

7969-212

1-14-2008

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

OFFICE OF  
REGISTRATION, PESTICIDES AND  
TOXIC SUBSTANCES

JAN 14 2008

Mr. Daniel J. O'Byrne  
Product Registration Manager  
BASF Corporation  
26 Davis Drive  
Research Triangle Park, NC 27709-3528

RE: Notification of Changes to Final Print Packages  
EPA Registration Number: 7969-212  
Date of Submission: December 11, 2007

Dear Mr. O'Byrne:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated December 11, 2007, for the product, H&G 61748A Fipronil Insecticide). 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, please call me directly at 703-305-6249 or Joyce Edwards of my staff at 703-308-5479.

Sincerely,

*Linda Arrington*  
for Linda Arrington

Notifications & Minor Formulations Team Leader  
Registration Division (7505P)  
Office of Pesticide Programs



United States  
**Environmental Protection Agency**  
 Washington, DC 20460

Registration  
 Amendment  
 Other

OPP Identifier Number

2/11

**Application for Pesticide - Section I**

1. Company/Product Number 7969-212	2. EPA Product Manager Mr. Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Over'n Out (Primary Name: H&G 61748A Fipronil Insecticide)	PM# 10	
5. Name and Address of Applicant (Include ZIP Code) BASF Corporation 26 Davis Drive, P.O. Box 13528 Research Triangle Park, NC 27709-3528 <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 _____	<b>NOTIFICATION</b>  JAN 14 2008
<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.)

Notification of new 12.5 pound net contents size. Stated coverage area per package is changed to 6,250 square feet to reflect the new net contents. A "25% More Free" marketing offer is also added to the label.

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

**Section - III**

1. Material This Product Will Be Packaged In:					
Child-Resistant Packaging <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input checked="" 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 checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 10, 12.5, 20 and 25 pounds		5. Location of Label Directions <input type="checkbox"/> Container	
6. Manner in Which Label is Affixed to Product <input checked="" 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 Daniel J. O'Byrne	Title Product Registration Manager	Telephone No. (Include Area Code) 919-547-2657
<b>Certification</b> 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 Registration Manager	
4. Typed Name Daniel J. O'Byrne	5. Date Dec. 11, 2007	



United States  
**Environmental Protection Agency**  
 Washington, DC 20460

Registration  
 Amendment  
 Other

OPP Identifier Number

3/11

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**Section - II**

Amendment - Explain below.  
 Resubmission in response to Agency letter dated \_\_\_\_\_  
 Notification - Explain below.

Final printed labels in response to Agency letter dated \_\_\_\_\_  
 "Me Too" Application.  
 Other - Explain below.

**NOTIFICATION**

JAN 14 2008

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

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* 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  
 Label  Container

4. Size(s) Retail Container  
10, 12.5, 20 and 25 pounds

5. Location of Label Directions  
 Container

6. Manner in Which Label is Affixed to Product  
 Lithograph  
 Paper glued  
 Stenciled  Other \_\_\_\_\_

**Section - IV**

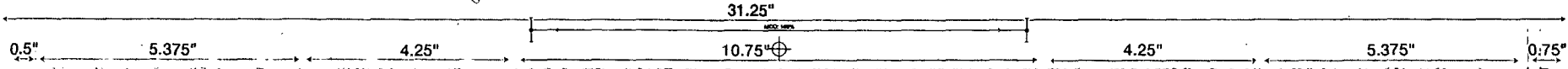
1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name Daniel J. O'Byrne	Title Product Registration Manager	Telephone No. (Include Area Code) 919-547-2657
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**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.

2. Signature 	3. Title Product Registration Manager	6. Date Application Received (Stamped)
4. Typed Name Daniel J. O'Byrne	5. Date Dec. 11, 2007	



**Over'n Out!**  
Fire Ant Killer Granules  
Easy & Quick To Apply  
Fácil y rápido de aplicar

**Sevin**  
GARDENTECH

# Over'n Out!

## Fire Ant Killer Granules

**One Application Provides Season Long Control!**  
**Kills the Queen and the Colony**  
**Long Lasting Residual Action**  
**Prevents New Mounds From Forming**  
**Covers 6,250 Sq. Ft.**

**Sevin**  
GARDENTECH

**Over'n Out!**  
Fire Ant Killer Granules

**Sevin**  
GARDENTECH

31.25"

