



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

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

Dana M. Thomas  
Whitmire Micro-Gen Research Laboratories, Inc.  
3568 Tree Court Industrial Blvd.  
St. Louis, MO 63122-6682

FEB 5 2008

Dear Ms. Thomas:

Subject: Labeling Amendment; Addition of Above Ground Bait Stations  
TC 239  
EPA Registration No. 499-500  
Date Submitted: January 3, 2008

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable with the following provision:

1. Throughout the label, revise "*General Information*" and "*General Use Directions*" to read "*Information*" and "*Use Directions*".
2. Within the WARRANTY section of the label, revise "[*Distributor's name*] *MAKES NO OTHER EXPRESS OR IMPLIED...*" to read "*TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, [Distributor's name] MAKES NO OTHER EXPRESS OR IMPLIED...*"

A stamped copy is enclosed for your records. Please submit one (1) final printed copy for the referenced label, incorporating the above changes, before releasing the product for shipment.

Sincerely,

A handwritten signature in black ink, appearing to read "Kable Bo Davis", written over a horizontal line.

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

Enclosure

# Prescription Treatment® brand TC 239

[Alternate Brand Name: Prescription Treatment® brand ADVANCE® Compressed Termite Bait II]

- Termite Bait Cartridge (TBC) [Compressed Termite Bait] [Termite Bait Container]
- For use by individuals/firms licensed or registered by the state to apply termiticide products. States may have more restrictive requirements regarding qualifications of persons using this product. Consult the structural pest control regulatory agency of your state prior to use of this product.

**ACTIVE INGREDIENT:**

Diflubenzuron ..... 0.25%

**OTHER INGREDIENTS:** ..... 99.75%

Contains 0.25g of diflubenzuron per 100g of formulation TOTAL: 100.00%

U.S. Patent No. 6,416,752

EPA Reg. No. 499-500 • EPA Est. No(s). 499-MO-1A 499-MO-2B  
(See code in lot number.)

## CAUTION KEEP OUT OF REACH OF CHILDREN

See complete label for First Aid, additional Precautionary Statements, Directions for Use and Storage and Disposal.

NET WEIGHT: \_\_\_\_\_



**WHITMIRE MICRO-GEN**  
RESEARCH LABORATORIES, INC.  
3568 Tree Court Industrial Boulevard  
St. Louis, MO 63122-6682  
(800) 777-8570 • www.wmmg.com

**ACCEPTED**  
**with COMMENTS**  
**In EPA Letter Dated:**  
**FEB 5 2008**

**Under the Federal Insecticide,  
Fungicide, and Herbicide Act,  
as amended, for the pesticide  
registered under EPA Reg. No.  
499-500**

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## KEEP OUT OF REACH OF CHILDREN CAUTION

### PRECAUTIONARY STATEMENTS

#### ENVIRONMENTAL HAZARDS

This product is highly toxic to aquatic invertebrates. Do not place TC 239 in any area where, because of the movement of water, it could be washed into a body of water containing aquatic life, such as ponds or streams.

**Important: Before buying or using this product, read the entire label including the "Warranty" section [Alternate Language: "Warranty Disclaimer", "Inherent Risks of Use" and "Limitation of Remedies" sections] of this label. If terms are not acceptable, return the unopened product container at once. Use this product only according to label directions.**

EPA Reg. No. 499-500 • EPA Est.No(s). 499-MO-1<sup>A</sup> 499-MO-2<sup>B</sup>  
(See code in lot number.)



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### DIRECTIONS FOR USE

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

Read the GENERAL INFORMATION and GENERAL USE DIRECTIONS carefully before using. TC 239 is part of a termite baiting system and is intended for use in **ADVANCE Termite Bait System** bait stations which may be purchased from most professional pest control product distributors. [ALTERNATE LANGUAGE 1: "...intended for use in [BRAND NAME] system."] Use of TC 239 in any other type of station or system not approved by Whitmire Micro-Gen is prohibited. Contact Whitmire Micro-Gen at 1-800-777-8570 for assistance in using TC 239 or any other components of the termite baiting system.

