

3282-102

09-03-2010

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U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (7505C)
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

EPA Reg. Number:
3282-102

Date of Issuance:
SEP 03 2010

NOTICE OF PESTICIDE:
 Registration
 Reregistration

(under FIFRA, as amended)

Term of Issuance:
Conditional

Name of Pesticide Product:
d-CON[®] Bait Station XI

Name and Address of Registrant (include ZIP Code):

Hal Ambuter
Reckitt Benckiser Inc.
399 Interpace Parkway
Parsippany, NJ 07054

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 section 3(c)(7)(A) provided that you:

1. Submit and/or cite all data required for registration/reregistration/registration review of your product, EPA Reg. No. 3282-102, when the Agency requires all registrants of similar products to submit such data.
2. Make the following label changes before you release the product for shipment:
 - a. Revise the EPA Registration Number to read, "EPA Reg. No. 3282-102."

Signature of Approving Official:

John Hebert, Product Manager (07)
Insecticide-Rodenticide Branch, Registration Division (7505P)

Date:

SEP 03 2010

b. Place “**This Bait Station is Resistant to Weather and to Tampering by Children and Dogs. For Use Indoors and Outdoors.**” in bold, immediately under the product name d-CON Bait Station XI and directly above “Kills Mice”.

c. Revise “**KEEP OUT OF REACH OF CHILDREN**” located on the outer carton front label to state “**KEEP BAIT STATION REFILLS OUT OF REACH OF CHILDREN**”.

d. Use the following modified child hazard warning statement on the bait station label: “**DO NOT ALLOW CHILDREN OR PETS TO PLAY WITH BAIT STATION**”.

e. Bold “*Important*” preceding “*For Directions for Use...1819.*”

f. Add “*Use only for the sites, pests, and application methods described on this label.*” at the end of **READ THIS LABEL**.

g. Add “*Do not apply further than 50 feet from home or building.*” after “...indicated on this label.” in the **USE RESTRICTIONS** section.

h. Revise the sentence “*Replace bait station if contents...*” in the **TO CONTROL HOUSE MICE** section to read “*Wearing gloves, replace bait in bait station if contents...*”.

i. Revise the **CAUTION** statement in the **Hazards to Humans and Domestic Animals** to state:

CAUTION: “*May be harmful if swallowed. Keep away from humans, domestic animals, and pets. All handlers (including applicators) must wear gloves. Any person who retrieves carcasses, exposed bait, or bait station following application of this product must wear gloves.*”

j. Remove “*Use only to control house mice in homes. Do not place bait in areas where there is a possibility of contaminating food or surfaces that come in direct contact with food.*”

k. Revise the **ENVIRONMENTAL HAZARDS** statement to read: “*This product is extremely toxic to mammals, birds, and other wildlife. Dogs and other predatory and scavenging mammals and birds might be poisoned if they feed upon animals that have eaten this bait. Do not apply directly to water.*”

l. Remove “*Do not contaminate water, food, feed by storage or disposal*” from the **STORAGE AND DISPOSAL** section as this is not required for household products.

m. Revise the **PESTICIDE DISPOSAL** section to read “**PESTICIDE DISPOSAL AND CONTAINER HANDLING:** Nonrefillable container. Do not reuse or refill this container. **If empty:** Place in trash or offer for recycling if available. **If partially filled:** Place in trash or call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.”

n. Add “*This bait station can only be refilled with the bait blocks sold with this station.*” to the label affixed to the bait station.

o. The following claims are not allowed and must be removed:

- *Can kill in multiple feedings. House mice usually consume a lethal dose within three feedings. First deaths appear within 4-5 days of initial feeding.*

- *House mice usually consume a lethal dose within three feedings. First deaths appear within 4-5 days of initial feeding.*

- *New child (and dog) proof design*

p. Please modify the following claims:

- *Can be used in tight places around the home* must be accompanied by a pictogram
- *Clear window let you know when to dispose it* to read *“Clear window lets you know when to replace bait or dispose of bait station”*

