscross spreading pattern of application is recommended as indicated here

Money Back Guarantee: The manufacturer warrants that Over'n Out containing Fipronil, will provide control of imported fire ants when used as directed for one full season. If, after following the instructions, you are not satisfied with the results, you may receive a full purchase price refund by sending a store receipt and proof of purchase (UPC label from bag) to: Tech Pac, LLC, P.O. Box 24830, Lexington, KY 40524. This guarantee is subject to on site inspection by a representative of TechPac, LLC, to verify (a) the product was applied in a manner consistent with the use instructions, and (b) the contained level of fire ant control. This guarantee is limited to home owners who purchase the product for use on domestic turf grass.

IMPORTANT: READ BEFORE USE

By using this product, user or buyer accepts the following conditions, warranty, and disclaimer of warranties and limitations of liability.

CONDITIONS: The directions for use of this product are believed to be adequate and should be followed carefully. However, because of the manner of use and other factors beyond Aventis Environmental Science's control, it is impossible for Aventis Environmental Science to eliminate all risks associated with the use of this product. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: THERE ARE NO WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, WHICH EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Aventis Environmental Science is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. Aventis Environmental Science disclaims any liability whatsoever for incidental or consequential damages, including, but not limited to, liability arising out of breach of contract, express or implied warranty (including warranties of merchantability and fitness for a particular purpose), tort, negligence, strict liability or otherwise.

LIMITATIONS OF LIABILITY: THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT AVENTIS ENVIRONMENTAL SCIENCE'S ELECTION, THE REPLACEMENT OF THE PRODUCT.

H&G 61748A Fipronil Insecticide is specially formulated and sold by Aventis Environmental Science USA LP for the control of fire ants according to the directions on this label. Aventis is the owner of United States patent rights to the active ingredient, fipronil, formulations containing the active ingredient and methods of use, particularly U.S. Patent Nos. 5,232,940; 5,614,182; and 5,700,460. The purchase price of H&G 61748A Fipronil Insecticide includes a royalty whereby the purchaser acquires a prepaid license under which purchaser agrees to employ the purchased quantity of H&G 61748A Fipronil Insecticide only for the above-specified uses under Aventis' United States patent rights and to provide notice of the terms and conditions of this license to any subsequent purchaser. Uses of H&G 61748A Fipronil Insecticide other than those specified on this label are not licensed through the purchase of this product and the use of this product for other purposes may violate this license and patent rights of Aventis.

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NET CONTENTS:

Sevin is a registered trademark of the Aventis Group.

Aventis Environmental Science USA LP
95 Chestnut Ridge Road
Montvale, N.J. 07645

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Aventis Environmental Science

December 6, 2001

VIA FEDEX

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
Room 266A, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA. 22202-4501

Attention: Mr. Marion Johnson
PM Team 10

RE: Notification
H&G 61748A Fipronil Insecticide
EPA Reg. No. 432-1225

Dear Mr. Johnson:

Aventis Environmental Science USA LP (AES) is submitting revised labeling for the product referenced above under the notification provision. Specifically the modifications to the product label include the following:

1. Modified existing marketing claims (shortening of phrases)
2. Revised emergency and product information contact information
3. Spreader setting revision
4. Modification of Money Back Guarantee

In order to process this notification we are enclosing the documents listed below:

1. Four (4) copies of revised product labeling with the revisions highlighted
2. EPA Application for Amendment (electronic and hard copy- OPP Identifier No. 285188)

Please contact me directly at the number indicated below or via email (Adrian.Krygsman@Aventis.com) should there be additional questions regarding this submission.

Sincerely,


Adrian Krygsman
Manager, Registration

Cc: J. Conti/S. Hacker-TechPac LLC