### GENERAL INFORMATION

The active ingredient in TC 239, diflubenzuron, is an insect development inhibitor. When consumed by a termite, diflubenzuron impairs the ability of a termite to properly synthesize chitin and inhibits the termite's ability to molt. Molting is the process by which termites, at certain points in their development, shed their existing exoskeleton and form a replacement exoskeleton. Termites that attempt to molt after ingesting an amount of TC 239 sufficient to impair their molting process either die or are incapacitated by their inability to complete the molting process. Insect development inhibitors such as diflubenzuron are characterized as slow acting toxicants, however their action is slow only when they affect a termite at the point in its life cycle when it molts. Because all the termites in a colony do not molt at the same time, the effect of diflubenzuron on the colony as a whole is progressive. This progressive effect is one of the key attributes of diflubenzuron as a termite colony toxicant.

[COMPLETE LABEL]

Sufficient consumption of TC 239 by a termite colony can cause a decline in the number of members of the colony. Such a decline, if sustained by continued consumption of TC 239 by the colony, can significantly impair the vitality of the colony. Further, continued consumption of TC 239 by remaining colony members may ultimately result in the total elimination of the colony. The extent of the decline of the colony, the speed of its decline and the possibility of its elimination depends upon the extent to which TC 239 is made continuously available to a colony for consumption and the extent to which members of the colony consume it. Close adherence to the General Use Directions can increase the likelihood of colony elimination, however conditions or circumstances beyond the control of the user may prevent or substantially delay colony elimination. Such conditions may include, but are not limited to, alternate non-bait food sources that reduce the extent to which the colony depends on TC 239 as a food source, excess moisture, low or high temperatures or abandonment of feeding on the bait by the colony.

## GENERAL USE DIRECTIONS IN GROUND

TC 239 is intended for use in an ongoing program of management and control of subterranean termite colonies in the ground around and under any type of building or other object (structure). TC 239 does not exclude termites from a structure. Instead, it suppresses or eliminates termite colonies. Sufficient consumption of TC 239 by all subterranean termite colonies that present an existing or potential hazard to the structure may, subject to the limitations stated herein, protect the structure against subterranean termite attack.

TC 239 affects termite colonies only if they consume it. Pre-baiting is a process by which termite activity is established at a location prior to the application of TC 239 at that location. However, once they have consumed the pre-bait, termites can normally be induced to consume TC 239. These termites then attract other colony members to the bait station where they also consume TC 239.

After termite activity has been absent from a station for at least approximately 60 days, any remaining bait may be removed. If bait is removed, clean out station and replace with monitor (pre-bait) or bait. Alternatively, bait may remain in the station if it is in good condition and ≥50% remains. If termites have abandoned the station, possibly due to reductions in termite activity related to low temperatures during the period of predicted limited termite activity (see below), it may be advisable to leave the station and bait in place and recheck the station again after the period of predicted limited termite activity has elapsed before removing and replacing the bait.

If the cycle of pre-baiting and baiting around a structure is interrupted or discontinued, new colonies occupying the territory of suppressed or eliminated colonies, existing colonies that were suppressed but not eliminated, existing colonies never baited or colonies that were pre-baited may forage at points of possible entry into and infest the structure. For this reason, the cycle of pre-baiting and baiting or continuous bait should be offered for as long as it is desirable to suppress or eliminate subterranean termites.

If a soil applied, liquid or granular, termiticide treatment is performed in conjunction with an installation of TC 239, care must be taken not to treat in the area of installed stations (preferably not within 2 ft of stations). Because the use of TC 239 may be a multi-step process, localized treatment(s) of areas of the structure infested with active termites at the time of pre-baiting or baiting, using soil type termiticides may provide more immediate control of termites in those parts of the structure than TC 239. Preventative critical area soil or wood treatments may be performed in conjunction with station installation. Do not treat in areas of installed stations during routine pesticide applications.

### **PRE-BAIT MONITORING/ DIRECT BAITING**

Pre-bait monitoring is a process by which termite activity is established at a location prior to the application of TC 239 at that location. Use WMG approved pre-bait monitors to establish activity in the station. If there is termite activity in a pre-baited station, make TC 239 continuously available for colony consumption by placing TC 239 in the station and replenishing consumed amounts of TC 239 for as long as termite activity is present in the station. See section entitled "INSPECTING A STATION AND PLACING TC 239" for details. Alternatively, TC 239 can be placed in stations at any time prior to termite activity (DIRECT BAITING), with or without the presence of termites.

### **PRE-CONSTRUCTION USE**

TC 239 can be used for preventative treatment (before signs of infestation) of structures under construction or newly completed (as a substitute for, and in lieu of, pre-construction soil treatment). *[ALTERNATE LANGUAGE: "In [state name(s)], where pre-construction use of bait only is prohibited, TC 239 may be used in conjunction with, but not in lieu of, pre-construction soil treatment.]* Place stations around the outside of the structure only after the final exterior grade is installed (and preferably after landscaping is completed).