- *“Contains bait block”* to *“Bait block contained in each station”*

- *“Contains bait blocks – no pellets!”* to *“Bait block contained in each bait station – no pellets!”*

- *“Easily fits behind (most) furniture (appliances)(in home)”* to read *“Fits behind some furniture/appliances in label permitted locations.”*

- *“Fits in almost any corner”* to read *“Designed to fit in corners, indoors and outdoors, at locations specified in USE RESTRICTIONS in DIRECTIONS FOR USE.”*

- *Preloaded (bait station)(Ready to use)* to read *“Preloaded (Ready to use)bait station with bait refills included”*

- *Prebaited - Ready to use* to read *“Prebaited – Ready to use bait station with bait refills included”*

- Remove the parentheses from *“(when placing station)”* in the claim *“No need to touch (the) bait (when placing station)”*

- Remove the parentheses from *“New bait (station)”* so *“station”* is not an optional statement.

- Remove the parentheses around *“bait station”* in *“Preloaded (bait station) (Ready to use)”* so *“bait station”* is not an optional statement.

- Remove parentheses around *“Bait Station”* in *“Refillable (Bait)(Station)(with)(contains)(Bait)”* and add *“refills”* after *“(Bait)”* so it reads *“Refillable Bait Station (with)(contains)bait refills”*

- *Use in tight places (spaces)* must be accompanied by a pictogram

3. Include hands wearing gloves in the pictograms illustrating the refill directions.

4. Storage stability (830.6317) and corrosion characteristics (830.6320) data must be submitted within 18 months of the date of this notice.

5. As stated in 40CFR156.140(a)(4), a batch code must be included on the label or package for container and containment for nonrefillables.

6. **Note:** Should you wish to retain a reference to the company's website on your label, please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, **regardless of whether a website is referenced on your product's label**, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance Assurance.

7. The Confidential Statement of Formula (CSF) dated February 10, 2010 is acceptable.

8. After the changes noted above are instituted, this product will be in full compliance with the Agency's revised May 28, 2008 "*Risk Mitigation Decision for Ten Rodenticides*".

9. Submit one copy of the revised final printed label for the record before you release the product for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions. If you have any questions regarding this notice, please contact Jennifer Gaines at (703) 305-5967 or via e-mail, gaines.jennifer@epa.gov.

A stamped copy of the label is enclosed for your records.

John Hebert
Product Manager (07)
Insecticide-Rodenticide Branch
Registration Division (7505P)

Enclosure

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OUTER CARTON FRONT LABEL

ACCEPTED
with COMMENTS
In EPA Letter Dated
SEP 03 2010
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
3282-102

**d-CON®
Bait Station XI**

KILLS MICE {only for use on front panel in close proximity to picture of house mouse}

This Bait Station is Resistant to Weather and to Tampering by Children and Dogs. For Use Indoors and Outdoors.

KEEP OUT OF REACH OF CHILDREN

CAUTION:

Read additional precautionary statements on back (side) panel.

ACTIVE INGREDIENT:

Diphacinone
(2-Diphenylacetyl-1, 3-Indandione)..... 0.005%

OTHER INGREDIENTS:..... 99.995%

TOTAL..... 100.00%

EPA Reg. No.: 3282-XX
EPA Est. No.: 67517-MO-1
87201-MEX-001

Contains: X Refillable Bait (Stations) and X Refill(s) (Bait)(Blocks)

(Net Contents:) X OZ. (X g)

(Patent Pending)

OUTER CARTON BACK LABEL

Important: For Directions for Use and First Aid instructions in Spanish, please call 1-866-648-1819

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

READ THIS LABEL: Read this entire label and follow all use directions and use precautions.

USE RESTRICTIONS: Use only to control house mice. This bait station may be used in and around (within 50 feet of) homes accessible to children and pets, consistent with all use restrictions and other requirements indicated on this label.

Do not place bait in areas where there is a possibility of contaminating food or surfaces that come into direct contact with food.