10.75"

4.25"

5.375"

0.5"

0.75"

2.75"

19"

**Sevin**  
GARDENTECH

**Over'n Out!**  
Fire Ant Killer Granules

**Sevin**  
GARDENTECH

Seal area No copy

Gusset fold line

Centre line of the package

Centre line of the package

Centre line of the package

Centre line of the package

FIN SEAL AREA

Area covered by fin seal

**25% More**  
**Residual**

**RECOMMENDATIONS FOR USE**

Use in a dilution of Federal Lethal I to one (1) pound in a quart (1 quart) of water. Do not exceed 1 quart of water per quart of product.

**FOR USE ON DOMESTIC USE**

The product may be used on the following: Ants, Beetles, Fleas, Flies, Mosquitoes, Spiders, Ticks, and other household pests.

**FOR USE ON FOREST AND**

Use in a dilution of Federal Lethal I to one (1) pound in a quart (1 quart) of water. Do not exceed 1 quart of water per quart of product.

Ant Species	Application Rate (lb/1000 sq ft)	Application Rate (lb/1000 sq ft)
Formicid	1.0	1.0
Lasius	1.0	1.0
Monomorium	1.0	1.0
Pogonomyrmex	1.0	1.0
Solenopsis	1.0	1.0
Tetraponera	1.0	1.0
Other	1.0	1.0

**CAUTION**

Keep out of reach of children.

Use only as directed on the label.

Do not use in areas where children or pets play.

Do not use in areas where food is stored.

Do not use in areas where food is prepared.

Do not use in areas where food is served.

Do not use in areas where food is consumed.

Do not use in areas where food is stored, prepared, served, or consumed.

**KEEP OUT OF REACH OF CHILDREN**

**PRECAUCION**

NET WEIGHT 12.5 lbs. (5.67 kg)

PESO NETO 12.5 LIBRAS (5.67 kg)

**NOTIFICATION**

JAN 14 2008

Lowes

DATE: 1/14/08

TIME: 10:00 AM

LOCATION: 10000

SALES: 10000

AMOUNT: 10000

TOTAL: 10000

NET: 10000

GROSS: 10000

DATE: 1/14/08

TIME: 10:00 AM

LOCATION: 10000

SALES: 10000

AMOUNT: 10000

TOTAL: 10000

NET: 10000

GROSS: 10000

1 1/4"

AVT POSITION

FIN SEAL AREA

# Over 'n Out!

## Fire Ant Killer Granules

Easy & Quick To Apply  
Fácil y rápido de aplicar

### 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.

### FOR USE ON DOMESTIC TURF

This product may be used only in the following states: Alabama, Arkansas, California, Florida, Georgia, Louisiana, Mississippi, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Puerto Rico.

### GENERAL INFORMATION

Over 'n Out!® Fire Ant Killer Granules controls imported fire ants in residential lawns. To control other insect pests that may be present such as mole crickets, fleas, ticks, and chinch bugs you may use Sevin® brand Granular Carbaryl insecticide. Fire ants begin to die within 7-14 days. Control can be expected in as little as three weeks. Apply anytime that fire ants are active. Water in immediately after application. NOT FOR USE in vegetable gardens, pastures or animal (livestock) grazing areas.

### SPECIFIC USE DIRECTIONS

Make application with broadcast or drop spreader to your entire lawn to prevent imported fire ants from establishing and/or to control existing populations. Measure your lawn to calculate the square feet (= Length X Width of lawn area) and evenly distribute Over 'n Out!® Fire Ant Killer Granules across the entire lawn. Apply at a rate of 2 pounds per 1,000 square feet (a 12.5 pound bag will treat 6,250 square feet). Apply water to treated area immediately after application. Do not make more than one application per year.

### TO CONTROL FIRE ANTS IN YOUR YARD:

Apply Over 'n Out!® Fire Ant Killer Granules to control fire ants in the treated area for up to one season. Fire ants begin to die within 7-14 days. Control can be expected in as little as three weeks. Follow the above use directions and water in immediately after application.

### TO PREVENT FIRE ANT MOUNDS FROM FORMING:

Apply a broadcast treatment when fire ants are active, to kill the fire ants including the queen and to prevent new mounds from forming for the entire season.