### **POST-CONSTRUCTION USE**

TC 239 can be used for remedial treatment of infested existing structures or for preventative treatment (before signs of infestation) of existing structures.

### **STATION PREPARATION AND LOCATION SELECTION**

To reduce the potential for tampering with and disturbance of stations, points of station installation should be chosen that, where possible, minimize installed station visibility. Areas where barrier type termiticides may have been previously applied, such as within 2 ft of the foundation wall, should be avoided if possible.

Install stations at or near points of known or suspected termite entry into the structure. If a point of accessible ground is not located within 10 ft of a point of known termite entry (due to an intervening hardened construction surface such as a concrete slab), it may be advisable to create an access to the ground through that surface close to the point of known entry and install a station at that access.

[COMPLETE LABEL]

Install stations at, or preferably within approximately 5 ft of points of known, probable or suspected termite foraging, and at other critical areas. Such areas may include areas with concentrations of cellulose-containing debris, such as mulch or wood scraps, in contact with the ground, areas of moderate soil moisture, shaded areas, areas containing plant root systems, bath traps, visible termite foraging tubes, etc. Install stations around a structure such that, except where sufficient access to the ground is not available, the maximum interval between any two stations does not exceed 20 ft. If the distance between two points of accessible ground around the structure exceeds 30 ft, it may be advisable to form 1 or more openings in the surface creating the inaccessibility to facilitate baiting between those points.

If the structure has an accessible crawl space, stations can be installed in the crawl space in lieu of or in addition to installing stations around the structure. Stations can be installed within a slab structure at existing or created openings in the slab surface through which ground is accessible and into which the station can be installed in a secure manner.

Once termite activity has occurred at a station and bait consumption has begun, it may be advisable, depending on the rate of bait consumption in that station and nearby stations, to locate one or more supplemental stations in the immediate vicinity of the infested station(s) in order that bait consumption by the colony be maximized.

If termites have not been present in the station for at least approximately 60 days, any remaining bait may be removed. If bait is removed, clean out station and replace with monitor (pre-bait) or bait. Alternatively, bait may remain in the station if it is in good condition and ≥50% remains. If termites have abandoned the station, possibly due to reductions in termite activity related to low temperatures during the period of predicted limited termite activity (see below), it may be advisable to leave the station and bait in place and recheck the station again after the period of predicted limited termite activity has elapsed before removing and replacing the bait. If termites have abandoned the station possibly due to excessive moisture, it may be advisable to remove the saturated bait and re-bait the station with fresh bait at that time or after the excess moisture condition has abated.

If a station, upon repeated inspection, is found to contain excess moisture (water standing at the bottom of the station or cavity, etc.), it may be advisable to relocate the station, if possible, to a nearby area where the soil is better drained or alternately, modify the station location to prevent water from collecting in the station by, for example, creating a sump area under the installed station or at the bottom of the cavity.

**STATION INSTALLATION**

To install a station, excavate or form a hole in the ground approximately the same size and dimensions as those of the station. Insert the station into the hole. Maximizing contact between the exterior of the station and the earth during installation will increase the probability of termite entrance into the station. If the station is inserted into an opening created through a hardened construction surface (such as a concrete slab, asphalt, etc.), insert station below the surface (in contact with the ground) and seal securely.

**INSPECTING A STATION AND PLACING TC 239**

To inspect a station, remove the cover and visually examine the interior for the presence of termites, being careful to minimize disturbance of the termites. If live termites are present in the station, bait with TC 239. If it appears, upon reinspection, that >50% of TC 239 has been consumed it may be advisable to replace the bait. If termites are not present, further inspect bait or pre-bait for excessive decay or moisture saturation. Replace excessively decayed bait or pre-bait. Replace the station cover securely.

**SCHEDULING OF INSPECTIONS**

[93g cartridge] If termite activity is known to be present in or on the structure at the time stations are initially installed, inspect all stations 2 times at approximately 45 and 90 days after the date of completion of initial station installation. If no termite activity is present in or on the structure at the time stations are initially installed, inspect all stations for the first time approximately 90 days after the date of completion of initial station installation. Thereafter, inspect stations approximately 90 days after the date of the last inspection of the stations.

