

499-294

06/03/2013

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UNITED STATES ENVIRONMENTAL PROTECTION
AGENCY

WASHINGTON, D.C. 20460
NOTIFICATION

JUN 03 2013

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Patricia Hodge
Whitmire Micro-Gen Research Laboratories Inc.
3568 Tree Court Industrial Blvd.
St. Louis, MO 63122-6682

Subject: Notification of Alternate Brand Names
EPA Registration # 499-294
Submission Date: April 23, 2013
May 7, 2013 *duplicate*


Dear Ms. Hodge:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated April 23, 2013 for:

**BRAND NAMES: AVERT DF: DRY FLOWABLE COCKROACH BAIT
PRESCRIPTION TREATMENT BRAND AVERT DRY FLOWABLE COCKROACH
BAIT FORMULA 1**

The Registration Division (RD) has reviewed this request and finds that the action requested falls within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records. If you have any questions, please contact Jessica Rogala at (703) 347-0263 or via email at rogala.jessica@epa.gov.

Sincerely,


Jessica Rogala
Environmental Protection Specialist
Insecticide-Rodenticide Branch
Registration Division (7505P)



<p>United States Environmental Protection Agency Washington, DC 20460</p>	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 499-294	2. EPA Product Manager John Herbert	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Avert Prescription Treatment 310	PM# 7	
5. Name and Address of Applicant (Include ZIP Code) Whitmire Micro-Gen Research Laboratories Inc. 3568 Tree Court Industrial Blvd. St. Louis, MO 63122-6682 <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 type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other - Explain below.
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Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification of addition of an Alternate Brand Name to Label.
 This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 156.10 and 40 CFR 152.46, and 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 this notification is not consistent with the terms of PR Notices 83-1, 84-1, 98-10 and 2001-6 and the requirements of 40 CFR 156.10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

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 <input type="checkbox"/> Glass <input 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 type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
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 Patricia A Hodge	Title Product Regulations Specialist	Telephone No. (Include Area Code)			
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 Product Regulations Specialist				
4. Typed Name Patricia A Hodge	5. Date 5/2/2013				



May 2, 2013

Document Processing Desk 7504P (e-sub)
US EPA Office of Pesticide Programs
2777 S Crystal Drive
Arlington, VA 22202-4501

**RE: Notification to add an Alternate Brand Name (Resubmission)
Avert Prescription Treatment 310
EPA Reg. No: 499-294**

cccccc
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Dear Mr. Herbert:

Enclosed in support of this action are a completed application and one (1) copy of the amended label and one (1) copy submitted as an e-submission on disk.

- Adding the additional ABN of "Avert® DF: Dry Flowable Cockroach Bait"
- Update to the correct EPA Est. Number of 7969-MO-1
- Revised Emergency Contact telephone number in First Aid to 1-800-832-HELP
- Replaced web address with "Questions? Call 1-800-777-8570"
- Adding BASF company "standard" warranty statement

There is no change in label rates, and we did not make any revisions to the Directions for Use that would change the content in any way.

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and 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 this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Thank you for your assistance in this matter. Please don't hesitate to contact me at 636-861-4272 or, via electronic mail at patricia.hodge@basf.com, should you have any questions or require additional information regarding this action.

Sincerely,
BASF – Pest Control Solutions

Patricia Hodge
Product Regulations Specialist

BASF Corporation
Pest Control Solutions
3568 Tree Court Industrial Blvd.
St. Louis, MO 63122
Tel: (800) 777-8570
www.PestControl.basf.us

For Dana M. Thomas
Product Regulatory Manager
Authorized Agent for Whitmire
Micro-Gen
Research Laboratories, Inc

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[CONTAINER LABEL]

v5.4 (4-3-13, pch)

AVERT[®]
Prescription Treatment[®] 310

[ALTERNATE BRAND NAME: *PRESCRIPTION TREATMENT[®] brand AVERT[®] Dry Flowable Cockroach Bait Formula 1*]
[ALTERNATE BRAND NAME: *Avert[®] DF: Dry Flowable Cockroach Bait*]

KILLS: Ants, Booklice, Carpet Beetles, Cockroaches, Crickets, Drugstore Beetles, Earwigs, Flour Beetles, Grain Weevils, Pillbugs and Sowbugs.

FOR USE IN: Apartments, Campgrounds, Garages, Food Storage Areas, Homes, Hospitals and Nursing Homes (non-occupied patient areas), Hotels, Meat Packing and Food Processing Plants, Motels, Resorts, Restaurants and other Food Handling Establishments, Schools†, Supermarkets, Transportation Equipment (Buses, Boats, Ships, Trains, Trucks, Planes††), Utilities, Warehouses, and other Commercial and Industrial buildings.

