

499-515

4/17/2014

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

APR 17 2014

Ms. Jenna-Garwood
Product Registration Specialist
Whitmire Micro-Gen Research Laboratories Inc.
3568 Tree Court Industrial Blvd.
St. Louis, MO 63122-6682

Subject: Product Name: TC 273
EPA Reg. No. 499-515
Submission date: January 25, 2014
Label Notification: to add A Condition of Sale and Standard Company Warranty Statement

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 1/15/14 for the product TC 273. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 998-10.

If you have questions concerning this letter, please call Owen Beeder at 703-308-8899 or via e-mail at beeder.owen@epa.gov or you may call me at 703-305-6701.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Gebken".

Richard Gebken
Product Manager 10
Insecticide Branch
Registration Division (7505P)



Please read instructions on reverse before completing form.

Form Approved. OMB.No. 2070-0060

EPA United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 499-515	2. EPA Product Manager Mark Suarez	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) TC 273	PM# 13	
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.)

Addition of Standard Company Warranty Statement. 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 CSF 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.

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 Jenna Garwood	Title Product Registration Specialist	Telephone No. (Include Area Code) (919) 659-3930
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 both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Product Registration Specialist	
4. Typed Name Jenna Garwood	5. Date 1/25/2014	



The Chemical Company

January 27, 2014

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
ATTN: Mr. Mark Suarez, PM Team 13
Insecticide Branch (7504P)
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

Re: Label Notification (v. 2.2) per PRN 98-10 §II.A. – Addition of Conditions of Sale and Warranty Statement; TC-273, EPA Reg. No. 499-515

Dear Mr. Suarez:

Enclosed in support of this label notification is a completed application (EPA Form 8570-1) and two copies revised labeling (one clean and one highlighted for easy reference).

The label has been revised as follows to add or include:

- A Conditions of Sale and Warranty statement

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 do not hesitate to contact me at (919) 659-3930 or jenna.garwood@basf.com if you have any questions or require any additional information.

Sincerely,
BASF Corporation

Jenna Garwood,
Product Registration Specialist

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

Vertical column of marks on the right side of the page, possibly a scanning artifact or a partial table.

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Master Label
() or [] = Alternate/Optional Text
Blue text may be print restricted from the marketplace label.

v2.2 (5/15/2009)

TC 273

ALTERNATE BRAND NAME: MotherEarth® Granular Scatter Bait (added via Notification 11/28/06)

- [Kills and Controls Ants, Cockroaches, Crickets, Earwigs, Mole Crickets, Silverfish, Slugs and Snails]
- [For the Control of: Crickets, Cockroaches, Silverfish, Carpenter Ants, Ants, Earwigs, Slugs, Snails]
- [Kills and Controls Sweet & Grease Eating Ants, Carpenter Ants, Cockroaches, Silverfish & Crickets]
- [For the Control of: Crickets, Cockroaches, Silverfish, Ants, Earwigs, Slugs, Snails]
- For Both Interior and Exterior Use
- For Crack & Crevice® Applications

NOTIFICATION
APR 17 2014

KILLS AND CONTROLS: Ants, Cockroaches, Crickets, Earwigs, Mole Crickets, Silverfish, Slugs and Snails

FOR USE IN AND AROUND: Apartments, Food Processing Plants, Garages, Homes, Hospitals, Hotels, Kennels, Lawns, Pet Stores, Public and Private Institutions, Restaurants, Schools, Supermarkets, Vending Machines, Warehouses and Zoos

ACTIVE INGREDIENT:

Boric Acid.....5.0%

OTHER INGREDIENTS:95.0%

TOTAL: 100.0%

EPA Reg. No. 499-515 EPA Est. No(s). 7969-MO-1^A 67571-MO-1^B

See code in lot number.

KEEP OUT OF REACH OF CHILDREN

CAUTION

NET WEIGHT:

[Alternate Text: See inside booklet for First Aid, Precautionary Statements, Directions for Use and Storage and Disposal]

NOTIFICATION
APR 17 2014

OMRI™

L i s t e d
Organic Materials Review Institute

FIRST AID

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 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 skin, eyes or clothing. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and handlers must wear: long-sleeved shirt and long pants, chemical-resistant or waterproof gloves and shoes plus socks.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters or rinsate.

