

7969-285

10/22/2009

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

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

October 22, 2009

Daniel J. O'Byrne  
BASF Corporation  
26 Davis Drive  
RTP, NC 27709-3528

Subject: Miscellaneous Labeling Revision per NOR, and Change in Primary Brand Name  
"Prescription Treatment brand Phantom Pressurized Insecticide"  
EPA Reg. No. 7969-285  
Application dated July 27, 2009

Dear Mr. O'Byrne:

The above referenced labeling, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable.

Please note that we have approved the amended labeling for this product with the understanding that (1) it is consistent with the Agency's last stamped accepted label and (2) you have made all revisions to the labeling, and satisfied all Product Chemistry data requirements per our Notice of Registration dated 01/23/08.

See enclosed copy of the stamped label for your record. If you have any questions concerning this action please contact Dr. B.A. Akinlosotu at (703) 605-0653.

Sincerely,

Richard Gebken,  
Product Manager 10  
Insecticide Branch  
Registration Division (7505P)

Enclosure

# Prescription Treatment<sup>®</sup> brand Phantom<sup>®</sup> Pressurized Insecticide

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.

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

Non-Flammable

Broad-spectrum Ready to Use Product

Spot and/or Crack and Crevice pressurized spray

EPA Reg. No. 7969-285

EPA Est. No.

## KEEP OUT OF REACH OF CHILDREN CAUTION

### Active Ingredient:

Chlorfenapyr: 4-bromo-2-(4-chlorophenyl)-1-(ethoxymethyl)-5-(trifluoromethyl)-1H-pyrrole-3-carbonitrile .....	0.5%
<b>Other Ingredients:</b> .....	99.5%
<b>Total:</b> .....	100.0%

Kills on direct spray contact the following pests: stored product pests, ants (acrobat, Argentine, odorous house, pavement, pharaoh's, pyramid); beetles (Asian lady, confused flour, darkling larva (yellow mealworm), saw-toothed grain); bark scorpions; bed bugs, boxelder bugs, centipedes; cockroaches (American, Asian, brown-banded, German, Oriental, and smokey brown); earwigs; house crickets; house flies; paper wasps\*, pillbugs; spiders (black widow, cellar); silverfish; and termites

\*Not a knockdown insecticide.

### PRECAUTIONARY STATEMENTS

### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

### CAUTION

**ACCEPTED**  
**OCT 22 2009**  
**Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under:**

EPA. Reg. No: 7969-2845

In case of emergency endangering life or property involving this product, call day or night 1-800-832-HELP (4357). Have the product container with you when calling a poison center or doctor or going for treatment.

### Personal Protective Equipment (PPE)

**Applicators must wear:** Long-sleeved shirt, long pants, socks, shoes and chemical resistant gloves (such as barrier laminate, butyl rubber, Selection Category B).

### User Safety Requirements

Follow manufacture'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.

### User Safety Recommendations

Users should:

- \* Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- \* Remove 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.

### Use Restrictions:

**DO NOT** reapply to treated area more than every four weeks.

Use only in well ventilated conditions.

**DO NOT** contaminate food or food contact surfaces.

In hospitals and nursing homes, remove patients before treating rooms. Allow treated areas to dry before returning patients to treated rooms.

**DO NOT** use in schools while occupied. Allow treated areas to dry before allowing re-occupancy.

**DO NOT** contact treated areas until spray has dried.

Remove pets and cover or remove pet food/water and fish bowls prior to application.

In zoos, remove animals and cover or remove animal food/water prior to application.

**DO NOT** make general surface or space applications such as for pantry pests in cupboards, cabinets or in containers.

**Applications in food-handling areas of food-handling establishments are limited to spot and/or crack and crevice treatments.** The food-handling area may not be in operation during application. Exposed food must be covered or removed prior to application.

**DO NOT** apply directly to food, food packaging or food contact surfaces.

After application, all food contact surfaces in the treated areas must be washed with an effective cleaning compound followed by a potable water rinse before resuming food operations.