Use only to control house mice in homes. Do not place bait in areas where there is a possibility of contaminating food or surfaces that come in direct contact with food.

SELECTION OF TREATMENT AREAS:

Determine areas where house mice will most likely find and consume the bait. Generally, these are along walls, by gnawed openings in corners and concealed places or in locations where there are signs of house mice.

TO CONTROL HOUSE MICE:

1. Remove the bait station from the carton
2. Placement: Place along walls or in corners with the entrance holes exposed.

Place bait stations at 8- to 12- foot intervals in appropriate locations in infested areas, as specified on this label. Make sure that mouse entrance holes are exposed.

Maintain stations for a minimum of 15 days or as long as activity persists. Replace bait station if contents have been consumed, damaged, or if bait is exposed. If bait is not touched after 3 days, move station to a new location where mouse activity is evident. Wearing gloves, collect and dispose of all dead animals and leftover bait properly as specified on this label. To discourage reinfestation, limit sources of rodent food, water and harborage as much as possible. If reinfestation does occur, repeat treatment.

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To Refill {pictograms may be added to illustrate each step}

You will need both hands to open the station.

1. Find the latch on the underside of the station and the top button.
2. Using one hand, pull the bottom latch fully in the direction shown by the arrow with your index finger and fully press the button on top of the station with your thumb.
3. While still pulling on the bottom latch and pressing the top button, swing the window open with your other hand.
4. Wearing gloves, remove a new bait block from its (packaging) (wrapping).
5. Place the new bait block into the station ensuring that the peg goes through the hole in the bait block. Press block firmly into the station.
6. Close the station by swinging the window back into place until a click is heard.
7. Wash hands thoroughly.

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PRECAUTIONARY STATEMENTS:

Hazards to Humans and Domestic Animals

CAUTION: May be harmful if swallowed. Keep away from humans, domestic animals and pets. Wear gloves when handling bait station or animals. Wash hands with soap and water after handling bait station.

FIRST AID	
If Swallowed:	<ul style="list-style-type: none">• 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 do so by the Poison Control Center or doctor.
TREATMENT FOR PET POISONING If animal eats bait, call veterinarian at once.	
NOTE TO PHYSICIAN OR VETERINARIAN Contains the anticoagulant Diphacinone. If swallowed, this material may reduce clotting ability of the blood and cause bleeding. For humans or animals ingesting bait and/or showing poisoning signs (bleeding or elevated prothrombin times), give Vitamin K1.	
CONTACT NUMBER	
In case of emergency, call toll free 1-800-228-4722. Have the product container or label with you when calling a Poison Control Center or doctor, or going for treatment.	

ENVIRONMENTAL HAZARDS: This product is toxic to fish, birds and wildlife. Predatory and scavenging mammals and birds might be poisoned if they feed upon animals that have eaten this bait. Do not apply directly to water.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in original container in a dry place inaccessible to children and pets.

PESTICIDE DISPOSAL: This is a refillable container. Only use the refills supplied with this container. Do not reuse this container for any other purpose. **If empty,** place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency for disposal instructions. Never place any unused product down any indoor or outdoor drain.

NOTICE TO BUYER AND USER: Buyer and user assume all responsibility for safety and risk associated with any use not in accordance with directions. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, SELLER SHALL NOT BE LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT AND SELLER'S SOLE LIABILITY AND BUYER'S AND USER'S EXCLUSIVE REMEDY SHALL BE LIMITED TO THE REFUND OF THE PURCHASE PRICE.

Questions? {telephone icon} Call 1-800-228-4722

For ingredient (and other) information, www.rbnainfo.com

Distributed by: Reckitt Benckiser, Inc.