[>120g cartridge] If termite activity is known to be present in or on the structure at the time the stations are initially installed, inspect all stations 2 times at approximately 60 and 120 days after the date of completion of initial station installation. If no termite activity is present in or on the structure at the time stations are initially installed, inspect all stations for the first time approximately 120 days after the date of completion of initial station installation. Thereafter, inspect stations approximately 120 days after the date of the last inspection of the stations.

**ADJUSTMENTS TO INSPECTION SCHEDULING**

Decreases in elapsed time between inspections of a baited station may be warranted if consumption of all the bait in the station occurs during the interval between any two inspections.

Because subterranean termites are cold-blooded (poikilothermic) animals, low temperatures can substantially reduce or stop their activity close to the earth's surface during a certain period of the year. For this reason, if the temperature falls low enough, termites may cease to feed in stations or the onset of feeding in stations may be delayed until temperatures have recovered above a certain level for a long enough period of time. Reductions in termite activity that are the result of low temperatures may make inspections of stations unnecessary for as long as low temperatures prevail in the area.

The temperature at which termite activity is substantially curtailed may vary significantly between different geographic areas and with different species of termites. However, generally speaking, termite activity will be reduced in the stations during those times of the year during which the average daily mean exterior air temperature is below 50°F. The operator should always make allowances for local circumstances when considering increasing elapsed time between inspections. Under no circumstances should more than 6 months elapse between inspections of stations.

[COMPLETE LABEL]

Allowing extra time between inspections may not be advisable if stations are located in an area in or under a structure in which the average daily mean air temperature is expected to remain above 50°F and termites are actively consuming bait in the stations. Inspection intervals must comply with state regulations, where applicable.

[ALTERNATE DIRECTIONS FOR USE ABOVE GROUND  
(in the Advance Above Ground Station sold only as a separate unit)]

**ABOVE GROUND**

TC 239 can be placed on the interior and/or exterior surfaces of homes or other residences, buildings, attics, floor joists, rafters, crawl spaces, decks, utility poles, trees, fences, or other items or areas where subterranean termites appear or there is evidence of subterranean termite activity. TC 239 is best placed where subterranean termite activity is known to exist or was recently active. TC 239 is designed to be used within the Advance Above Ground Station (AGS) and may be installed in both food/feed and non-food/non-feed areas of all types of food handling establishments. Use of TC 239 in any other station or system not approved by Whitmire Micro-Gen is prohibited.

**GENERAL INFORMATION**

TC 239 is designed to kill the subterranean termites that feed upon it and other termites to which the bait is shared or transferred. With sufficient and continued termite feeding TC 239 when placed inside an Advance AGS, will suppress and may eliminate satellite termite nests and their colonies. TC 239 by itself, is not a complete or stand alone termite treatment and must be used in conjunction with an in-ground application of TC 239, which is the complete termite treatment. [Alternate text: "... is not a complete or stand alone termite treatment and must be used in conjunction with an in-ground application of TC 239 or other Whitmire Micro-Gen approved stand alone termiticide treatment."] TC 239 contains the growth regulator, diflubenzuron, which prevents successful molting and the development of subterranean termites.

**INSTALLATION OF TC 239**

1. Inspect the site where subterranean termites are currently active or activity has been identified to determine where to mount the station. The use of 3/8" screws with a head that is sufficiently large for securing the station to a target surface is recommended. In lieu of securing the station to a surface using screws, an adhesive may be used to attach it to the target surface. Use caution when attaching station with adhesives or using caulk. Some of these materials may contain volatile compounds which can repel termites. The base of the station contains multiple termite entry/exit points and is to be mounted on a surface in such a manner where the base of the station housing abuts and runs substantially parallel to the target surface. Make sure that the target surface has enough strength to hold or support the station once installed.
2. Determine where and how the station housing is going to be mounted. The station housing can be mounted in any direction as long as the base of the station housing abuts the surface in which termite activity has been identified. If the station housing is being mounted over a mud tube, move to step 3. When no mud tube is present, move to step 4.
3. **Mud tubes present:** Create an opening in the mud tube that does not exceed the length or width of the station housing, depending on the final orientation of the station housing in relationship to the mud tubes. While holding the station housing in place, position the open top of the station housing facing away from the target surface. Next determine which portals (knock-outs) along the perimeter of the station housing will need to be removed to allow termite access into the station. Remove the station housing from the target surface and, with a screw driver or other suitable tool, knock out or remove the necessary plastic pieces. Place the station housing back into position with the open portals aligned with the termite mud tube(s) and secure in place. Continue on to step 5.
4. **No Mud tubes present:** When termite activity has been identified but no mud tubes are present, such as with termites appearing through small holes or openings in drywall or other materials, the station can be placed over openings within the target surface such that 1 or more openings in the base of the station housing are aligned with the openings found on the target surface. If suitable openings are not found, or to create additional openings, a drill equipped with a 3/8" bit may be used to gain access to the termite gallery. Limit disturbing the termites as much as possible while drilling. Place the station housing into position with the proper alignment and secure the station housing in place. Continue on to step 5.
5. To complete the bait installation, a bait container holding TC 239 must be inserted into the station housing. To do this, first remove the TC 239 container from its sealed plastic bag. Second, remove the protective plastic lid (cover) from the bait container and set the cover aside. Finally, place the bait container inside the station housing such that the TC 239 is positioned next to the base of the station housing and secure in place by closing the lid of the station. To prevent tampering, unwarranted or accidental access to the cartridge, secure the lid of the station housing. A plastic zip-tie strap can be used to secure the lid to the station housing.

