


499-549

11/10/2011

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	U.S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Registration Division (7505P) 1200 Pennsylvania Ave., N.W. Washington, D.C. 20460		EPA Registration No. 499-549	Date of Issuance: NOV 10 2011
	NOTICE OF PESTICIDE: <input checked="" type="checkbox"/> Registration <input type="checkbox"/> Reregistration (under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended)		Term of Issuance: Conditional	
		Name of Pesticide Product: Whitmire Micro-Gen TC 309		
Name and Address of Registrant (include ZIP Code): Dana M. Thomas Product Regulatory Manager Whitmire Micro-Gen Research Laboratories, Inc. 3568 Tree Court Industrial Blvd. 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.				
<p>On the basis of information furnished by the registrant, the above named pesticide is hereby registered under the Federal Insecticide, Fungicide and Rodenticide Act.</p> <p>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.</p> <p>This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(a) provided that you:</p> <p>(See comments on pages 2-3)</p> <p>A copy of your label stamped "Accepted with Comments" is enclosed for your records.</p>				
Signature of Approving Official: Refer to Page 3 Richard J. Gebken, Product Manager Registration Division, Insecticide Branch			Date: NOV 10 2011	

EPA Form 8570-6

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), is acceptable subject to the comments listed below.

1. Make the following label changes:

- a. Revise the EPA Registration Number to read, "EPA Reg. No. 499-549"

Per the Agency's Acute Toxicity and Product Chemistry reviews (copies attached), you must add the following precautionary statement:

"HAZARDS TO HUMANS AND DOMESTIC ANIMALS
Contains Petroleum Distillate."

Also, add the following FIRST AID STATEMENT:

"FIRST AID

If swallowed: Immediately call a poison control center or doctor. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give any liquid to the person. Do not give anything by mouth to an unconscious person.

NOTE TO PHYSICIAN: Contains petroleum distillate. Vomiting may cause aspiration pneumonia.

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-xxx-xxxx for emergency treatment information."

Also, add the following statement immediately under the ingredient statement:
"This product contains petroleum distillate"

- b. Add the following statement to the Directions for Use section for 'Exterior Perimeter/Localized Interior (EP/LI)' on page 2-3: "This application is only intended for localized areas of existing or potential termite activity and must not be applied to indoor or outdoor surfaces for the purposes of general pest control, other than listed termite species."

- c. Revise all references throughout the label to food handling establishments to read 'nonfood areas of food handling establishments. Also, add the following statement: "Do not apply to voids in any equipment or machinery used in the storage, processing, or preparation of food."

Also, in the use sites, revise 'Food Handling Establishments' to read 'Nonfood areas of Food Handling Establishments.'

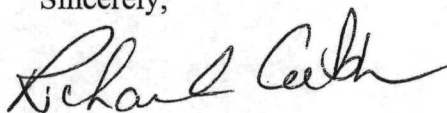
- d. After the last statement in the 'INFORMATION' paragraph, regarding application to trees and shrubs, add the following statement: Do not apply to trees or shrubs

used for growing fruit, nuts, vegetables, or other foods.

- e. After the last sentence in the 'OUTDOORS' section of the Directions for Use, add the following statement: "Do not apply this product in or on boats. Do not apply to areas of piers, bridges, or any other structures that may contact surface water bodies. Do not allow this product to contaminate or come into contact with surface waters through application or drift."
- 2. Because the packaging for this product is not certified as child resistant (CRP), the Agency's CRP policy requires that this product may only be sold in packages that contain 2.0 oz of product or less, and only as single unit packages.
- 3. Submit and/or cite all data required for registration/reregistration of your product when the Agency requires all registrants of similar products to submit data.
- 4. Within sixteen (16) months of the date on this Notice of Registration, provide to the Agency acceptable data packages for Guideline Studies as follows:
 - a. OPPTS 830.6317, (Storage Stability) and OPPTS 830.6320 (Corrosion Characteristics). If acceptable data is not submitted within 16 months of this NOR, this registration will expire on March 10, 2013.