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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.**

GENERAL INFORMATION

This product is a ready-to-use bait for the control of ants, cockroaches, crickets and silverfish including:

ANTS: Argentine, Carpenter, Crazy, Little Black, Odorous House, Pavement, Pharaoh and Thief Ants

COCKROACHES: Asian, American, Brown, Brown Banded, German, Oriental and Smokey Brown Cockroaches

CRICKETS: Camel, Field, House and Mole Crickets

- Do not contaminate this product with other pesticides. If this product becomes contaminated with another pesticide it will lose its effectiveness.
- Do not apply directly to food. In commercial food handling facilities, cover or remove any food during application. In food handling areas, bait may be placed in removable trays. Always record the number and location of bait stations. This product may be used in an Integrated Pest Management program incorporating good sanitation practices.
- This product may be applied in appropriate areas with a power duster (except in California). Consult equipment manufacturer for recommended settings.
- Children and pets should not be in the treatment area until after application is completed.
- Do not treat pets with this product.
- Avoid contamination of feed and foodstuff.
- Avoid contamination of ornamental plants.

APPLICATION INSTRUCTIONS

(To open bag, cut across bottom of bag where notched. Reseal bag after use.)

FOR THE CONTROL OF ANTS, COCKROACHES, CRICKETS AND MOLE CRICKETS ON LAWNS, ORNAMENTAL TURF, PLAYING FIELDS, PARKS AND GREENS OF GOLF COURSES: (Use a mechanical spreader to) Apply bait evenly to affected area at the rate of 2 lb/1,000 ft² (3.2 oz or 2/3 cup/100 ft²) or 90 lb/acre. **When treating for Mole Crickets:** Irrigate areas to be treated prior to application and apply product late in the afternoon. For maximum effectiveness, do not irrigate treated area immediately after application.

EXTERIOR BAITING FOR THE CONTROL OF ANTS, INCLUDING CARPENTER ANTS, AROUND HOMES AND OTHER STRUCTURES: Treat exterior perimeter areas of structure in a band at least 2 – 4 ft wide at a rate of 4 – 6 oz/100 ft². Also apply product in a 2 – 4 ft band around all trees, stumps, firewood piles and other locations where carpenter ants may nest. If the nest is located in a hollow tree or stump, apply 1/2 – 1 oz of product directly into the cavity. Apply along ant trails and in areas where ant activity has been noted.

FOR THE CONTROL OF ANTS, COCKROACHES, CRICKETS AND SILVERFISH IN AND AROUND HOMES, HOTELS, APARTMENT BUILDINGS, STORES AND RESTAURANTS (NON-FOOD AREAS), WAREHOUSES AND SEWERS: **For Interior Applications:** Apply at a rate of 4 lb/1,000 ft² (6 oz or 1.25 cups/100 ft²) of surface area. Spread evenly in crawl spaces, attics, drop ceilings and cellars with dirt or gravel floors. In attics, be sure to apply in eaves and access drains. In warehouses, garages and basements, concentrate application along walls and baseboards. Concentrate application in areas where insect activity is most prevalent. This product may also be applied in inaccessible areas such as cracks and crevices where insects can hide. Apply in pits of elevator, dumbwaiter and trash chute shafts. Apply under and behind pallets and boxes in storerooms. Bait may also be placed in removable trays in areas accessible to insects but away from children and pets. Always record the location and number of bait stations. In sewers, apply along ledges and around manhole entrances. **For Exterior Applications:** Treat exterior perimeter building walls in a band approximately 2 ft wide and scatter bait in flower beds, leaf litter, wood piles, trash cans and refuse areas. Reapply in 7 days if necessary.

FOR TREATING NEW CONSTRUCTION: Apply in wall voids and other areas where insects may hide.

FOR PERIMETER TREATMENTS: Spread bait at a rate of 6 oz or 1.25 cups/100 ft² in a band at least 2 ft wide around foundations, patios, driveways, sidewalks, entrances to homes and buildings, or other areas where insects are present. Apply around landscape lighting, floodlights, street lamps or other exterior fixtures and scatter bait in flower beds, leaf litter, wood piles, trash cans and refuse areas. Reapply in 7 days if necessary.

FOR TREATING ANT MOUNDS: Apply 1/2 – 1 oz of this product around all ant mounds. Supplement by broadcast application in immediate area and along ant trails and in areas where ant activity has been noted.

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Master Label

v2.2 (5/15/2009)

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TO CONTROL ANTS, COCKROACHES, CRICKETS AND SILVERFISH IN: Apartment Buildings, Camps, Factories, Food Handling Establishments, Garages, Grocery Stores, Homes, Hospitals, Hotels, Industrial Plants, Kennels, Libraries, Markets, Military Bases, Mobile Homes, Motels, New Construction, Nursing Homes, Offices, Pet Stores, Restaurants, Schools, Sewers, Theaters, Transportation Equipment (Aircraft, Boats, Buses, Ships, Trains, Trucks and Yachts), Utilities, Warehouses and Zoos: **FOOD AREA APPLICATION LIMITED TO CRACK & CREVICE TREATMENT ONLY (see following section).** Apply only in areas inaccessible to children and pets. Avoid contamination of feed and foodstuffs and kitchen utensils. Apply liberally, scattering/dusting under and behind refrigerator, cooler, stove, sink, dishwasher, washing machine and dryer tubs, counters, into openings around drains, water pipes and electrical conduits, and in cracks and crevices along baseboards and corners of cabinets, counter tops, cupboards and closets. Remove all lower drawers in kitchen and bathroom cabinets, bedroom dressers and chests of drawers, then scatter/dust liberally in drawer wells. Any bait visible after application must be brushed into cracks and crevices or removed. Reapply in 7 days if necessary.

