09-15-2010



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

SEP 15 2010

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

Patricia A. Hodge Whitmire Micro-Gen Research Laboratories, Inc. 3586 Tree Court Industrial Blvd. St. Louis, MO 63122

Subject:

Notification; Per PR-Notice 98-10; 2007-4 Whitmire Avert TC 181 EPA Reg. No. 499-467 Date Submitted: August 10, 2010

Dear Ms. Hodge:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notices (PRN) 98-10 and 2007-4 dated August 10, 2010 for the product referenced above. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and 2007-4 and find that the actions requested fall within the scope of PRN both notices. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please contact me at (703) 306-0415 or <u>davis.kable@epa.gov</u>.

Sincerely,

Kable Bo Davis Entomologist Insecticide-Rodenticide Branch Registration Division (7505P)

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EPA Form 8570-1 (Rev. 3-94) Previous editions are obsolete.

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August 10, 2010

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

RE: Notification to remove 1-800-CLEANUP, revised Storage & Disposal statement & update other minor label items Whitmire Avert TC 181 EPA Reg. No: 499-467

Dear Mr. Gebken:

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

- Remove the 1-800-CLEANUP number from the Storage and Disposal section
- Revise the verbiage in the Storage and Disposal section per 2007-4
- Updated 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.

This notification is consistent with the guidance in 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 for 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 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

For Dana M. Thomas Product Regulatory Manager^o Authorized Agent for Whitmire Micro-Gen čeeuce Research Eaboratories, Inc.

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

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Whitmire

Avert® TC 181

KILLS:

Cockroaches (including carbamate, organophosphate, organochlorine and pyrethroid resistant strains).

FOR USE IN AND AROUND: Apartments, Campgrounds, Food Storage Areas, Homes, Hospitals, Hotels, Meat Packing and Food Processing Plants, Motels, Nursing Homes, 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.

ACTIVE INGREDIENT:

Abamectin B1	
OTHER INGREDIENTS:	
	TOTAL: 100.00%

EPA Reg. No. 499-467 EPA Est. No. 56207-WI-2A EPA Est. No. 7969-MO-1B (See code in lot number.)]

NOTIFICATION

KEEP OUT OF REACH OF CHILDREN

SEP 1 5 2010

CAUTION

See back panel for additional Precautionary Statements.

NET WEIGHT: 0.63 oz. (18 grams)

Contains 12 Child Resistant Bait Stations at 0.05 oz. (1.5 grams) per unit.

FIRST AID

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 eye open and rinse slowly and gently for 15 - 20 min. Remove contact lenses, if present, after the first 5 min, then continue rinsing eye. Call a poison control center or doctor immediately 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 contact 1-800-832-HELP for emergency medical treatment information.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

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

DIRECTIONS FOR USE

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

This product contains a slow acting insect bait. For best results placement of the bait should be into or near insect harborage sites.

COCKROACHES: Concentrate treatment at insect activity sites, and other sites where these 1. Break bait stations apart from the plastic frame. [Alternate Directions: Remove bait station from container.]

2. For thorough roach control, use as many bait stations as necessary to achieve good coverage and control of the existing infestation for the treated area.

[OUTER PACKAGING – Cellophane Wrapper]

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- 3. For best results, place the bait stations next to the wall along baseboards, in corners, under sinks, in cabinets and near plumbing fixtures. Use under and around equipment and appliances. If possible, place in voids.
- 4. Bait stations work best on horizontal surfaces touching corners and walls. Remove peel and stick backing on reverse side of bait station before applying to vertical surfaces.
- 5. Replace bait stations when necessary, approximately every 3 mo.

APPLICATIONS IN FOOD HANDLING ESTABLISHMENTS: Food handling establishments include places other than private residences in which food is held, processed, prepared or served.

FOOD AREAS: Includes areas for receiving, storage, packing (canning, bottling, wrapping, boxing), preparing, edible waste storage and enclosed processing systems (mills, dairies, edible oils, syrups). Avoid contamination of food. Use as instructed above.

AIRCRAFT CABINS: Place bait stations in suspected and infested cockroach areas. Place bait stations in areas between elements of construction. Use up to 12 bait stations/galley and up to 6 bait stations/rest room. In cargo holds, use 12 - 24 bait stations/100 ft². Do not use bait stations in cockpit area.

STORAGE & DISPOSAL

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

PESTICIDE 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

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.

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 © 2010 Whitmire Micro-Gen Research Laboratories, Inc.

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[OUTER PACKAGING - Cellophane Wrapper]

[BAIT STATION] Optional Est. Number

THIS SIDE DOWN Whitmire **AVERT® TC 181**

See outer package for complete directions.

CAUTION **KEEP OUT OF REACH OF CHILDREN**

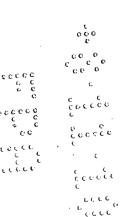
EPA Reg. No. 499-467 EPA Est. No. 56207-WI-2 EPA Est. No. 7969-MO-1B (See code in lot number.)]

Active Ingredient: Abamectin B1: Other Ingredients:

0.05% 99.95% Total: 100.00%

Whitmire Micro-Gen Research Labs, Inc. Net Wt: 0.05 oz. (1.5 g) Manufactured for: Whitmire Micro-Gen Research Labs, Inc. 3568 Tree Court Ind. Blvd. St. Louis MO 63122 Questions? Call 1-800-777-8570





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