

432-1433

09/08/2009

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Mr. Richard M. Gorrell  
Bayer Environmental Science  
2 T. W. Alexander Drive,  
Research Triangle, NC 27709

SEP 8 2009

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated August 18, 2009 for:

**EPA Registration 432-1433      Maxforce FC Fire Ant Bait**

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

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.

If you have any questions, please contact me directly at 703-305-6249 or Banza Djapao of my staff at 703-305-7269.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington  
Notifications & Minor Formulations Team Leader  
Registration Division (7505P)  
Office of Pesticide Programs



United States  
Environmental Protection Agency  
Washington, DC 20460

Registration  
Amendment  
☒ Other

OPP Identifier Number

## Application for Pesticide - Section I

1. Company/Product Number 432-1433	2. EPA Product Manager Mr. Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Maxforce FC Fire Ant Bait	PM# 10	
5. Name and Address of Applicant (Include ZIP Code) Bayer Environmental Science 2 T. W. Alexander Drive Research Triangle Park, NC 27709 <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

<input type="checkbox"/> Amendment - Explain below.	<input checked="" type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

NOTIFICATION

SEP - 8 2009

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

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance of PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and it may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

- Container Disposal Statement Revision as per EPA mandate

## Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	
				<input type="checkbox"/> Plastic	
				<input type="checkbox"/> Glass	
				<input checked="" type="checkbox"/> Paper	
				<input type="checkbox"/> Other (Specify) _____	
* 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 checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 12x2 and 1x10 lb bags		5. Location of Label Directions <input type="checkbox"/> on label	
6. Manner in Which Label is Affixed to Product <input checked="" 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 Richard M. Gorrell		Title Manager, Registrations		Telephone No. (Include Area Code) (919) 549-2423	
<b>Certification</b> 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 <i>Richard M. Gorrell</i>		3. Title Manager, Registrations			
4. Typed Name Richard M. Gorrell		5. Date August 18, 2009			

# Bayer Environmental Science



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August 18, 2009

EPA09RMG0818MaxforceBaitNotifContDisp  
Fedex

Ms. Linda Arrington  
U.S. Environmental Protection Agency  
Office of Pesticide Programs (7504P)  
Document Processing Desk (Notif)  
Room S-4900, One Potmac Yard  
2777 South Crystal Drive  
Arlington, VA 22202-4501

RE: Maxforce FC Fire Ant Bait (EPA Reg No. 432-1433) Notification to Add  
Container Disposal Statement

Dear Ms. Arrington:

Bayer Environmental Science (BES) is notifying the Agency of the addition of a revised container disposal statement for the Maxforce FC Fire Ant Bait label. The label language is exactly as prescribed by the Agency in PR Notice 2007-4.

Bayer Environmental Science  
2 T.W. Alexander Drive  
RTP, NC 27709  
Phone : 919.549.2000

The following information is included with this amendment:

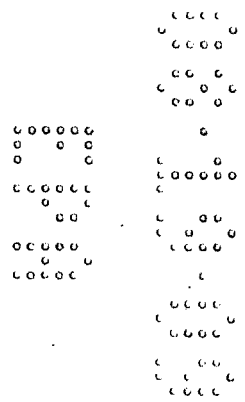
- 8570-1 form
- Revised Label (4 paper copies; one highlighted copy)

If you have any questions, contact me at (919) 549-2423 or email me at [mike.gorrell@bayercropscience.com](mailto:mike.gorrell@bayercropscience.com).

Sincerely,

Richard M. Gorrell  
Manager, Registrations

Cc: Karen Shearer



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# Maxforce® FC Fire Ant Bait

## FOR PEST CONTROL OPERATORS AND COMMERCIAL USE ONLY

**ACTIVE INGREDIENT:**

Fipronil: 5-amino-1-(2,6-dichloro-4-(trifluoromethyl) phenyl)-4-((1,R,S)-(trifluoromethyl)sulfinyl)-1H-pyrazole-3-carbonitrile ..... 00.00045%

**INERT INGREDIENTS** ..... 99.99955%

EPA Reg. No. 432-1433 EPA Est. No. XXX

# KEEP OUT OF REACH OF CHILDREN

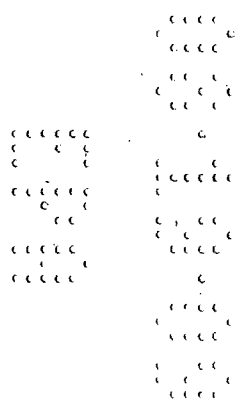
## CAUTION

## PRECAUCIÓN

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

For MEDICAL And TRANSPORTATION Emergencies ONLY Call 24 Hours A Day 1-800-228-5635  
For PRODUCT USE Information Call 1-800-331-2867

