

499-548

2/18/2014

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

FEB 18 2014

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

Subject: Notification to Add Alternate Brand Names and Other Claims

Dear Ms. Thomas:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated November 14, 2012 for the product EPA Reg. No. 499-548. 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.

If you have any questions, please call me directly at 703-305-6701 or Carlyn Petrella of my staff at 703-347-0439.

Sincerely,

Richard Gebken
Insecticide Branch PM 10 Team Leader
Registration Division (7505P)
Office of Pesticide Programs



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	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number NOTIFICATION FEB 18 2014
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Application for Pesticide - Section I

1. Company/Product Number 499-548	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Whitmire Micro-Gen TC-314	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"/> 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.)

Label Notification to add the alternate brand name, Phantom® Pressurized Insecticide Formula 2, per PRN 98-10 §II A. 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	
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 Dana Thomas	Title Product Regulatory Mgr.	Telephone No. (Include Area Code) 636-861-4223
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 November 14, 2012	



The Chemical Company

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November 14, 2012

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
ATTN: Mr. Richard Gebken, PM Team 10
Insecticide Branch (7504P)
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

**Re: Label Notification (v1.1) per PRN 98-10 §II.A. – Addition of Alternate Brand Name
Whitmire Micro-Gen TC-314, EPA Reg. No. 499-548**

Dear Mr. Gebken:

Enclosed in support of this action 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:

- the alternate brand name, **Phantom® Pressurized Insecticide Formula 2**
- revisions required by EPA with the Notice of Pesticide Registration dated November 8, 2011.

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.

Final printed labeling (aka marketplace label) bearing the alternate brand name noted herein will be submitted prior to releasing the product for shipment, though it is unlikely we will release product for sale/shipment until we have approval of an amended label (v2.0) submitted under separate cover).

Please note that while we are submitting labeling with all revisions required per comments with the NoPR in order to meet our deadline for submitting applications for registration to the states, we will be following up with a label amendment (v2.0 as indicated above) per our telephone conversations on this product. The One Year Storage Stability (830.6317) and Corrosion Characteristics (830.6320) study was submitted on November 7, 2012.

Thank you for your assistance in this matter. Please do not hesitate to contact me at 636-861-4223 or, via electronic mail at dana.thomas@basf.com, should you have any questions or require additional information.

Sincerely,

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

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TC-314

[ALTERNATE BRAND NAME: Phantom® Pressurized Insecticide Formula 2] {added via Notification 11/14/12}

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.

KILLS: Ants (including *foraging* Fire, Harvester and Pharaoh), Asian Lady Beetles, Bed Bugs, Bees (Honey), Beetles, Boxelder Bugs, Carpenter Bees, Centipedes, Cluster Flies, Cockroaches, Crickets, Dermestids, Drain Flies, Earwigs, Elm Leaf Beetles, Flour Beetles, Grain Weevils, House Flies, Indianmeal Moths, Pillbugs, Silverfish, Spiders (excluding Brown Recluse), Springtails, Stable Flies, Stink Bugs, Termites* (Subterranean), Wasps and Yellowjackets

* Not a substitute for mechanical alteration, soil or foundation treatment.

FOR USE IN AND AROUND: Apartments, Food Storage Areas, Homes, Hospitals, Hotels, Meat Packing and Food Processing Plants, Motels, Nursing Homes, Restaurants and other Food Handling Establishments, Schools, Supermarkets, Warehouses and other Commercial and Industrial Buildings

ACTIVE INGREDIENT:

Chlorfenapyr: 4-bromo-2-(4-chlorophenyl)-1-(ethoxymethyl)-5-(trifluoromethyl)-1H-pyrrole-3-carbonitrile 0.5%

OTHER INGREDIENTS: 99.5%

TOTAL: 100.0%

NOTIFICATION

FEB 18 2014

KEEP OUT OF REACH OF CHILDREN CAUTION

[See side panel(s) for Precautionary Statements, Directions for Use and Storage and Disposal.]

EPA Reg. No. 499-548 • EPA Est. No. 7969-MO-1

NET WEIGHT: _____

PRECAUTIONARY STATEMENTS

HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For additional information on this product (including health concerns, medical emergencies or pesticide incidents), you may also call 1-800-832-HELP (4357), 24 hr/day, 7/days/week.

PERSONAL PROTECTIVE EQUIPMENT (PPE): Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for Category B on an EPA chemical resistance category selection chart.

All pesticide handlers (mixers, loaders and applicators) must wear: Long-sleeved shirt and long pants; chemical-resistant gloves such as barrier laminate, butyl rubber or nitrile rubber, neoprene, polyvinyl chloride (PVC) or viton (≥ 14 mils); socks plus shoes.

