

499-527

03/20/2009

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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

MAR 20 2009

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

Dear Ms. Hodge:

Subject: Label amendment; removal of "Non-Residual"
TC 249
EPA File Symbol 499-527
Your submission dated 12/22/2008

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

1. On page 1, add a heading "Use Restrictions" under the use site paragraph, and list all asterisked use restrictions under this heading.
2. Add the following to Use Restrictions:
 - Do not apply on surface where contact with food or food preparation items is likely.
 - Kills pests on contact. Pests must be directly contacted at time of application in order to be effective.
3. On page 1, change "Active Ingredient" to "Active Ingredients", since there are more than one active ingredients in this product.
4. On page 1, delete the statement: "In the home, all food processing surfaces and utensils in the treatment area must be covered during treatment or thoroughly washed before use. Cover or remove exposed food in the treatment area." Use in the food storage and preparation areas was not evaluated in the risk assessment for spot treatment.
5. Add the following statement: "This product can only be used in the nonfood/nonfeed areas of food/feed processing facilities", and specify the nonfood areas on page 1 and under Directions for Use.

6. On page 2, under Directions for Use, the second and third paragraphs are repetitive. Combine the two paragraphs and specify all application tools. Please explain the difference between hand or powder duster and bulbous duster. Delete "by other suitable means", this is not an enforceable term.
7. Repeat the restrictions from the first page on page three, under Directions for Use, either as bulleted statements or with asterisks. The label needs to make it very clear that spot application on counters or other areas accessible to people and pets is not allowed.
8. On page 3, delete the following statement in the first paragraph for Bed Bugs: "Allow all treated areas to dry thoroughly before use." This statement is not appropriate for a dust formulation.
9. You have added the statement, "Treat small areas of surface to be treated (or furniture and rugs) to check for staining or other adverse reaction" before making the regular application. This seems inappropriate. What kind of staining or adverse reaction do you expect from a dust formulation?
10. On page 3, under the heading Carpet Beetles, delete instructions for applying on floor coverings. Only "under rugs and furniture and in closets" may remain.
11. On page 3, under the heading Non-Food Areas, delete "and storage(after canning or bottling) and dining area when no food is present." Use in the food storage and preparation areas was not evaluated in the risk assessment for spot treatment.
12. In a letter dated March 4, 2009, we disapproved your request for the alternate brand name, "Prescription Treatment brand Alpine Dust Insecticide" for this product. Please delete this alternate brand name from the master label.

A stamped copy of the label is enclosed for your records. Submit two (2) copies of the final printed label before you release the product for shipment bearing the revised labeling. If you have any questions, please do not hesitate to write or call me at (703) 308-8291.

Sincerely yours,

Rita Kumar

Rita Kumar
Senior Regulatory Specialist
Insecticide-Rodenticide Branch
Registration Division (7505C)
e-mail: kumar.rita@epa.gov

Enclosure

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TC 249 Dino Dust Insecticide

For Crack & Crevice®, Spot and Void Treatment

[Alternate Brand Name: Prescription Treatment® brand Alpine™ Dust Insecticide] {added via Notification 9/24/08}

KILLS: Ants (excluding Pharaoh ants), Asian Lady Beetle, Bedbugs, Bees, Black Carpet Beetles, Boxelder Bugs, Centipedes, Cigarette Beetles, Cluster Flies, Cockroaches, Confused Flour Beetles, Crickets, Drugstore Beetles, Earwigs, Firebrats, Fleas, Furniture Carpet Beetles, Ground Beetles, Hornets, House Flies, Indian Meal Moths, Lesser Grain Borers, Merchant Grain Beetles, Millipedes, Paper Wasps, Phorid Flies, Pillbugs, Red Flour Beetles, Rice Weevils, Rusty Grain Beetles, Sawtoothed Grain Beetles, Silverfish, Southern Fire-Ants, Sowbugs, Spider Beetles, Spiders (excluding Black Widow and Brown Recluse spiders), Stable Flies, Varied Carpet Beetles, Warehouse Beetles, Wasps, Webbing Clothes Moths, Yellowjackets

FOR USE IN AND AROUND: Apartments†, Campgrounds, Homes†, Hospitals*, Hotels, Motels, Nursing Homes*, Office Buildings, Resorts, Schools**, Supermarkets, Transportation Equipment (Buses, Boats, Ships, Trains, Trucks, and Planes††), Utilities, Warehouses and other Commercial and Industrial Buildings

Do not use in food handling areas.