† Do not apply to classrooms when in use.

†† Do not apply in cockpit.

ACTIVE INGREDIENT:

Abamectin* B1: 0.050%

Related Compounds: 0.004%

OTHER INGREDIENTS: 99.946%

*US Patent #4,678,774 TOTAL: 100.000%

EPA Reg. No. 499-294 • EPA Est. No. 7969-MO-1

KEEP OUT OF REACH OF CHILDREN
CAUTION

See complete label for additional Precautionary Statements

DIRECTIONS FOR USE

IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN A MANNER INCONSISTENT WITH ITS LABELING.

See full label for complete Directions for Use.

NET WEIGHT: 1.06 oz. (30 g)

Manufactured for:

Whitmire Micro-Gen Research Laboratories, Inc.

By BASF Corporation

3568 Tree Court Industrial Blvd.

St. Louis MO 63122-6682

Questions? Call 1-800-777-8570

© 2013 Whitmire Micro-Gen Research Laboratories, Inc.

NOTIFICATION

JUN 03 2013

AVERT[®]
Prescription Treatment[®] 310

[ALTERNATE BRAND NAME: *PRESCRIPTION TREATMENT[®] brand AVERT[®] Dry Flowable Cockroach Bait Formula 1*]
[ALTERNATE BRAND NAME: *Avert[®] DF*] [Descriptor: *Dry Flowable Cockroach Bait*]

- Crack & Crevice[®] Bait. • Kills Cockroaches. • Contains approximately 200 bait placements.

KILLS:

Ants, Booklice, Carpet Beetles, Cockroaches (including carbamate, organophosphate, organochlorine and pyrethroid resistant strains), Crickets, Drugstore Beetles, Earwigs, Flour Beetles, Grain Weevils, Pillbugs and Sowbugs.

FOR USE IN:

Apartments, Campgrounds, Garages, Food Storage Areas, Homes, Hospitals and Nursing Homes (non-occupied patient areas), Hotels, Meat Packing and Food Processing Plants, Motels, Resorts, Restaurants and other Food Handling Establishments, Schools†, Supermarkets, Transportation Equipment (Buses, Boats, Ships, Trains, Trucks, Planes††), Utilities, Warehouses, and other Commercial and Industrial Buildings.

† Do not apply to classrooms when in use.

†† Do not apply in cockpit.

ACTIVE INGREDIENT:

Abamectin* B1: 0.050%
Related Compounds: 0.004%

OTHER INGREDIENTS: 99.946%

* US Patent #4,678,744

TOTAL: 100.000%

EPA Reg. No. 499-294 EPA Est. No. 7969-MO-1

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID

IF SWALLOWED: Call poison control center or doctor 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. Do not give anything by mouth to an unconscious person.

IF INHALED: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.

IF ON SKIN OR CLOTHING: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15 - 20 min. Call a poison control center or doctor for treatment advice.

IF IN EYES: Hold eyes open and rinse slowly and gently with water for 15 - 20 min. Remove contact lenses, if present, after the first 5 min, then continue rinsing eyes. Call a poison control center or doctor for treatment advice.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also call 1-800-832-HELP for emergency medical treatment information.

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PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed, inhaled or absorbed through the skin. Do not breathe dust. Do not allow to contact skin, eyes or clothing. If contact occurs, wash skin with soap and warm water, or eyes with clean water. Wash hands and exposed skin before eating, drinking or smoking and after handling. Wash all contaminated clothing thoroughly before re-use.

Do not apply where children (or domestic animals) are likely to come in frequent contact with treated areas. Any powder visible after application is complete should be brushed into cracks or crevices or removed. No generalized dusting should be done in household areas accessible to children or pets.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and wildlife. Do not apply directly to water. Do not contaminate water by cleaning of equipment or disposal of equipment washwaters.

This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment areas.

DIRECTIONS FOR USE

IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN A MANNER INCONSISTENT WITH ITS LABELING.

IMPORTANT NOTICE

- Do not apply to humans, animals, clothing or bedding.
- Do not use on or contaminate fruit, vegetables or other food or feed crops.
- Do not contaminate feed or food products or food preparation surfaces, dishes, kitchen utensils and food containers.
- Do not dispense this product with power dusters in confined areas (i.e. attics, hot water heater closets, furnace rooms, etc.) in the presence of open flames, such as pilot lights.

GENERAL INSTRUCTIONS

This product is intended for application with the supplied hand duster to hiding and runway areas and those places where pests are found. Apply insecticide directly into cracks and crevices. Apply lightly and uniformly to infested areas. Pay particular attention to cracks and crevices; service ducts; false floors and ceilings; wall voids; around electrical and telephone fittings and equipment; around water and sewer pipes; under and behind cabinets, refrigerators and sinks; around window and door frames; and in attics and crawl spaces.