USER SAFETY REQUIREMENTS: Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Remove and wash contaminated clothing before reuse.

USER SAFETY RECOMMENDATIONS

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove contaminated clothing/PPE immediately if pesticide gets inside, then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to aquatic organisms, birds and wildlife. Do not apply directly to water or to areas where surface water is present or intertidal areas below the mean high water mark.

PHYSICAL OR CHEMICAL HAZARDS

Flammable. Contents under pressure. Keep away from heat, sparks and open flame. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting. Do not spray directly into any electronic equipment such as radios, televisions, computers, etc. due to the possibility of short circuits or shock hazard. Test on a small surface prior to use, as spray may mar plastic, painted or varnished surfaces.

DIRECTIONS FOR USE

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

USE RESTRICTIONS

- Apply this product only as specified on this label.
- **This product is 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.**
- Do not compost any discarded plant materials that have been treated with this product.
- Do not make applications during rain.
- Do not reapply to treated areas more than 1x every 4 weeks.
- Do not allow adults, children or pets to enter until vapors, mists and/or aerosols have dispersed and the treated area has been thoroughly ventilated. Do not contact treated surfaces until dry.
- In schools, do not apply to classrooms when in use. Allow treated areas to dry thoroughly before reoccupying.
- When used in hospitals and nursing homes: Remove patients before treating rooms. Allow treated areas to dry thoroughly before returning patients to rooms.
- When using in homes: Remove or cover exposed food and drinking water, in the treatment area, before application. Remove or cover dishes, utensils, food processing equipment and food preparation surfaces, or wash them before use. Do not use in serving areas while food is exposed.
- When using in food areas of food handling establishments: Applications are limited to spot and/or crack and crevice treatments. Do not make applications when facility is in operation. Avoid contamination of food or feedstuffs. Do not apply directly to food, food packaging or food contact surfaces. During application, cover or remove food, and cover food processing surfaces and equipment, or clean after treatment with a suitable detergent and rinse with potable water before use. Do not use in serving areas (dining areas where prepared foods are served) while food is exposed or facility is in operation.
- Do not apply directly into sewers or drains or to any area like a gutter where drainage to storm sewers, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during or after application.
- When use in zoos: Remove animals and cover or remove animal food/water prior to application.
- Remove pets and cover or remove pet food/water and fish bowls prior to application.

CRACK & CREVICE® TREATMENT: Use with the supplied actuator and injection tubes or other Whitmire Micro-Gen equipment. Inject into cracks and crevices or void spaces where insects may be harboring, living and breeding. Place injector tip into cracks, crevices, holes and other small openings. Release approx. 1 sec of product. For light infestations, move injector tip along cracks while treating at the rate of 3 linear ft/sec. For heavy infestations, move injector tip along at 1 linear ft/sec. For closed voids, calculate the void's cubic area and treat at the rate of 1 – 5 sec/3ft³. Several holes may be required in long-running voids.

SPOT TREATMENT: Use with the supplied actuator and injection tubes or other Whitmire Micro-Gen equipment. Hold container upright while spraying. Direct nozzle approximately 12" from surface to be treated. Apply directly on insects in these locations when possible. Limit individual spot treatments to an area no larger than 2ft²/room.

Before spot treating on plastic, painted or varnished surfaces, test a small, inconspicuous area and observe for staining or damage to finish.

INDOOR TREATMENTS

CRAWLING PESTS [including Centipedes, Cockroaches, Crickets, Dermestids, Earwigs, Sowbugs and Spiders (excluding Brown Recluse)]: Apply as a Crack & Crevice treatment using the prescribed amount into cracks, crevices and void spaces where pests may harbor, nest, trail, run or hide, including openings around pipes and sinks, under refrigerators, behind baseboards, washing machines, stoves, cabinets, sewers, floor drains and meter boxes. Spot treatments may also be made to areas such as storage areas; closets; around water pipes, doors and windows; around refrigerators, cabinets, sinks, stoves and other equipment; shelves and drawers.

BOOKLICE & SILVERFISH: Apply as a Crack & Crevice treatment into cracks and crevices of baseboards, door frames, bookcases and other harborage sites. Spot treatments may also be made to areas such as storage areas; closets; around water pipes, doors and windows; around refrigerators, cabinets, sinks, stoves and other equipment; shelves and drawers.

ANTS (including foraging Fire, Harvester and Pharaoh): Apply as a Crack & Crevice treatment into cracks, crevices and voids where ants may harbor, nest, trail, run or hide, including around doors, window frames, wall voids and other structural cracks and crevices. Spot treatments may also be made to areas such as storage areas; closets; around water pipes, doors and windows; around refrigerators, cabinets, sinks, stoves and other equipment; shelves, drawers and similar areas.