### FIRST AID

IF ON SKIN OR CLOTHING	<ul style="list-style-type: none"> <li>Take off contaminated clothing.</li> <li>Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>
IF SWALLOWED	<ul style="list-style-type: none"> <li>Call a poison control center or doctor immediately for treatment advice.</li> <li>Have person sip a glass of water if able to swallow.</li> <li>Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>Do not give anything by mouth to an unconscious person.</li> </ul>
IF IN EYES	<ul style="list-style-type: none"> <li>Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eyes.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>

Have product container or label with you when calling a poison control center or doctor or going for treatment.

NOTE TO PHYSICIANS: There is no specific antidote. All treatment should be based on observed signs and symptoms of distress in the patient.

### Spreader Settings for Lawn Applications at Label Rates /

Ajuste de esparcidoras para la aplicación sobre céspedes en proporciones de la etiqueta  
(to apply 2 lbs. of product per 1000 sq. ft. of lawn / para aplicar 0.9 kilogramos de producto por cada 93 metros cuadrados de césped)

BROADCAST SPREADERS / ESPARCIDORAS POR VOLEO	SETTINGS / AJUSTE	DROP SPREADERS / ESPARCIDORAS DE RIEGO	SETTINGS / AJUSTE
Cyclone® Rotary	2.0	K-Gro® Drop	2.25
Earthway Rotary	6.0	Ortho® Drop	2.25
Ev-N-Spred®	6.0	Republic® E-Z Drop®	2.25
K-Gro® Rotary	0.75	Scotts® AccuGreen® 1000	3.00
Ortho® Rotary	0.75	Scotts® AccuGreen® 2000	3.00
Precision® Rotary (#SB50)	1.50	Scotts® AccuGreen® 3000	3.00
Red Devil® Rotary	1.50	Scotts® Drop®	
Republic EZ Rotary	0.75	(#PF1, PF2, PF3, PF4)	3.00
Scotts® Speedygreen® 2000	2.12	Sears® Drop	2.25
Scotts® Speedygreen® 3000	2.12	Scott's Standard Rotary	2.12
Sears® Rotary	0.75	Scott's Basic Broadcast	2.12
True Temper® Rotary	1.50		

FIN SEAL AREA

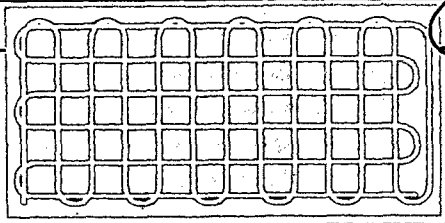
MICRO DOT

5/11

Scott's Standard Rotary	2.12	Scott's Standard Rotary	2.12
Sears® Rotary	0.75	Scott's Basic Broadcast	2.12
True Temper® Rotary	1.50		

6/11  
2

A crisscross spreading pattern of application is recommended as indicated here  
 Se recomienda un patrón de aplicación entrecruzado como el que se indica aquí



**INSTRUCCIONES DE USO**

El uso de este producto de una manera inconsistente con su etiqueta constituye una violación de las leyes federales. Antes de usar este producto, lea toda la etiqueta.

**PARA USO EN CESPEDS DOMESTICOS**

Este producto sólo puede ser usado en los siguientes estados: Alabama, Arkansas, California, Carolina del Sur, Florida, Georgia, Louisiana, Mississippi, Nuevo México, Carolina del Norte, Oklahoma, Tennessee, Texas y Puerto Rico.

**INFORMACION GENERAL**

Los gránulos mata-hormigas rojas Over 'n Out!® controlan la hormiga roja importada ("fire ants") en céspedes residenciales. Para controlar otras plagas que pueden estar presentes, tales como grillos topo, pulgas, garrapatas y chinches, puede usar el insecticida Granular Carbaryl® Sevin®. Las hormigas rojas comienzan a morir al cabo de 7 a 14 días. En tan sólo tres semanas se puede esperar un control total. Aplique el producto durante la primavera y riegue inmediatamente después de la aplicación. NO DEBE USARLO en huertos, pasturas ni áreas de pastoreo de ganado.