- * Remove patients before using. After treatment, ventilate rooms for 30 minutes before returning patients to rooms.
- ** Do not apply to classrooms when in use. Do not apply to institutions (including libraries, sport facilities, etc.) in the immediate area when occupants are present.
- † In the home, all food processing surfaces and utensils in the treatment area must be covered during treatment or thoroughly washed before use. Cover or remove exposed food in the treatment area.
- †† Do not apply in aircraft cabins.

ACTIVE INGREDIENT:

Dinotefuran: N-methyl-N'-nitro-N-[(tetrahydro-3-duranyl)methyl]guanidine	0.25%
Diatomaceous Earth (including silicon dioxide, other oxides and moisture)	95.00%

OTHER INGREDIENTS:	4.75%
Total: 100.00%	

KEEP OUT OF REACH OF CHILDREN CAUTION

[ALTERNATE TEXT: See side panel(s) for First Aid, Precautionary Statements, Directions for Use and Storage and Disposal]

EPA Reg. No. 499-527 • EPA Est. No. 499-MO-1

NET WEIGHT: _____

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. 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.



WHITMIRE MICRO-GEN
RESEARCH LABORATORIES, INC.
800-777-8570 • www.wmmg.com

**ACCEPTED
With COMMENTS
In EPA Letter Dated:
MAR 20 2009**

**Under the Federal Insecticide, Fungicide
and Rodenticide Act, As amended, for the
pesticide Registered under EPA Reg. No:**

499-527

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5**PRECAUTIONARY STATEMENTS****HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

CAUTION: Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to shrimp. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not apply when weather conditions favor drift from treated areas. Drift and runoff from treated areas may be hazardous to aquatic organisms in water adjacent to treated areas. Do not contaminate water by cleaning of equipment or disposal of equipment washwaters.

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

TC 249 is a ready-to-use contact insecticide dust which has effective knockdown and kill of the listed pests.

TC 249 is for residential and commercial pest control in and around buildings and structures and their immediate surroundings and on modes of transport. Permitted areas of use include stores; warehouses; industrial buildings; houses; apartment buildings; office buildings; laboratories; schools; nursing homes; hospitals; hotels; and on vessels, rail cars, aircraft, buses, trucks and trailers.

TC 249 is intended for application with hand or powder duster, or by other suitable means, to cracks and crevices, voids, hiding, runway and nest areas and those places where pests are found. In living areas, make applications in such a manner as to avoid deposits on exposed surfaces or introducing the material into the air. Treat small area of surface to be treated for staining or other adverse reaction before making regular application.

To apply insecticide directly into cracks and crevices, use a bulbous duster or other suitable equipment. 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; along baseboards; in attics; and crawl spaces. Apply between 0.15 – 0.3 oz of TC 249/yd². Repeat treatments as necessary.

Application Rate

<u>Amount</u>	<u>Area</u>
5 g – 10 g	m ²
0.15 oz – 0.3 oz	yd ²
0.16 oz – 0.32 oz	10 ft ²

INDOOR & OUTDOOR TREATMENTS

COCKROACHES, ANTS (excluding Pharaoh ants), CRICKETS, SILVERFISH AND FIREBRATS: Apply thoroughly to all areas where these pests crawl and hide, especially in cracks and crevices, voids and hidden surfaces around sinks and storage areas, behind baseboards, around doors and windows, behind and under refrigerators, cabinets and desks, sinks and stoves and attics and crawl spaces. For ants, apply to ant trails, in openings around doors and windows and other places where ants enter premises. Direct contact with dry dust is required to be effective.

FLEAS IN BUILDINGS: Apply dust to infested areas such as pet beds and resting quarters, nearby cracks and crevices under the edges of rugs and floor coverings, cracks, crevices and voids of upholstered furniture, and other areas where these pests may be present. Old bedding of pets should be removed and replaced with clean fresh bedding after treatment of pet areas. Do not treat animals or their bedding with this product. Direct contact with dry dust is required to be effective.

SPIDERS (excluding Black Widow and Brown Recluse): Apply along and behind baseboards, to window and door frames, corners, pipes, storage localities and associated cracks & crevices, attics, crawl spaces and other areas over which these pests may crawl. Direct contact with dry dust is required to be effective.