Two copies of the finished labeling must be submitted prior to releasing the product for shipment. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records. If you have any questions, you may contact Clayton Myers, at (703) 347-8874, or via email at myers.clayton@epa.gov.

Sincerely,



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

Enclosures:

- Stamped Label
- Agency Acute Toxicity Review
- Agency Product Chemistry Review
- Agency Product Performance/Efficacy Review
- Agency Memorandum, Exposure/Risk Assessment for the Proposed Use of Fipronil Applied as a dry aerosol.
- Agency Memorandum, EFED evaluation for fipronil new product label, for Whitmire Micro-Gen TC-309

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Master Label

v1.0.2 (7/28/11; dmt)

[Text in this color may be print-restricted from the marketplace label.]

TC-309

[ALTERNATE BRAND NAME: Termidor® Dry Pressurized]

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: Termites* (including arboreal, drywood and subterranean)

FOR USE IN AND AROUND STRUCTURES AND OUTDOORS: Apartments, Homes, Furniture, Hotels, Motels, Hospitals and Nursing Homes (Non-patient Areas), Hobby Greenhouses, Interiorscapes, Office Buildings, Food Handling Establishments, Restaurants, Schools**, Supermarkets, Transportation Equipment (Buses, Boats, Cargo Trucks, Trailers, Ships, Trains), Warehouses, Other Commercial and Industrial Buildings and Other Wooden Articles

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

** Do not apply to classrooms when in use.

ACTIVE INGREDIENT:

Fipronil [5-amino-1-(2,6-dichloro-4-(trifluoromethyl)phenyl)-4-((1R,S)-(trifluoromethyl)sulfinyl)-1-H-pyrazole-3-carbonitrile]: 0.05%

OTHER INGREDIENTS: 99.95%

TOTAL: 100.00%

**ACCEPTED
with COMMENTS
In EPA Letter Dated:**

EPA Reg. No. 499-LUO EPA Est. No. 7969-MO-1

NOV 10 2011

KEEP OUT OF REACH OF CHILDREN

CAUTION/PRECAUCIÓN

Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No. 499-549

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).

[ALTERNATE TEXT: See side panel(s) for Precautionary Statements and Storage & Disposal]

NET CONTENTS: 2.0 oz

PRECAUTIONARY STATEMENTS

ENVIRONMENTAL HAZARDS

This product 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 avoid any and all drift or runoff. Do not contaminate water by disposal of wastes. Apply this product only as specified on this label.

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. Avoid drilling in areas near electrical wiring, plumbing, communication lines, etc. Do not apply directly into any electronic equipment such as radios, televisions, computers, etc. Do not apply where electrical short circuits might result, such as in wall outlets, conduits, motors, switch, etc.

DIRECTIONS FOR USE

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

SHAKE WELL BEFORE USING

INFORMATION

This product is a ready-to-use insecticide formulation containing fipronil. When dispensed, the formulation rapidly disperses into voids, carton, and insect galleries. It is designed to be placed into insect galleries, carton, voids, other wooden members of structures, landscaped timbers or trees where listed termites are active or suspected. Dispense 1 – 3 seconds of product per application depending on the size of the gallery, carton, harborage or void. For trees or larger voids, dispense 1 – 10 seconds per site. The highest rate is typically used for treating carton or large voids in trees. Wait 3 – 5 seconds before removing actuator tip after finishing application. This product can be applied in and around commercial and residential structures, voids, voids of structural elements in food handling establishments as well as structural and non-structural elements that are subject to attack by, or provide harborage to, termites. Applications can be made from the interior and/or exterior. Drilling of hole(s) may be required to access galleries or harborages. Treatment of insect harborages associated with trees, shrubs, utility poles, fences, bridges, landscape timbers, under slabs or other non-structural elements is permitted.

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

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This product can be used as a localized treatment for the control of existing infestations of listed termites as a supplemental treatment in a structural protection program. It should not be used as a stand-alone treatment for structural protection.

This product is not a substitute for soil applied termiticide treatment(s) beneath slabs or foundations. Do not treat soil with this product except in termite monitors or stations.

