

499-527

09/26/2011

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

SEP 26 2011

NOTIFICATION

SEP 26 2011

Name Dana Thomas
Company Whitmire Micro-Gen Research Laboratories, Inc.
Address 3568 Tree Court Industrial Boulevard
St. Louis, MO 63122-6682

Subject: Notification – Minor label changes, add pest
TC-249
EPA Registration Number 499-527
Date received July 8, 2011

Dear Ms. Thomas:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10, dated July 22, 2011 for the product TC-249; EPA Registration Number 400-527. 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 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-308-8291.

Sincerely,

Rita Kumar

Rita Kumar
Senior Regulatory Specialist
Insecticide Rodenticide Branch
Registration Division (7505P)
Office of Pesticide Programs
E-mail: kumar.rita@epa.gov

 United States Environmental Protection Agency Washington, DC 20460	<table border="1" style="margin-left: auto; margin-right: auto;"> <tr><td style="width: 20px; height: 20px;"></td><td style="padding: 2px;">Registration</td></tr> <tr><td style="width: 20px; height: 20px;"></td><td style="padding: 2px;">Amendment</td></tr> <tr><td style="width: 20px; height: 20px; text-align: center;">x</td><td style="padding: 2px;">Other</td></tr> </table>		Registration		Amendment	x	Other	OPP Identifier Number
	Registration							
	Amendment							
x	Other							

Application for Pesticide - Section I

1. Company/Product Number 499-527	2. EPA Product Manager Rosanna Louie-Juzwiak	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) TC 249	PM# Acting PM 7	
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 _____

NOTIFICATION
SEP 26 2011

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

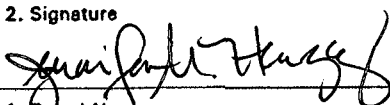
Notification per PRN 98-10 to add Brown Marmorated Stink Bugs to "Kills" list and the "Asian Lady Beetles, Cluster Flies, Elm Leaf Beetles..." section and the standard company warranty statement.

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:			
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No * Certification must be submitted	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
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 Jennifer M. Herzog	Title Product Regulations Specialist	Telephone No. (Include Area Code) (636) 861-4297
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 Regulations Specialist	
4. Typed Name Jennifer M. Herzog	5. Date 7/13/2011	



The Chemical Company

July 13, 2011

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S Crystal Drive
Arlington, VA 22202-4501

NOTIFICATION
SEP 26 2011

Re: Label Notification – Addition of non-public health pest and standard company warranty statement per PR Notice 98-10 TC 249, EPA Reg. No. 499-527

Dear Ms. Louie-Juzwiak:

Enclosed in support of this action is a completed application (EPA Form 8570-1) and one copy of revised labeling with changes highlighted for easy reference.

We have added Brown Marmorated Stink Bugs to "Kills" list and the "Asian Lady Beetles, Cluster Flies, Elm Leaf Beetles..." section per section II B and added the standard company warranty statement per section II J. No directions were added or changed.

Other revisions allowed by non-notification include updating the "Manufactured for" statement, EPA Est. No. and copyright year.

This notification is consistent with the provisions of PRN 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 636-861-4297 or, via electronic mail at jennifer.herzog@basf.com, should you have any questions or require additional information.

Sincerely,

Jennifer M. Herzog
Product Regulations Specialist

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

For Dana M. Thomas
Product Regulatory Manager
Authorized Agent for Whitmire
Micro-Gen Research Laboratories, Inc.

NOTIFICATION
2.1 (7/7/11; jmh)
SEP 26 2011

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, Bed Bugs, Bees, Black Carpet Beetles, Boxelder Bugs, Brown Marmorated Stink 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

(*See Use Restrictions under Directions for Use)

ACTIVE INGREDIENTS:

Dinotefuran: N-methyl-N'-nitro-N-[(tetrahydro-3-furanyl)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. 7969-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.

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.

USE RESTRICTIONS:

- In hospitals and nursing homes, remove patients before using. After treatment, ventilate rooms for 30 min 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.
- Do not apply in aircraft cabins.
- This product can only be used in the nonfood/nonfeed areas of food/feed processing facilities. Do not use in food/feed areas.
- Do not apply on surface where contact with food/feed or food/feed preparation items is likely.

PRODUCT INFORMATION:

This product is a ready-to-use insecticide dust which has effective knockdown and kill of the listed pests. Kills pests on contact. Product must be in direct contact with the pest in order to be effective.

This product 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.

This product is intended for application with hand/bulbous or powder duster, or other suitable equipment, 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 a small area of the surface to be treated to observe for staining or other adverse reaction before making regular application. 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/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

FOOD HANDLING/PROCESSING FACILITIES: This product may be used as a Crack & Crevice treatment or as a spot application only in the nonfood/nonfeed areas of food/feed handling establishments.

Food/feed handling establishments are defined as places other than private residences in which exposed food/feed is held, processed, prepared or served. Food/feed areas are areas for receiving, storing, packing (canning, bottling, wrapping, boxing), preparing, edible waste storage and enclosed processing systems (mills, dairies, edible oils, syrups) of food. Serving areas where food is exposed and the facility is in operation are also considered food areas. Do not apply this product in food/feed areas.

Nonfood/nonfeed 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). This product may be used in these nonfood/nonfeed areas.

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.

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. 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, via spot or Crack & Crevice treatment, where these insects are found. For example: along and under edges of floor coverings, under rugs and furniture and in closets. Treat a 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 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 to clothing.

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

OUTDOOR TREATMENTS

PERIMETER TREATMENT: Use 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 as a treatment for Millipedes, Earwigs, Crickets, Ground Beetles, Sowbugs and Pillbugs. Remove mulch; sprinkle product at 0.3 – 1 oz/yd². Return mulch, mixing product 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!**

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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.
3568 Tree Court Industrial Blvd.
St. Louis, MO 63122-6682
Questions? Call 1-800-777-8570
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