**DO NOT** make surface applications to mattresses or bedding. Mattress treatments must be confined to the seams, folds and edges only. Remove linens and wash before reuse. Allow to dry before remaking bed.

**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**

Contents under pressure. Keep away from heat, sparks, and open flame. **DO NOT** spray directly into any electrical equipment such as radios, televisions, computers, etc. (where there is exposed wiring or contact points) due to possibility of short circuits and shock hazard. **DO NOT** puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting. Spray may mar plastic, painted or varnished surfaces. Test on a small surface prior to use.

**DIRECTIONS FOR USE**

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

**FOR INTERIOR AND EXTERIOR APPLICATION AS A CRACK AND CREVICE OR SPOT TREATMENT**

**For Crack and Crevice use:** Press down the spray tip to release product while moving the spray can along length of treatment area. Apply at a rate of 2 seconds per linear foot.

**For closed Void Treatment:** Calculate the voids cubic area and treat at a maximum rate of 3 seconds per cubic foot.

**Spot treatments:** Hold can approximately 12 inches from surface to be treated and release product at a maximum rate of 11 seconds per 2 square feet. **DO NOT** exceed 2 square feet for each spot treatment.

For indoor and exterior use as a crack and crevice or spot treatment only in the following areas to kill on direct spray contact the listed pests in the following areas: houses, apartments, meat, fish, poultry & egg processing & packaging plants, food/feed handling establishment (an area or place other than a private residence in which food is held, processed, prepared and/or served, and non-food/feed handling areas of food handling establishments (garbage rooms, lavatories, floor drains (to sewers), entries and vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, mop closets, and storage [after canning or bottling] and commercial, institutional, warehousing establishments, and zoos.)

Apply as a spot and/or crack and crevice and/or void treatment where pests harbor, nest, trail, run, and/or breed or hide. Treat into voids or to surfaces beneath cabinets, furniture, spaces between equipment, expansion joints, surfaces behind sinks, floor drains (to sewers), lockers, and water pipes.

Exterior treatments around the listed areas are limited to spot and/or crack and crevice treatments where pests enter around doors, windows, eaves, attic vents and holes in exterior walls where utilities enter.

To kill on direct spray contact drywood termites and subterranean termites in their above-ground galleries, workings or aerial nests within structures, locate existing openings or drill pilot holes to access termite tunnels, galleries, infested cavities or voids. Apply as a void treatment in holes to obtain thorough coverage of termites. Application of this product is not a substitute for a soil applied termiticide. *This product is not intended as a substitute for mechanical alteration, soil treatment or foundation treatment. DO NOT use to treat soil directly, When active infestations exist, get a professional inspection.*

#### **Storage and Disposal**

**DO NOT** contaminate water, food, or feed by storage or disposal.

#### **Pesticide Storage:**

Store in a cool area, and never above 130°F, away from heat, sparks and open flame.

#### **Pesticide Disposal:**

Waste resulting from use of this product may be disposed of on site in accordance with the label directions, or at an approved waste disposal facility.

#### **Container Disposal:**

Nonrefillable container. **DO NOT** puncture or incinerate container. **DO NOT** reuse or refill this container.

Replace cap and discard empty container in trash, sanitary landfill, or by other approved state and local procedures. **DO NOT** puncture or incinerate. 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, all of which are beyond the control of BASF CORPORATION ("BASF") or the Seller. To the extent consistent with applicable law, all such risks shall be assumed by the Buyer.

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BASF 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, BASF 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, BUYER'S EXCLUSIVE REMEDY AND BASF'S EXCLUSIVE LIABILITY, WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE, SHALL BE LIMITED TO REPAYMENT OF THE PURCHASE PRICE OF THE PRODUCT.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BASF AND THE SELLER DISCLAIM ANY LIABILITY FOR CONSEQUENTIAL, EXEMPLARY, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

BASF 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 BASF.

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Prescription Treatment<sup>®</sup> brand is a registered trademark of Whitmire Micro-Gen Research Laboratories, Inc.

Phantom<sup>®</sup> is a registered trademark of BASF Corporation

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