APPLICATION INSTRUCTIONS

TREATMENT OF GALLERIES, CARTON, HARBORAGES, SHELTER TUBES OR VOIDS: Apply 1 – 3 seconds of product per injection.

Drilling of 1 or more hole(s) may be required to gain access to the known or suspected gallery, carton, harborage or void to adequately treat. This treatment is intended for localized termite infestations only. Place injector tip into opening of gallery, carton, harborage or void and inject for 1 – 3 seconds. For trees or larger voids, dispense 1 – 10 seconds per site. Wait 3 – 5 seconds before removing injector tip after finishing application. Wipe up any product on an exposed surface.

This treatment is intended for localized termite infestations only. The purpose of such applications is to kill termites which may be present in the treated channels at the time of treatment or reenter the area at a later date. Such applications are intended as supplemental treatment to, but not a substitute for, mechanical alteration, soil treatment, or foundation treatment. For active termite infestations, get a professional inspection.

INDOORS

TERMITES [Arboreal, Drywood and Subterranean (*Coptotermes*, *Reticulitermes*, *Heterotermes* and *Zootermopsis*): Use in areas where termites are known or suspected. Apply product to termite galleries, carton, shelter tubes, damaged wood, trees and harborages between structural elements or within voids. For galleries and carton areas, it is recommended to make multiple, smaller applications that cover more of the termite foraging/active area.

Locations for indoor treatment may include areas associated with unexposed wooden elements inside wall voids, in and around bath traps, shower voids, pipe chases, utility penetrations and other probable sites of termite entry or harborage.

OUTDOORS

Locations for outdoor treatments may include exterior wooden elements associated with bridges, decks, fencing, landscape timbers, wooden retaining walls, tree voids, behind siding, damaged wood, in spaces between wooden elements of a structure, furniture or other wooden structures, junctions between wood and foundations and voids associated with buildings.

TERMITES HARBORING IN TREES, SHRUBS, STUMPS, UTILITY POLES, SLABS, LANDSCAPE TIMBERS AND FENCES: Drill hole(s) in areas of suspected termite activity. It may be necessary to drill multiple holes around the circumference of the tree, shrub, stump or utility pole and at varying heights to adequately treat the nest or gallery system. For termites found in a tree, make a localized treatment approx. every 3 – 6" around the tree trunk above the reach of children and pets. For fences and landscape timbers, treat voids and galleries where termites are active or suspected.

TREATMENT OF WHITMIRE MICRO-GEN OR BASF APPROVED TERMITE MONITORS: For use with Advance® [or brand name TBD] Above Ground Stations, Reveal™ Termite Monitors and Advance [or brand name TBD] in Ground Stations or other WMG or BASF approved termite stations. Use only when toxicant containing bait is not used. Remove monitoring cartridge if in station. Apply into void areas of station for 1 – 2 seconds. After application, return monitoring cartridge or other components to the station. Do not directly treat the station housing. Treat in such a manner that the product does not blow back out of the station.

EXTERIOR PERIMETER/LOCALIZED INTERIOR (EP/LI)

This product can be used as a preventative or curative interior structural void treatment for listed termites when applied in conjunction with an Exterior Perimeter/Localized Interior (EP/LI) termiticide treatment with Termidor® SC Termiticide/Insecticide, Termidor 80WG Termiticide/Insecticide, or other Termidor products [alt. lang. product containing fipronil] labeled for EP/LI application and approved by Whitmire Micro-Gen or BASF. Targeted interior application(s) may be made to galleries or known infestations[, or vulnerable areas such as voids associated with plumbing/utility lines penetrating floors, bath and/or shower voids, expansion joints and/or settlement cracks, wall voids and other voids of probable or potential termite entry].

STORAGE & DISPOSAL

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

PESTICIDE STORAGE: Store in a cool area away from heat or open flame.

PESTICIDE DISPOSAL: Waste 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! Empty container by using the product according to the label directions. **If empty:** Offer container for recycling, if available, or place in trash if allowed by state and local regulations. **If partly full:** Contact your local solid waste agency for disposal instructions.

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



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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.
by BASF Corporation
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Questions? Call 1-800-777-8570

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