

499-546

09-16-2011

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

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

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

SEP 16 2011

Subject: Application for Pesticide Notification
EPA Registration Number: 499-546
Date of Submission: August 18, 2011

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration (PRN) 98-10 dated August 18, 2011, for the abovementioned product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions 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 regarding this letter, please contact Clayton Myers at (703) 347-8874, or via email at myers.clayton@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to be "R. Gebken".

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

Enclosures: Copy of Label Stamped "Notification"



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

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

Application for Pesticide - Section I

1. Company/Product Number 499-546	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Termidor Dry Termiticide	PM# 10	
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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NOTIFICATION

SEP 16 2011

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

Addition of alternate brand name "Termidor Dry California" and descriptor "Termiticide" per PRN 98-10 Sec. II A, and deletion of the "Label License" section via notification. 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 checked="" type="checkbox"/> Lithograph Paper glued 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 Dana Thomas	Title Product Regulatory Mgr	Telephone No. (Include Area Code) 636-851-4223
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 or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Product Regulatory Mgr	
4. Typed Name Dana M. Thomas	5. Date 8/18/11	

Text in this color is print-restricted for CA registration

Termidor® Dry Termiticide

NOTIFICATION

SEP 16 2011

ALTERNATE BRAND NAME: Termidor® Dry California {submitted via Notification 8/18/11}

Descriptor: Termiticide

- For sale to, use and storage only by individuals/firms licensed or registered by the state to apply termiticide and/or general pest control products.
- Ready-to-Use product for the control of subterranean and drywood termites

ACTIVE INGREDIENT:

Fipronil: 5-amino-1-(2,6-dichloro-4-(trifluoromethyl) phenyl)-4-((1, R,S)-(trifluoromethyl)sulfinyl)-1-H-pyrazole-3-carbonitrile.....0.5%

OTHER INGREDIENTS:.....99.5%
Total: 100.0%

1 lb of Termidor Dry contains 0.08 oz of Fipronil.

EPA Reg. No. 499-546 • EPA Est. No. 7969-MO-1

KEEP OUT OF REACH OF CHILDREN

CAUTION • PRECAUCIÓN

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you Do not understand the label, find someone to explain it to you in detail.)

FOR MEDICAL AND TRANSPORTATION EMERGENCIES ONLY CALL 24 HOURS A DAY 1-800-832-HELP (4357)

[See inside for First Aid, Precautionary Statements, Directions for Use, Conditions of Sale and Warranty and Storage and Disposal.]

Net Contents: _____

FIRST AID

IF SWALLOWED: Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to by a poison control center or doctor. Do not give anything by mouth to unconscious person.

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.

IF INHALED: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. Call a poison control center or doctor for further treatment advice.

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.

Have the 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 (4357) for emergency medical treatment information.

NOTE TO PHYSICIAN: There is no specific antidote. All treatment should be based on observed signs and symptoms of distress in the patient. Overexposure to materials other than this product may have occurred. In severe cases of overexposure by oral ingestion, lethargy, muscle tremors, and in extreme cases, possibly convulsions may occur.

Text in this color is print-restricted for CA registration

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed, absorbed through skin or inhaled. Avoid contact with skin, eyes or clothing. Avoid breathing dust. Causes moderate eye irritation. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to birds, fish, and aquatic invertebrates. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Drift or runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Care must be taken to prevent any and all drift, spillage of the product, or runoff. Do not contaminate water by cleaning equipment or disposal of wastes or when disposing of equipment washwaters or rinsate.

DIRECTIONS FOR USE

**IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN A MANNER INCONSISTENT WITH ITS LABELING.
READ ENTIRE LABEL BEFORE USING THIS PRODUCT.**

USE RESTRICTIONS

During and after any application, the applicator is required to check for spills. Any and all spills resulting in the deposition of product in locations other than those prescribed on this label must be cleaned up immediately and prior to leaving the application site. Do not allow people or pets to contact contaminated areas or to reoccupy contaminated areas of the structure until the cleanup is completed.

APPLICATION INSTRUCTIONS

Termidor Dry may be used alone to kill subterranean or drywood termites or as a supplement to a post-construction treatment of Termidor® 80 WG termiticide/insecticide or Termidor® SC termiticide/insecticide to provide protection from subterranean termites. This [product] [treatment] will kill workers and/or winged reproductive forms of the listed termite species present at the time of application and will provide residual control of termites contacting the treated surfaces only as described in the Directions for Use. This [product] [treatment] is intended only as a spot treatment. Application of this product will not provide structural protection nor substitute for mechanical alteration, or soil or foundation treatment with registered termiticide products. This product is not to be used as sole protection against termites, as it is not intended for elimination of termite infestations nor for protection against future infestations.

Application Device: This Ready-to-Use product is contained in a nonrefillable package and is for use with a specially designed applicator. Approximately 3 bulb compressions of the applicator delivers 0.1 g of product.

Application Sites: Apply into voids and galleries, shelter tubes, termite nests or other inaccessible areas of buildings, trees, utility poles, fencing, decking materials, railroad trestles, piers, beams and other structural or landscape timbers where termite damage is observed or termite activity is present or suspected. If necessary, gain access to gallery or void by creating an opening into it. Openings should be approximately every 24" or into each void. Multiple injection points for each void, carton or gallery may be required. Do not apply more than 5 g [product] (25.0 mg Fipronil a.i.) per 1,000 ft² of total internal surface area of the void, carton, or gallery.

Drywood Termites: Apply 0.1 – 1 g/injection point.

Subterranean Termites: For termite galleries and shelter tubes apply 0.1 – 1 g/injection point. For applications into carton and nests apply 0.3 – 3 g/injection point. For applications into voids apply 0.2 – 2 g/injection point.

Reapplication Interval: This product may be applied to previously treated sites if termite activity is found 30 days after previous application.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store unused product in original container only, out of reach of children and animals.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide is a violation of federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: Nonrefillable Container. Do not reuse or refill this container. After completely emptying container, offer for recycling, if available.

CONDITIONS OF SALE AND WARRANTY

The Directions For Use of this product reflect the opinion of experts based on field use and tests. The directions are believed to be reliable and must be followed carefully. However, it is impossible to eliminate all risks inherently associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or use of the product in a manner inconsistent with its labeling which are beyond the control of Whitmire Micro-Gen Research Laboratories, Inc. ("WMG"). To the extent consistent with applicable law, all such risks shall be assumed by the Buyer. WMG 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.

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