

499-492

06/26/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

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

JUN 26 2009

SUBJECT: Application for Pesticide Notification –Revision of Storage & Disposal Statement
per PR Notices 98-10, 2007-1, and 2007-4
TC 228
EPA Reg. No. 499-492
Application Dated May 18, 2009

Dear Ms. Hodge:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notices (PRN) 98-10, 2007-1, and 2007-4 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10, 2007-1, and 2007-4 and finds that the actions requested falls within the scope of these PRNs. The label submitted with the application has been 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 call me directly at 703-305-6249 or Terri Stowe of my staff at 703-305-6117.

Sincerely,

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

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



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

<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 499-492	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) TC 228	PM# 10	
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. NOTIFICATION FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: <div style="text-align: right; font-weight: bold; font-size: 1.2em;"> JUN 26 2009 NOTIFICATION </div> 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 revision of Storage & Disposal statement per PR Notice 98-10, 2007-4 and 2007-1. This notification is consistent with the guidance in PR Notices 98-10, 2007-1 and 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 152.46, 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 §§ 152.46, 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.

Section - III

1. Material This Product Will Be Packaged In:			
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 checked="" type="checkbox"/> No	2. Type of Container <input checked="" type="checkbox"/> Metal <i>And/or</i> <input checked="" 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 checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 30 g, 120g, 300g	5. Location of Label Directions <input checked="" type="checkbox"/> on labeling accompanying product
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued Stenciled <i>OR</i> <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 Regulatory Specialist	Telephone No. (Include Area Code) 636-861-4272
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 Regulatory Specialist	
4. Typed Name Patricia Hodge	5. Date May 18, 2009	



May 18, 2009

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

**RE: Notification to Revise the Storage & Disposal statements per PR Notices 98-10, 2007-1 and 2007-4
TC 228
EPA Reg. No: 499-492**

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.

- ✓ We are revising the Storage & Disposal statements, via Notification at this time, per PR Notices 98-10, 2007-1 and 2007-4.
- ✓ Abbreviated "seconds" as "sec" and "minutes" as "min", using "/" for "per" and "-" for "to" throughout label text.
- ✓ 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 guidance in PR Notices 2007-1 and 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 I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

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@wmmg.com, should you have any questions or require additional information regarding this action.

Sincerely,

WHITMIRE MICRO-GEN RESEARCH LABORATORIES, INC.

Patricia Hodge
Regulatory Specialist

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[RESERVOIR LABEL]

WHITMIRE MICRO-GEN

TC 228

[ALTERNATE BRAND NAME: "PRESCRIPTION TREATMENT brand 388B ADVANCE Ant Gel Bait"]

ACTIVE INGREDIENT:

Sodium Tetraborate Decahydrate (Borax): 5.4%

OTHER INGREDIENTS: 94.6%

TOTAL: 100.0%

KEEP OUT OF REACH OF CHILDREN

CAUTION

See full label for additional Precautionary Statements and Directions for Use.

NET WEIGHT:



WHITMIRE MICRO-GEN
RESEARCH LABORATORIES, INC.
800-777-8570

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

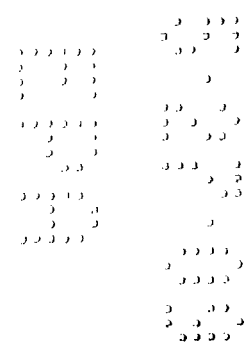
EPA Reg. No. 499-492 EPA Est. No. 499-MO-1

A PRESCRIPTION TREATMENT® brand insecticide from:

Whitmire Micro-Gen
Research Laboratories, Inc.
3568 Tree Court Industrial Blvd.
St. Louis MO 63122-6682
© 2009

NOTIFICATION

JUN 26 2009



[Full LABEL]

**WHITMIRE MICRO-GEN
TC 228**

[ALTERNATE BRAND NAME: "PRESCRIPTION TREATMENT brand 388B ADVANCE Ant Gel Bait"]

CONTROLS:

Ants (including Acrobat, Allegheny, Argentine, Bigheaded, Cornfield, Crazy, Ghost, Harvester, Little Black, Odorous House, Pavement, Pharaoh, Pyramid, Whitefooted, Thief and Honey).

FOR USE IN AND AROUND:

Commercial, Industrial and Residential Buildings Including Apartments, Garages, Food Storage Areas, Homes, Hospitals and Nursing Homes, Hotels, Motels, Office Buildings, Restaurants and Other Food Handling Establishments, Schools, Supermarkets, Transportation Equipment (Buses, Boats, Ships, Trains, Planes), Utilities and Warehouses.

ACTIVE INGREDIENT:

Sodium Tetraborate Decahydrate (Borax)..... 5.4%

OTHER INGREDIENTS: 94.6%

TOTAL: 100.0%

EPA Reg. No.: 499-492 EPA Est. No.: 499-MO-1

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID

IF SWALLOWED: Call a 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 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.

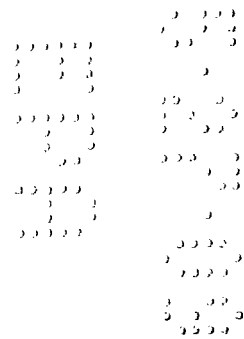
IF ON SKIN OR CLOTHING: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15 - 20 min. Call a poison control center or doctor for treatment advice.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also call 1-800-225-3320 for emergency medical treatment information.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also call 1-800-225-3320 for emergency medical treatment information.



WHITMIRE MICRO-GEN
RESEARCH LABORATORIES, INC.
800-777-8570



PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS & DOMESTIC ANIMALS

CAUTION: Harmful if swallowed. Wash hands thoroughly after handling. May cause eye irritation. Avoid eye contact. Do not use in edible product areas of food handling establishments, restaurants or other areas while food is exposed. Avoid contamination of feed and foodstuffs.

DIRECTIONS FOR USE

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

Bait should be placed in areas inaccessible to children.

INDOOR: Apply gel indoors in areas where ants are seen, including areas behind the refrigerator, stove, around water pipes, in cracks and crevices on window and door sills. Renew bait as needed. Apply only in areas inaccessible to children and pets.

OUTDOOR: Apply small, pea-sized bait placements where ants congregate or are seen entering the building. Bait near or in cracks, crevices or void spaces around windows, door jams and sills, eaves, patios, garages, under stairwells, and crawl spaces. Other areas where ants travel, hide or nest may also be baited (i.e. fences, trees, tree holes and around concrete slabs and asphalt covered areas). Renew bait as needed, keeping in mind that outdoor gel placements may dry more quickly than indoor placements and may have to be replaced more frequently.

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.

A PRESCRIPTION TREATMENT® brand insecticide from:
Whitmire Micro-Gen Research Laboratories, Inc.
3568 Tree Court Industrial Boulevard
St. Louis MO 63122-6682
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NOTIFICATION

JUN 26 2009