[COMPLETE LABEL]

### INSPECTING TC 239

The Advance AGS bait container holds >120g of TC 239, enough to eliminate a significant termite infestation. Stations should be inspected approximately every 120 days. More frequent inspections are permitted but not required. When inspecting the station, open the lid and look for termite activity. Determine how much of the bait has been eaten. If >50% of the bait has been eaten, replace with a new bait container. Close and secure the station lid.

If no termite activity is detected within the Advance AGS, or if ≥50% of the bait still remains, reinsert the bait container or insert a new bait container into the station housing, close the lid of the station housing and secure. If at the next 120 day inspection there is no termite activity, the station housing and any remaining TC 239 can be removed.

### STORAGE AND DISPOSAL

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

**PESTICIDE STORAGE:** Store in original container in a dry storage area out of reach of children and animals.

**CONTAINER DISPOSAL:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. If recycling is not available, place container in a trash can.

**PESTICIDE DISPOSAL:** Product not disposed of by use according to label directions should be wrapped in paper and placed in a trash can.

### WARRANTY

**WARRANTY DISCLAIMER:** [Distributor's Name] warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions for use, subject to the inherent risks [Alternate Language: Conditions of Sale] set forth below. [Distributor's name] MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

[Alternate Language: **CONDITIONS OF SALE:** The directions on this label were determined through research to be appropriate for the correct use of this product. This product has been tested under different environmental conditions both indoors and outdoors under conditions similar to those that are ordinary and customary where the product is to be used. Insufficient control of pests may result from the occurrence of extraordinary or unusual conditions, or from failure to follow label directions. In addition, failure to follow label directions may cause injury to animals, man, and damage to the environment. [Distributor's Name] offers, and the buyer accepts and uses, the product subject to the conditions that extraordinary or unusual environmental conditions, or failure to follow label directions are beyond the control of [Distributor's Name] and are, therefore, the responsibility of the buyer.]

### INHERENT RISKS OF USE

It is impossible to eliminate all risks associated with use of this product. Lack of performance or other unintended consequences may result because of factors such as use of the product contrary to the label directions, adverse conditions (such as unfavorable temperatures, soil conditions, excessive rainfall, etc.), abnormal conditions (such as drought, tornadoes, hurricanes, earthquakes, etc.), presence of other materials, the manner of application or other factors, all of which are beyond the control of Whitmire Micro-Gen or the seller. All such risks shall be assumed by the Buyer and User.

### LIMITATION OF REMEDIES

The exclusive remedy for losses or damages resulting from the use of this product (including claims based on contract, negligence, strict liability, or other legal theories) shall be limited to, at Whitmire Micro-Gen's election, one of the following:

- (1) Refund of purchase price paid by buyer or user for product bought, or (2) Replacement of amount of product used.

Whitmire Micro-Gen shall not be liable for losses or damages resulting from handling or use of this product unless Whitmire Micro-Gen is promptly notified of such loss or damage in writing. In no case shall Whitmire Micro-Gen be liable for consequential or incidental damages or losses even if Whitmire Micro-Gen knew of, was advised of or should have been aware of the possibility of such damages.

The terms of the "Warranty Disclaimer" above and this "Limitation of Remedies" cannot be varied by any written or verbal statements or agreements. No employee or sales agent of Whitmire Micro-Gen or the seller is authorized to vary or exceed the terms of the "Warranty Disclaimer" or this "Limitation of Remedies" in any manner.

**A Prescription Treatment® brand product from:**

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