The amount to be applied will vary with the site. Concentrate treatment at insect activity sites. For light infestations, a minimum of 4 - 6 bait points is recommended/100 ft² of treatment area. For heavy infestations, a minimum of 12 - 24 bait points is recommended/100 ft² of treatment area. During follow-up visits, inspect bait placements and reapply when necessary.

INDOOR TREATMENTS

COCKROACHES, ANTS AND CRICKETS: Apply thoroughly to all areas where these pests crawl and hide, especially in cracks and crevices and hidden surfaces around sinks and storage areas, behind baseboards, around doors and windows, cabinets, stoves, behind refrigerators and in attics and crawl spaces.

EARWIGS, PILLBUGS AND SOWBUGS: Apply in cracks and crevices around doors and windows and other places where these pests may enter premises. Treat voids and other enclosed locations where these pests are found.

PANTRY PESTS - Including Drugstore Beetles (exposed adult and larva stages), Flour Beetles and Grain Weevils: Remove all food and shelving paper before treatment. Treat cracks and crevices and/or voids where these insects may be harboring or hibernating. Infested areas include, but are not limited to, cracks and crevices in cabinets, pantries and wall voids. During follow-up visits, inspect bait placements and reapply when necessary. Cover shelves with shelving paper after treatment. Destroy infested food packages.

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[COMPLETE LABEL]

v5.4 (4-3-13, pah)

CARPET BEETLES - Including Black, Furniture and Varied: Apply to cracks and crevices where these insects are found.

AIRCRAFT CABINS: Apply bait in suspected and infested cockroach areas. Place a bait placement in areas between elements of construction. Use 12 - 24 bait placements/100 ft². Do not apply any bait in cockpit area.

FOOD AREAS OF FOOD/FEED HANDLING ESTABLISHMENTS: Food/feed handling establishments are places other than private residences in which food/feed is held, processed, prepared or served. **APPLICATIONS OF THIS PRODUCT IN FOOD AREAS OF FOOD HANDLING ESTABLISHMENTS ARE LIMITED TO CRACK AND CREVICE TREATMENT ONLY.** Food areas include areas for receiving, storage, packing (canning, bottling, wrapping, boxing), preparing, edible waste storage and enclosed processing systems (mills, dairies, edible oils, syrups). Serving areas (when food is exposed and facility is in operation) would also be considered a food area. Apply product according to the level of infestation as prescribed in the General Instructions into cracks and crevices associated with wall voids, pieces of equipment, stainless steel tables, drains, storage equipment, and dining tables. Also apply between elements of construction. During follow-up visits, inspect bait placements and reapply when necessary. Do not contaminate feed or food products or food preparation surfaces, dishes, kitchen utensils or food containers.

OUTDOOR TREATMENTS

Use for control of ants, cockroaches, crickets, earwigs, ground beetles, pillbugs and sowbugs. Inject into cracks and crevices around windows and doors, porches, screens, eaves, patios, garages, under stairways and in crawl spaces and other areas where pests hide, such as tree holes and cracks in fences.

STORAGE AND DISPOSAL

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

STORAGE: Store in a cool, dry area. Always store pesticides in the original container. Store away from food and pet food.

PESTICIDE DISPOSAL: Waste resulting from use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL: Non-refillable 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 for disposal instructions.

Manufactured for:

Whitmire Micro-Gen Research Laboratories, Inc.
By BASF Corporation
3568 Tree Court Industrial Blvd.
St. Louis MO 63122-6682
Questions? Call 1-800-777-8570

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CONDITIONS OF SALE AND WARRANTY

Follow the **Directions for Use**. It is impossible to eliminate all risks inherently associated with use of this product, and therefore all such risk shall be assumed by the Buyer. Whitmire warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the **Directions for Use**, subject to the inherent risks, referred to above. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW: (A) WHITMIRE MAKES NO OTHER WARRANTIES EXPRESS OR IMPLIED, INCLUDING WARRANTIES OF FITNESS FOR PARTICULAR PURPOSE OR MERCHANTABILITY, (B) BUYER'S EXCLUSIVE REMEDY AND WHITMIRE'S AND SELLER'S EXCLUSIVE LIABILITY, WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE, SHALL BE LIMITED TO REPAYMENT OF THE PURCHASE PRICE OF THE PRODUCT, AND (C) WHITMIRE AND THE SELLER DISCLAIM ANY LIABILITY FOR CONSEQUENTIAL, INCIDENTAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. Whitmire and the Seller offer this product, and the Buyer accepts it, subject to these **Conditions of Sale and Warranty** which may be varied only by agreement in writing signed by a duly authorized representative of Whitmire.