FIRST AID	
IF SWALLOWED:	<ul style="list-style-type: none"><li>• Call a poison control center or physician immediately for treatment advice. Have a person sip a glass of water, if able to swallow.</li><li>• Do not induce vomiting unless told to do so by the poison control center or doctor.</li><li>• Do not give anything by mouth to an unconscious person.</li></ul>
IF ON SKIN or CLOTHING:	<ul style="list-style-type: none"><li>• Take off contaminated clothing.</li><li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li><li>• Call a poison control center for treatment advice.</li></ul>
IF IN EYES:	<ul style="list-style-type: none"><li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li><li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li><li>• Call a poison control center or doctor for treatment advice.</li></ul>
Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-800-334-7577 for emergency medical treatment information.	
<b>NOTE TO PHYSICIAN:</b> There is no specific antidote. All treatment should be based on observed signs and symptoms of distress in the patient.	



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## PRECAUTIONARY STATEMENTS

### HAZARD TO HUMANS AND DOMESTIC ANIMALS

#### CAUTION

Harmful if absorbed through the skin. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Remove and wash contaminated clothing before reuse.

**SYMPTOMS OF POISONING:** In severe cases of overexposure by oral ingestion, lethargy, muscle tremors, and, in extreme cases, possibly convulsions, may occur.

#### PERSONAL PROTECTIVE EQUIPMENT (PPE)

**Applicators, mixers, loaders and persons cleaning application equipment must wear:**

long sleeved shirt and long pants,

waterproof gloves,

shoes plus socks.

Follow manufacturer's instructions for cleaning and maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

When handlers use closed systems or enclosed cabs, in a manner that meets the requirements listed in the Worker Protection Standard (WPS) or agricultural practices (40 CFR 170.240 (d) (4-6), the handler PPE requirement may be reduced or modified as specified in the WPS. **IMPORTANT:** When reduced PPE is worn because a closed system is being used, handlers must be provided all PPE specified above for applicators and other handlers, and have such PPE immediately available for use in an emergency, such as a spill or equipment breakdown. Follow manufacturer's instructions for cleaning/maintaining PPE. If no instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

#### User Safety Recommendations

##### Users should:

- ♦ Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- ♦ Remove clothing immediately if pesticide gets inside. Then wash body thoroughly and put on clean clothing.
- ♦ Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

#### 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. Cover, incorporate or clean up granules that are spilled. Do not apply this product directly to bodies of water such as lakes, reservoirs, rivers, permanent streams, marshes or natural ponds, estuaries, or commercial fish ponds. Do not contaminate water when disposing of equipment washwater or rinsate.

#### 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 apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation. Do not apply to pastures or grazing lands.

#### AGRICULTURAL USE REQUIREMENTS

Use this product in accordance with its labeling and with the Worker Protection Standard, 40 CFR 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), notifications to workers and restricted-entry intervals. The requirements in this box only apply to sodfarm uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 24 hours.

PPE required for entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water is:

- coveralls
- waterproof gloves
- shoes plus socks

## NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are not within the scope of the Worker Protection Standard (WPS) for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries or greenhouses. Always wear protective clothing and use appropriate equipment during application and handling. Avoid contact with granules. Avoid breathing dust.

## STORAGE AND DISPOSAL

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

### PESTICIDE STORAGE

Do not store in or around the home or other residential areas. 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

Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide is a violation of Federal law.

Contamination with this product will render water, food or feed unfit for human or animal consumption. Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

### IN CASE OF SPILL

Sweep up spilled granules, transfer to a marked container, and dispose of wastes on site or at an approved waste disposal facility.

### CONTAINER DISPOSAL

Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or if allowed by State and local authorities, by open burning. If container is burned, stay out of smoke.

## FOR USE ON HOME LAWNS, GOLF COURSE AND COMMERCIAL AND RECREATIONAL TURF AND SOD FARMS

### GENERAL PRECAUTIONS AND INSTRUCTIONS

Always wear protective clothing and use appropriate equipment during application and handling. Avoid contact with granules. Avoid breathing dust.

This pesticide shall only be applied when the potential for drift to nearby bodies of water is minimal (that is wind speed is between 2-10 mph and wind is blowing away from the body of water).

**California:** This product can only be used in the Coachella Valley. Applications can only be made from April through September.

### USE RESTRICTIONS

Do not apply to pastures or other grazing lands.