BEEES, WASPS, HORNETS, PAPER WASPS AND YELLOWJACKETS: It is generally advisable to treat wasp and bee nests in the evening when insects are less active and have returned to the nest. Wear protective clothing if deemed necessary to avoid stings. Using hand or power duster or other suitable means, with extension tubes if necessary, thoroughly dust nest and entrance and surrounding areas where insects alight. Nests in voids should be located and treated. Treat entrances and drill a hole in the void(s), blow dust in, and reseal. For ground wasps and yellowjackets, dust entrance and surrounding areas. For best results check nests carefully one or two days after treatment to ensure complete kill. Application to overhead nests should be made in such a manner as to avoid drift onto the applicator. Direct contact with dry dust is required to be effective.

SOWBUGS, PILLBUGS, GROUND BEETLES, EARWIGS, MILLIPEDES AND CENTIPEDES: Apply around doors and windows, into weep holes and other cracks and crevices and other places where these pests may enter premises. Treat baseboards, storage areas and other locations where these pests are found. Direct contact with dry dust is required to be effective.

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BED BUGS: Apply to cracks and crevices where evidence of bed bugs occurs. This includes bed frames, box springs, inside empty dressers, clothes closets and carpet edges, high and low wall moldings and wallpaper edges. Do not use this product on mattresses, pillows, bed linens or clothes. Remove all clothes and other articles from dressers or clothes closets before application. Allow all treated areas to dry thoroughly before use. Reapply as necessary. Direct contact with dry dust is required to be effective. Not recommended for use as sole protection against bed bugs. If evidence of bed bugs is found in/on mattresses use products approved for this use.

PANTRY PESTS-GRAIN BEETLES (Rusty, Merchant and Sawtoothed), FLOUR BEETLES (Red and Confused), DRUGSTORE BEETLES, RICE WEEVILS, LESSER GRAIN BORERS, SPIDER BEETLES AND INDIAN MEAL MOTHS: For exposed stages. Apply dust in cracks and crevices behind and under cupboards, cabinets and other voids. Do not apply directly on food, utensils or food storage areas.

CARPET BEETLES (Black, Furniture and Varied): Dust where these insects are found, for example: on and under edges of floor coverings, under rugs and furniture and in closets. Treat small area first on furniture and rugs to check for staining before treating a larger area.

PHORID & FRUIT FLIES, HOUSE FLIES AND STABLE FLIES: Spot treat where insects rest if surface is not exposed such as under cabinets or shelving, behind or under equipment or drains or protected exterior areas like eaves and trash corrals. Spot treat larvae areas and voids where larvae may pupate.

WEBBING CLOTHES MOTHS: Use TC 249 as a Crack & Crevice treatment in closets and other storage areas where pests are found. This is an adjunct treatment and will not kill moth larvae already on the clothes. Do not apply TC 249 to clothing.

ASIAN LADY BEETLES, CLUSTER FLIES, ELM LEAF BEETLES, BOXELDER BUGS AND DARKLING BEETLES: Treat cracks and crevices and wall voids where these insects enter or harbor within a structure.

NON-FOOD AREAS: TC 249 may be used as a Crack & Crevice treatment or as a spot application in non-food areas of food handling establishments. Non-food areas are areas such as garbage rooms, restrooms, floor drains (to sewers), entries and vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, mop closets and storage (after canning or bottling) and dining area when no food is present.

OUTDOOR TREATMENTS

PERIMETER TREATMENT: Use TC 249 as a treatment for Ants (excluding Pharaoh ants), Bees, Centipedes, Cockroaches, Crickets, Earwigs, Firebrats, Fleas, Ground Beetles, Millipedes, Pillbugs, Silverfish, Sowbugs, Spiders (excluding Black Widow and Brown Recluse), Wasps and Yellowjackets. Make a treatment around and in cracks and crevices or voids associated with windows and doors, porches, screens, eaves, patios, garages, under stairways, and in crawl spaces and other areas where pests hide. Direct contact with dry dust is required to be effective.

MULCH AREAS: Use TC 249 as a treatment for Millipedes, Earwigs, Crickets, Ground Beetles, Sowbugs and Pillbugs. Remove mulch; sprinkle TC 249 at 0.3 – 1 oz/lyd². Return mulch, mixing TC 249 with mulch.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE AND SPILL PROCEDURES: Store in original container in dry location. In case of spill, vacuum or dampen with water and sweep up.

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

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. **If empty:** Place in trash or offer for recycling if available. **If partly filled:** Contact your local solid waste agency for disposal instructions. **NEVER PLACE UNUSED PRODUCT DOWN ANY INDOOR OR OUTDOOR DRAIN!**

A Prescription Treatment® brand insecticide from:

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www.wmmg.com

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