CRACK & CREVICE APPLICATIONS: Apply as a Crack & Crevice treatment using most types of dust applicators. A bellows type duster works best. Insert stem into gaps, cracks and crevices and apply 2 - 6 puffs per foot, depending upon the severity of the infestation. Drill small holes to gain access into wall voids and under cabinets. Apply in appropriate areas with a power duster (except in California). Consult equipment manufacturer for recommended settings.

APPLICATION SITES AND DIRECTIONS

1. Apply under and behind appliances in kitchens, bathrooms and utility rooms (remove kick plates if possible).
2. Kitchen and bathroom cabinets and vanities often have a space between the floor and the bottom drawer or cabinet. If a gap exists along the top of the kick plate, dust this product into the void area. If no gaps are present, a small hole may be drilled every 2 ft along the kick plate making sure to drill at least 1 hole under each cabinet and apply this product through the holes.
3. Apply in voids around plumbing pipes behind water heaters and under sinks in kitchens, bathrooms, showers and utility rooms. Escutcheon plates around pipes should be pulled back to allow access to the void.
4. Remove electrical wall socket and switch covers and dust product around boxes and into voids. Product should not be applied directly into electrical switch and outlet boxes.
5. Cracks or spaces between the wall and doorframes, cabinets, counter tops, molding or baseboards provide excellent hiding places for roaches and ants. Dust a small amount of this product into these areas wherever possible.
6. Apply under and behind vending machines. If access can be gained to the interior of the machine, apply around the interior base being careful not to contaminate any foodstuffs.

FOR THE CONTROL OF COCKROACHES, CRICKETS, ANTS AND SILVERFISH IN MEAT AND POULTRY PLANTS: For application only in inedible product areas as a Crack & Crevice treatment. Apply at a rate of 4 lb/1000 ft² (6 oz or 1 1/4 C/100 ft²) to cracks and crevices in areas such as around baseboards and in closets, beneath cabinets and appliances, in and around waste containers and into openings around drains, water pipes and electrical conduits. Avoid contamination of feed and foodstuffs. Bait stations may be used. Always record the number and location of bait stations. This product is best used as a supplemental residual treatment preceded by approved spray and good sanitation practices.

APPLICATION SITES AND DIRECTIONS

(for product packaged in "puffer" container or pre-filled dispensers with removable caps)

- For Crack & Crevice applications.
 - Place tip of applicator into area you want to treat and squeeze 4 - 6 short, quick puffs for every foot of area to be treated.
1. Apply under and behind appliances in kitchens, bathrooms and utility rooms (remove kick plates if possible).
 2. Remove kitchen and bathroom drawers and apply a light dust of this product into drawer wells.
 3. Kitchen and bathroom cabinets and vanities often have a space between the floor and the bottom drawer. This is an ideal living area for cockroaches and ants. If a gap exists along the top or bottom of the kick plate, dust this product into the void area. If no gaps are present, a 1/4" hole may be drilled every 2 ft along the kick plate, making sure to drill at least 1 hole under each cabinet, and apply this product through the holes. It is not necessary to seal the holes after application.
 4. Apply in voids around plumbing pipes behind water heaters and under sinks in kitchens, bathrooms and utility rooms. Plates around pipes should be pulled back to allow access to the void.
 5. Remove electrical wall socket and switch covers and dust this product into boxes and voids. If necessary, drill small holes just above the baseboard to gain access into wall voids.

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- 6. Cracks or spaces between the wall and door frames, cabinets, molding or baseboards provide excellent hiding places for roaches and ants. Place a small amount of this product into these areas wherever possible.
- 7. Apply in attics around the perimeter eaves and around all vent pipes and access areas. Pay particular attention to areas above kitchens and bathrooms.
- 8. Apply around the perimeter of dropped ceilings.

STORAGE AND 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.

A MotherEarth™ brand insecticide manufactured for:
 Whitmire Micro-Gen Research Laboratories, Inc.
 by BASF Corporation
 3568 Tree Court Industrial Blvd.
 St. Louis MO 63122-6682
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