**INSTRUCCIONES DE USO ESPECIFICAS**

Aplique el producto con una esparcidora de voleo o de riego, cubriendo la totalidad del césped, para prevenir que las hormigas rojas importadas se establezcan y/o para controlar las poblaciones existentes. Tome las medidas necesarias para calcular el área de césped en pies cuadrados (= Longitud x Ancho del área de césped) y distribuya uniformemente gránulos mata-hormigas rojas Over 'n Out!® en todo el césped. Aplique en una proporción de 0.9 kilogramos por cada 93 metros cuadrados (una bolsa de 5.67 kilogramos alcanzará para 581 metros cuadrados). Riegue el área tratada inmediatamente después de la aplicación.

**PARA CONTROLAR LAS HORMIGAS ROJAS EN SU PATIO:**

Aplique gránulos mata-hormigas rojas Over 'n Out!® durante la primavera para controlar las hormigas en el área tratada durante toda la temporada. Las hormigas rojas comienzan a morir al cabo de 7 a 14 días después del tratamiento y se puede esperar que haya control al cabo de 6 semanas.

**PARA PREVENIR LA FORMACION DE HORMIGUEROS DE HORMIGA ROJAS:**

Al comienzo de la primavera, cuando el clima es más fresco y las hormigas rojas están hibernando, aplique el producto a través del tratamiento por voleo con el fin de evitar que proliferen durante el resto de la primavera.

**PRIMEROS AUXILIOS**

EN CASO DE CONTACTO CON LA PIEL O LA ROPA:	<ul style="list-style-type: none"> <li>• Quitarse la ropa contaminada.</li> <li>• Lavar la piel inmediatamente con abundante agua durante 15 - 20 minutos.</li> <li>• Llamar a un centro de control de intoxicaciones o a un médico para obtener asistencia.</li> </ul>
EN CASO DE INGESTION:	<ul style="list-style-type: none"> <li>• Llamar a un centro de control de intoxicaciones o a un médico para obtener asistencia.</li> <li>• Hacer que la persona tome sorbos de un vaso con agua, si puede tragar.</li> <li>• No inducir el vómito a menos que así lo determine un centro de control de intoxicaciones o un médico.</li> <li>• No suministrar nada por vía oral a una persona inconsciente.</li> </ul>
EN CASO DE CONTACTO CON LOS OJOS:	<ul style="list-style-type: none"> <li>• Mantener el ojo abierto y lavar suave y lentamente con agua durante 15 - 20 minutos. Retirar los lentes de contacto, si los hay, después de los primeros 5 minutos y luego continuar con el lavado.</li> <li>• Llamar a un centro de control de intoxicaciones o a un médico para obtener asistencia.</li> </ul>
<p>Al llamar a un centro de control de intoxicaciones, a un médico o al acudir para un tratamiento, tenga consigo el contenedor del producto o su etiqueta.          NOTA PARA EL MEDICO: no hay un antídoto específico. Todo tratamiento se debe basar en los síntomas y señales de malestar del paciente.</p>	



is a registered trademark of Gulfstream Home & Garden, Inc.

Distributed by: TechPac, LLC  
 P.O. Box 24830, Lexington, KY 40524

Sevin® is a registered trademark of Bayer Environmental Science

Over 'n Out® is a registered trademark of TechPac, LLC.

3

**25% MORE FREE!**

**GUARANTEED  
FIRE ANT CONTROL**  
GARANTIZADO  
CONTROL DE INSECTICIDAS  
from the makers of / por los fabricantes de  
**Sevin**  
GARDENTECH®

**GARDENTECH®**

# OVER THE TOP

## Fire Ant Killer Granules



- One Application Provides Season Long
  - Kills the Queen and the Colony
  - Long Lasting Residual Action
  - Prevents New Mounds From Forming
  - Covers 6,250 Sq. Ft.
- ¡Una aplicación proporciona control para toda la temporada! • Elimina la reina y la colonia • Acción residual de duración prolongada • Previene la formación de nuevos hormigueros • Cubre hasta 581 metros cuadrados

**GARDEN OF EDEEN**  
**Over'n Out!**  
**Fire Ant Killer Granules**

**ACTIVE INGREDIENT / INGREDIENTE ACTIVO:**

\*Fipronil: 5-amino-1-(2, 6-dichloro-4-(trifluoromethyl)phenyl)-4-((1,R,S)-(trifluoromethyl)sulfinyl)-1H-pyrazole-3-carbonitrile /  
 \*Fipronil: 5-amino-1-(2, 6-dichloro-4-(trifluorometil)fenil)-4-((1,R,S)-(trifluorometil)sulfinil)-1H-pirazol-3-carbonitrilo ..... 0.0103%  
 OTHER INGREDIENTS / OTROS INGREDIENTES ..... 99.9897%  
 TOTAL ..... 100.0000%