Parsippany, NJ 07054-XXXX

(Made in USA) (Assembled in USA) (Components from USA and Mexico)

RBI © [date]

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LABELING FOR STATION

ACTIVE INGREDIENT:

Diphacinone
(2-Diphenylacetyl-1, 3-Indandione) 0.005%

OTHER INGREDIENTS: 99.995%

TOTAL 100.00%

(Net Contents:) X OZ. (X grams)

EPA Reg. No.: 3282-xxx
EPA Est. No.: 67517-MO-1
87201-MEX-001

Keep out of reach of children

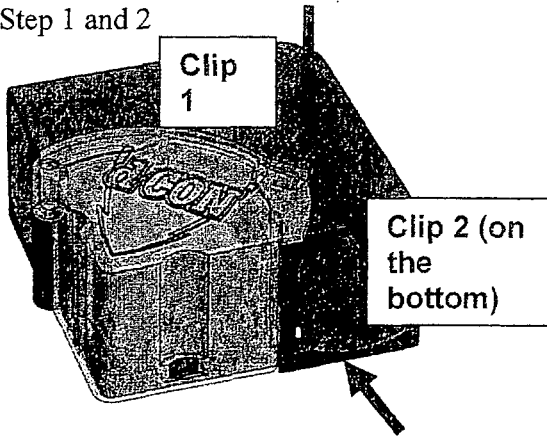
CAUTION: This product is an anticoagulant type of rodenticide. If swallowed, call a physician or veterinarian. See outer package label for additional precautionary statements, first aid information and directions for use.

**This Bait Station is Resistant to Weather and to Tampering by Children and Dogs.
For Use Indoors and Outdoors.**

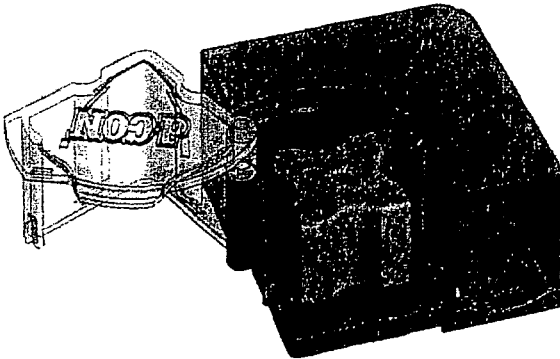
Questions? {telephone icon} 1-800-228-4722
For ingredient (and other) information, www.rbnainfo.com
Distributed by: Reckitt Benckiser, Inc.
Parsippany, NJ 07054-XXXX
(Made in USA) (Assembled in USA) (Components from USA and Mexico)
RBI © [date]

{OPTIONAL PICTOGRAMS ILLUSTRATING REFILL DIRECTIONS}

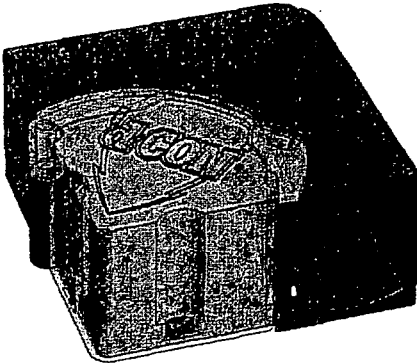
Step 1 and 2



Step 4 and 5



Step 6



Optional Marketing Claims (Front or Back or Side Panel)

Can be used indoors or outdoors
Can Kill in multiple feedings. House mice usually consume a lethal dose within three feedings. First deaths appear within 4-5 days of initial feeding.
Compact design
Contains Bait Block
Contains bait blocks – no pellets!
Contains Bitrex®
Control house mouse problems (now)
Corner Fit™
Guaranteed to kill (Satisfaction Guaranteed or your Money back)
Helps reduce house mouse problems
House mice usually consume a lethal dose within three feedings. First deaths appear within 4-5 days of initial feeding.
Kills house mice
Low profile bait station
No need to touch (the) bait when placing station
Preloaded (bait station) (Ready to use)
Prebaited - Ready to use
Refillable (Bait) (Station) (with) (contains) (Bait)
(x) Refillable Bait Stations
(x) Refill(s) (Bait) (Blocks)
Refillable Bait Station + X Refills
Pre-Baited Bait Station + X Refills
(x) (Refillable) Bait Station(s)
X Refills + X Refillable Bait Station(s)
Satisfaction Guaranteed or your money back