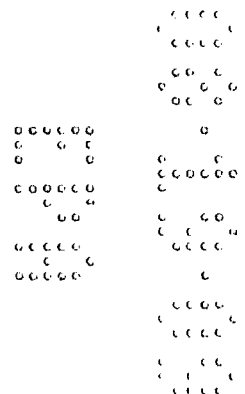
Do not apply around fruit or nut trees, or any plant grown for food.

### GENERAL INFORMATION

Maxforce FC Fire Ant Bait is intended for use to control imported fire ants in turfgrass. The activity of the product may vary with rate of application, environmental conditions, and activity on foraging ants at time of application.

Do not apply in combination with other pesticides, fertilizers, and other biologically active materials.

No phytotoxic response on any turfgrass species has been observed to date.



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## SPECIFIC USE DIRECTIONS

### BROADCAST TREATMENTS

Make application with broadcast equipment capable of applying 1.5 - 5.0 pounds of product per acre. Calibrate and adjust equipment prior to application to ensure that the proper rate of product will be applied.

Sites	Pest Controlled	Application Rate of Maxforce FC Fire Ant Bait		Application Directions
		Pounds Product per Acre	Ounces Product per 1,000 Sq Ft	
Home lawns, golf course and commercial and recreational turf  Adjacent Landscape Beds*  Sodfarms	Imported Fire Ants [ <i>Solenopsis</i> spp.]	1.5 – 5.0	0.5 – 1.83	<b>BROADCAST APPLICATIONS:</b> Make broadcast applications of this product to turfgrass to control existing active imported fire ant populations. Apply when ants are actively looking for food; this is typically in the morning or evening. Do not apply Maxforce FC Fire Ant Bait immediately before or after irrigation or rain. Fire ants will begin to die from a proper treatment in about 14 days. Do not reapply for 3-6 weeks. Do not exceed 4 applications per year.

**\*Only apply to landscape beds which have adequate cover to prevent run-off. Do not apply to bare soil.**

### MOUND TREATMENTS

Make application with shaker can or broadcast equipment that is capable of spreading 5 tablespoons of product uniformly around in a circle 4-5 feet in diameter.

Sites	Pest Controlled	Application Rate of Maxforce FC Fire Ant Bait		Application Directions
		Pounds Product per Acre	Amount of Product per Mound	
Home lawns, golf course and commercial and recreational turf  Adjacent Landscape Beds*  Sodfarms	Imported Fire Ants [ <i>Solenopsis</i> spp.]	1.5 – 5.0	2-5 tablespoons Do not apply more than 5 pounds of product per acre.	<b>MOUND APPLICATIONS:</b> Shake the granules uniformly around the mound, but do not disturb the mound. Broadcast the granules in a circle about 4 or 5 feet in diameter with the mound being the center of the circle. Apply when ants are actively looking for food; this is typically in the morning or evening. Do not apply Maxforce FC Fire Ant Bait immediately before or after irrigation or rain. Fire ants will begin to die from a proper treatment in about 14 days. Do not reapply for 3-6 weeks. Do not exceed 4 applications per year.

**\*Only apply to landscape beds which have adequate cover to prevent run-off. Do not apply to bare soil.**

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**IMPORTANT: READ BEFORE USE**

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

**CONDITIONS:** The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Bayer CropScience LP. All such risks shall be assumed by the user or buyer.

**DISCLAIMER OF WARRANTIES:** TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE LP MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Bayer CropScience LP is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE LP DISCLAIMS ANY LIABILITY WHATSOEVER FOR SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

**LIMITATIONS OF LIABILITY:** TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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 BAYER CROPSCIENCE LP'S ELECTION, THE REPLACEMENT OF PRODUCT.

Maxforce is a registered trademark of Bayer  
Maxforce FC Fire Ant Bait is a trademark of Bayer

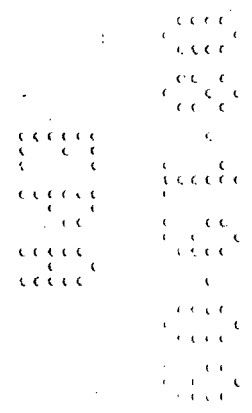
**NET CONTENTS:**

Produced for



**Bayer Environmental Science**

Bayer Environmental Science  
A Business Unit of Bayer CropScience LP  
PO Box 12014, 2 T.W. Alexander Drive  
Research Triangle Park, NC 27709



Maxforce FC Fire Ant Bait (MASTER) 10/05/06, NOTIFICATION 08/18/09