EPA Reg. No. 7929-212-71004 EPA Est. No. 67572-08-1 \*Patented by U.S. Patent No. 5, 232, 940

**KEEP OUT OF REACH OF CHILDREN**  
**MANTENGASE FUERA DEL ALCANCE DE LOS NIÑOS**

**CAUTION**  
**PRECAUCION**

See Back Panel For Additional Precautionary Statement.  
 If you do not understand this label, find someone to explain it to you.  
 Ver el panel al reverso para consultar más advertencias de precaución.  
 Si usted no entiende la etiqueta, pídale a alguien que se la explique.

**NET WEIGHT 12.5 lbs. (5.67 kg)**  
**PESO NETO 12.5 LIBRAS (5.67 kg)**

- One Application Provides Season Long Control!
  - Kills the Queen and the Colony
  - Long Lasting Residual Action
  - Prevents New Mounds From Forming
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74



CUT HERE

# GUARANTEED FIRE ANT CONTROL

**GARANTIZADO  
CONTROL DE HORMIGAS ROJAS**  
from the makers of / por los fabricantes de

Over 'n Out  
**Sevin**

- One Application provides season long control
- Easy & Quick To Apply With Drop Or Broadcast Spreaders
- Prevents New Mounds From Forming
- Covers 6,250 Sq. Ft.



### Money Back Guarantee

The manufacturer warrants that Over 'n Out<sup>®</sup> containing Fipronil, will provide control of imported fire ants when used as directed for one full season. If, after following the instructions, you are not satisfied with the results, you may receive a full purchase price refund by sending a store receipt and proof of purchase (UPC label from bag) to: TechPac, LLC, P.O. Box 24830, Lexington, KY 40524. This guarantee is subject to on site inspection by a representative of TechPac, LLC, to verify (a) the product was applied in a manner consistent with the use directions, and (b) the contained level of fire ant control. This guarantee is limited to home owner who purchase the product for use on domestic turf grass.

## KEEP OUT OF REACH OF CHILDREN

### CAUTION

If you do not understand this label, find someone to explain it to you.

If you have a medical emergency, need consultation on diagnosis, therapy and analysis please call (800) 424-9347

If you have questions relating to product use or application, please call (800) 969-7200

If you have a product spill or transportation emergency call (800) 424-9300

For Material Safety Data Sheets please call (800) 969-7200

#### STORAGE AND DISPOSAL

**STORAGE:** Store unused product in original container only, out of reach of children and animals. NEVER TRANSFER THIS PRODUCT TO ANOTHER CONTAINER FOR STORAGE.

**CONTAINER DISPOSAL:** If Empty: Do not reuse this container. Place in trash for recycling if available. If Partly Filled: Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

#### PRECAUTIONARY STATEMENTS HAZARD TO HUMANS AND DOMESTIC ANIMALS

### CAUTION

Harmful if absorbed through the skin. Causes eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling. Wear long sleeved shirt and long pants and shoes plus socks.

#### ENVIRONMENTAL HAZARDS

This pesticide is toxic to birds, fish and aquatic and estuarine (tidewater dwelling) 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. Runoff from treated areas may be hazardous to aquatic organisms in neighboring areas.

Do not apply within 15 feet of bodies of fresh water: lakes, reservoirs, rivers, permanent streams, marshes, natural ponds and commercial fish ponds. A 15 foot buffer of uniform groundcover must exist between application zone and borders of freshwater (uniform ground cover is defined as land which supports vegetation of greater than 2 inches throughout).

Do not apply within 60 feet of estuarine bodies of water. Estuarine water bodies are brackish, tidal water such as bays, mouths of rivers, salt marshes and lagoons.