BED BUGS: Apply to cracks, crevices, voids and/or harborages where evidence of bed bugs occurs, including bed frames, box springs, inside empty dressers, furniture and clothes closets, carpet edges, high and low wall moldings, behind headboards, pictures and wallpaper edges. Do not make surface applications to mattresses or bedding. Mattress treatments must be limited to seams, folds and edges only. Do not treat pillows, bedding or clothing. Remove linens and wash before reuse. Allow treated mattress to dry thoroughly before remaking the bed. Remove all clothes and other articles from dressers or clothes closets before application. Allow treated areas to dry thoroughly before use.

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CHOCOLATE MOTHS, DRUGSTORE BEETLES, FLOUR BEETLES, GRAIN WEEVILS, INDIANMEAL MOTHS, TROGODERMAS (in exposed adult and larval stages): Apply into cracks, crevices and/or voids where these pests may harbor such as cracks and crevices in cabinets and pantries, wall voids, around window and door frames, and in machinery. Spot treatments may also be made to areas such as storage areas; closets; around water pipes, doors and windows; around refrigerators, cabinets, sinks, stoves and other equipment; shelves, drawers and similar areas.

DRAIN FLIES: Release approx. 1 – 2 sec of product into the drain basin.

FOOD HANDLING ESTABLISHMENTS

Food handling establishments are places other than private residences in which food is held, processed, prepared or served.

FOOD AREAS: Includes areas for receiving, storage, packing (canning, bottling, wrapping, boxing), preparing, edible waste storage and enclosed processing systems (mills, dairies, edible oils, syrups). Serving areas (when food is exposed and facility is in operation) are also considered food areas.

Apply as a Crack & Crevice treatment or spot treatment directly into cracks, crevices, voids or onto surfaces where insects harbor, nest, trail, run or hide. Use an injection tube or other Whitmire Micro-Gen equipment capable of delivering a pinstream. Apply to different elements of construction; between equipment and floor; openings leading to hollow spaces in walls, equipment legs and bases; and where insects hide or nest.

Reapplication may be made at 2 week intervals. Limit individual spot treatments to an area no larger than 2ft²/room.

NON-FOOD AREAS: Includes areas such as garbage rooms, lavatories, floor drains (to sewers), entries and vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, mop closets and storage areas (after canning or bottling).

Apply as a Crack & Crevice treatment or spot treatment to selected surfaces such as baseboards and under elements of construction.

INTERIOR / LIMITED EXTERIOR APPLICATION OF STRUCTURES AS A CRACK & CREVICE OR SPOT TREATMENT

FOR ACTIVE AND HIBERNATING STAGES OF ASIAN LADY BEETLES, BOXELDER BUGS, CLUSTER FLIES, ELM LEAF BEETLES, HONEY BEES, STINK BUGS, WASPS AND YELLOWJACKETS: Apply as a Crack & Crevice or spot treatment into cracks, crevices and/or voids where these insects may harbor, congregate or hibernate such as cracks and crevices, behind siding, wall voids, around window and door frames.

CARPENTER BEES: Locate entrance holes. Treat galleries through entrance holes. Seal bee entrances after application.

CRAWLING INSECTS (including Centipedes, Crickets, Earwigs, Pillbugs, Springtails): Apply as a Crack & Crevice or spot treatment into cracks and crevices where insects may enter premises or harbor such as weep holes, under siding, wall voids, soffits, around attic vents, cracks, crevices and openings around windows, doors and pipes, and exterior areas where utilities may enter the structure.

FLIES (House & Stable): Apply as a Crack & Crevice or spot treatment to areas where flies rest, congregate or enter the structure on both the exterior and interior. Apply around doors, windows, garages, garbage storage areas, upper corners of walls, ceiling areas, around sky lights, light fixtures and similar areas.

TERMITES (Subterranean): This product is for localized treatment only and is not designed as a stand alone treatment. It is designed to kill the termites it contacts during application and the ones that might return to the treated area. Inject into cracks, crevices and voids where termites are known or suspected. For wood treatment, drill a hole every 8 – 12" across the face of the board and inject 1 – 3 sec of product into the gallery. (Specialized equipment is required for this application). For treating carton, inject for 3 – 5 sec at several locations if possible.

STORAGE & DISPOSAL

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

PESTICIDE STORAGE: : Store this product in a cool, dry (preferably locked) place away from heat or open flame, in an area that is inaccessible to children and animals.

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

CONTAINER DISPOSAL: Do not puncture or incinerate! **If Empty:** Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency for disposal instructions.

Contains no CFCs or other ozone depleting substances.
Federal regulations prohibit CFC propellants in aerosols.



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.

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- 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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