

499-537

1/25/2010

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Registration Division (7505C)
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

EPA Reg. Number:
499-537

Date of Issuance:
JAN 25 2010

Term of Issuance: Conditional

Name of Pesticide Product:
TC 296

NOTICE OF PESTICIDE:
[X] Registration
[] Reregistration
(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

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

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A) and (B) provided that you:

- 1. Submit and/or cite all data required for registration of your product under FIFRA sec. 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of your product under FIFRA section 4.
2. Submit the following data: One year storage stability (830.6317) and corrosion characteristics (830.6320) studies. These studies can be run concurrently. Observation must be made at 0, 3, 6, 9, and 12 months period and the results must be submitted to the Agency upon completion. These studies must be submitted within 15 months from the date of this letter.
3: Make the following label changes:
a. Add the phrase "EPA Registration Number 499-537" to the front panel.

Signature of Approving Official:

[Handwritten signature]

Date:

1/25/10

b. Under the Ingredient Statement, change the active ingredient statement to read as follows:

Dinotefuran: N-methyl-N-[(tetrahydro-3-furanyl)methyl]guanidine.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Submit two copies of the revised final printed label before you release the product for shipment. Your release for shipment of the product constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records. Copies of product chemistry, acute toxicity, and efficacy reviews are also enclosed for your perusal. If you have any questions, contact Rita Kumar at (703) 308-8291, or kumar.rita@epa.gov.

Sincerely,



Kable Bo Davis
Acting Product Manager 7
Insecticide Rodenticide Branch
Registration Division (7505P)
E-mail: davis.kable@epa.gov

Enclosures (4)

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TC 296

For Crack & Crevice® or spot treatment only.

[ALTERNATE BRAND NAME:

ACTIVE INGREDIENT:

Dinotefuran 0.0005%

OTHER INGREDIENTS: 99.9995%

TOTAL: 100.0000%

KEEP OUT OF REACH OF CHILDREN CAUTION

See complete label accompanying product for Precautionary Statements, Directions for Use and Storage and Disposal.

NET WEIGHT: 1.06 oz (30 g)

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

EPA Reg. No. 499-LGT • EPA Est. No. 7969-MO-1

Manufactured for:
Whitmire Micro-Gen Research Laboratories, Inc.®
By: BASF Corporation
3568 Tree Court Industrial Blvd.
St. Louis MO 63122-6682
Questions? Call 1-800-777-8570

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**ACCEPTED
With COMMENTS
In EPA Letter Dated:
JAN 25 2010
Under the Federal Insecticide, Fungicide
and Rodenticide Act, As amended, for the
pesticide Registered under EPA Reg. No:**

499-537

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TC 296

For Crack & Crevice® or spot treatment only.

[ALTERNATE BRAND NAME:

KILLS: Ants (*Including:* Acrobat, Argentine, Bigheaded, Cornfield, Crazy, Fire, Ghost, Harvester, Honey, Little Black, Odorous House, Pavement, Pharaoh, Thief and Whitefooted; *Excluding:* Carpenter)

FOR CRACK & CREVICE OR SPOT TREATMENT 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]

*Do not apply to cockpit.

ACTIVE INGREDIENT:

Dinotefuran 0.0005%

OTHER INGREDIENTS: 99.9995%

TOTAL: 100.0000%

EPA Reg. No.: 499-xxx • EPA Est. No.: 7969-MO-1

KEEP OUT OF REACH OF CHILDREN

CAUTION

PRECAUTIONARY STATEMENTS

ENVIRONMENTAL HAZARDS

Do not apply directly to, or contaminate, water.

PHYSICAL OR CHEMICAL HAZARDS

Do not store or use near heat or open flame. Do not use this product where a possibility of a shock hazard exists.

DIRECTIONS FOR USE

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

READ ENTIRE LABEL. Use strictly in accordance with Precautionary Statements and Directions, and with applicable state and federal regulations.

USE RESTRICTIONS

1. For Crack & Crevice® or spot treatment only.
2. Apply bait only in areas inaccessible to children and pets.
3. In food/feed areas, bait placements are limited to cracks and crevices.
4. Do not apply bait to an area that is routinely washed.
5. Do not apply bait to a surface that routinely becomes hot.
6. Do not use bait inside electrical or electronic equipment due to shock hazard or possible damage to equipment.
7. Do not apply an insecticide over bait.

PRODUCT INFORMATION

1. Apply in small, pea-sized (1 g) bait placements where ants are seen or have been active.
2. Inspect bait placements each visit, when ants are active, and reapply as necessary.
3. If staining is a concern, test by applying bait in a small, inconspicuous area before applying to a highly visible portion of the surface in question.

INDOORS

Apply bait indoors in areas where ants are seen or may travel in both the living (active) and non-living (non-active) areas of the structure. Apply in cracks and crevices, wall voids, areas behind furniture or equipment, refrigerators, stoves, around water pipes, in cracks and crevices associated with windows and door sills, inside furniture, inside and behind cabinets and different elements of construction. Renew bait as needed.

FOOD/FEED HANDLING ESTABLISHMENTS

Applications within food/feed areas of food/feed handling establishments are limited to Crack & Crevice® treatment only. Apply directly into cracks and crevices where ants may travel or have been seen. Apply 1 – 2 g (1 – 2 pea-sized beads) of product in between different elements of construction, cracks and crevices, voids, between, under, behind equipment, cracks and crevices or voids associated with ceilings, floors, equipment. Do not apply bait to exposed surfaces. If gel contacts exposed surfaces, remove it and wash exposed surface. Renew bait as needed.

OUTDOORS

Apply where ants congregate or are seen entering the building. Apply bait near or in cracks, crevices or void spaces around windows, door jams and sills, eaves, patios, garages, under stairwells, in crawl spaces and weep holes. 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 need to be replaced more frequently.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a cool, dry area away from heat or open flame and inaccessible to children and pets.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product must be disposed of on site, according to label directions, or at an approved waste disposal facility.

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill empty reservoir. **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.

Manufactured for:

Whitmire Micro-Gen Research Laboratories, Inc.®

By: BASF Corporation

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St. Louis MO 63122-6682

Questions? Call 1-800-777-8570

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