In order to reduce risk to birds, ensure that the application is spread evenly over the treatment area. In Florida: Do not use this product within 500 feet of areas occupied by the threatened Florida scrub jay, gopher tortoise, skink, or sand skink. In addition, for the protection of the threatened skinks, apply only to turf grass and sedge, at least a 30-foot untreated buffer of turf grass when adjacent to scrub habitat (i.e. xeric upland) in the following counties: Highlands, Lake, Marion, Orange, Osceola, Polk, and Putnam. For guidance, consult the Florida Department of Agriculture and Consumer Services.

#### 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. Crop injury, 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, all of which are beyond the control of TechPac, LLC, or the Seller. To the extent consistent with applicable law, all such risks shall be assumed by the Buyer.

TechPac, LLC 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, TECHPAC, LLC MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY TO THE EXTENT CONSISTENT WITH APPLICABLE LAW. TECHPAC, LLC AND THE SELLER DISCLAIM ANY LIABILITY FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. TechPac, LLC, and the Seller offer this product, and the Buyer and User accept it, subject to the foregoing Conditions of Sale and Warranty which may be varied only by agreement in writing signed by a duly authorized representative of TechPac, LLC.

#### LABEL LICENSE FOR OVER 'N OUT<sup>®</sup>

Over 'n Out<sup>®</sup> is specially formulated and sold by TechPac, LLC, for the control of fire ants according to the directions on this label. The purchase price of Over 'n Out<sup>®</sup> includes a royalty whereby the purchaser acquires a prepaid license under U.S. Patent No. 5,232,840 under which purchaser agrees to employ the purchased quantity of Over 'n Out<sup>®</sup> only for the above-specified uses under BASF Corporation's United States patent rights and to provide notice of the terms and conditions of this license to any subsequent purchaser. Uses of Over 'n Out<sup>®</sup> other than those specified on this label are not licensed through the purchase of this product and the use of this product for other purposes may violate this license and patent rights of BASF.

Area covered by fin seal



The Chemical Company

6/11

**CHILD-RESISTANT PACKAGING CERTIFICATION**

PRODUCT NAME: H&G 61748A (a.k.a. Over'n Out Fire Ant Killer Granules)  
EPA REG. NO.: 7969-212  
REGISTRANT NAME: BASF Corporation  
ADDRESS: 26 Davis Drive  
P.O. Box 13528  
Research Triangle Park, NC 27709-3528

DATE: December 11, 2007

I certify that the packaging that will be used for this product meets the standards of 40 CFR 157.32.

NAME: Daniel J. O'Byrne  
TITLE: Product Registration Manger

SIGNATURE:

A handwritten signature in black ink that reads "Daniel O'Byrne". The signature is written over a horizontal line.

December 12, 2007

Document Processing Desk (NOTIF)  
Office of Pesticide Programs (7504P)  
U. S. Environmental Protection Agency  
Room S-4900, One Potomoc Yard  
2777 South Crystal Drive  
Arlington, VA , DC 22202-4501

Attn: Mr. Richard Gebken  
Registration Division  
Product Manager  
Team 10, Insecticides Branch

**Re: H&G 61748A, aka Over'n Out Fire Ant Killer Granules, EPA Reg. No. 7969-212; Notification of Changes to Final Print Package Label per PR Notice 98-10**

Dear Mr. Gebken:

On behalf of BASF Corporation I am submitting a final print package label for Over'n Out with a new 12.5 pound net contents size. The coverage area per package is changed to 6,250 square feet to reflect the new net contents. A "25% More Free" marketing offer is also added to the label.

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.

This 12.5 lb. size will utilize the same package construction as the 10 lb. size that was previously accepted by the EPA as child resistant packaging.

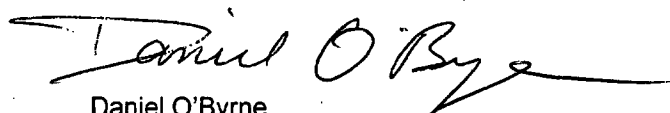
The actual dimensions of this package label is 19 x 31.25 inches and has been reduced to 8 ½ x 11 inches for this submission.

In support of this Notification I have included with this letter the following:

1. Completed application form 8570-1
2. Final Print 12.5 Package Label
3. Completed CRP Certification
4. Two (2) loose copies of the final print package label.

If you have any questions or need additional information please contact me at 919-547-2657 or [daniel.obyrne@basf.com](mailto:daniel.obyrne@basf.com).

Respectfully Submitted,



Daniel O'Byrne  
Product Registration Manager

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