Optional Marketing Claims with Pictograms

{The following claims can be used in conjunction with a pictogram.}

Clear window lets you know when to dispose it
Compact design
Low profile bait station
Mice go in, eat the bait, mice go out
Refillable
Window shows how much bait is left

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Optional Marketing Claims with Pictograms & Qualifier

{The following claims can be used in conjunction with a pictogram.}

- Can be used in tight places around the home
- Directions for use: {pictograms showing use sites}
- Easily fits behind (most) furniture (appliances) (in home)
- Fits in almost any corner
- Use inside (in) (cabinets) (closets) (garages) (attics)
- Use under (between) (appliances)
- Use inside (in) cabinets and (or) under (between) appliances
- Use in tight places (spaces)
- Window shows how much bait is left

{The following qualifier statement must appear on the same panel and in close proximity to the above claims and pictograms}

Must adhere to the Use Restrictions in the Directions for Use section of this label.

6 Month Introductory Claims (only for use for the first 6 months of commercialization)

- New
- New Bait Refill Design
- New Bait Station
- New Design
- New (Disposable) Bait Station Design
- New & Improved Bait Station
- New (Refillable) (Bait Station) Design

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Optional Marketing Claims with Pictograms & Qualifier

{The following claims can be used in conjunction with a pictogram.}

- Can be used in tight places around the home
- Directions for use: {pictograms showing use sites}
- Easily fits behind (most) furniture (appliances) (in home)
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- Use inside (in) (cabinets) (closets) (garages) (attics)
- Use under (between) (appliances)
- Use inside (in) cabinets and (or) under (between) appliances
- Use in tight places (spaces)
- Window shows how much bait is left

{The following qualifier statement must appear on the same panel and in close proximity to the above claims and pictograms}

Must adhere to the Use Restrictions in the Directions for Use section of this label.

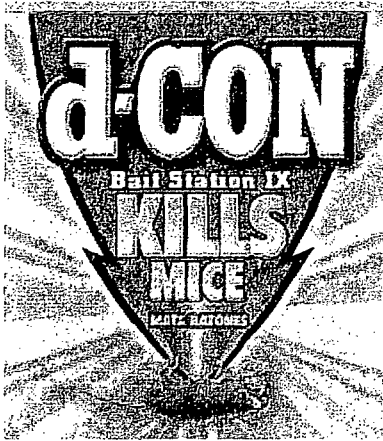
6 Month Introductory Claims (only for use for the first 6 months of commercialization)

- New
- New Bait (Station)
- New Bait Refill Design
- New & Improved Bait Station
- New Design
- New (Refillable) (Bait Station) Design
- New Child (and Dog) Resistant Design
- New Child (and Dog) Proof Design

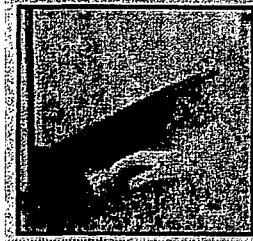
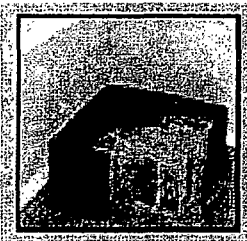
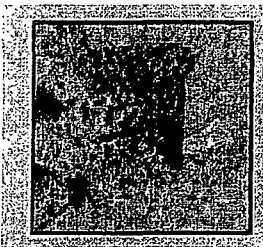
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OPTIONAL PICTOGRAMS

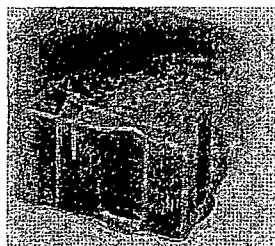
Front panel graphic of brand name with “kills mice” claim



Optional pictograms showing use sites and directions for use:



Optional pictogram for “Window shows how much bait is left”



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Optional pictogram for “mice go in, eat the bait, mice go out”

