


7969-292

4/8/2010

 <p><b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b> Office of Pesticide Programs Registration Division (7505P) 1200 Pennsylvania Ave., N.W. Washington, D.C. 20460</p>	EPA Registration No.  7969-292	Date of Issuance:  APR - 8 2010
<p><b>NOTICE OF PESTICIDE:</b> <input checked="" type="checkbox"/> Registration <input type="checkbox"/> Reregistration (under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended)</p>	Term of Issuance: <b>Conditional</b>	
	Name of Pesticide Product: <b>Termidor® Dry Termiticide</b>	
<p><b>Name and Address of Registrant (include ZIP Code):</b> <b>Chuck Levey, Product Registration Manager</b> <b>BASF Corporation</b> <b>26 Davis Drive, P.O. Box 13528</b> <b>Research Triangle Park, NC 27709-3528</b></p>		
<p><b>Note:</b> 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>		
<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)</p> <p>A copy of your label stamped "Accepted with Comments" is enclosed for your records.</p>		
Signature of Approving Official:  <b>Refer to Page 2</b>  Richard J. Gebken, Product Manager Registration Division, Insecticide Branch	Date:  APR - 8 2010	

2  
1/2

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. 7969-292"
2. 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.
3. 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 August 8, 2011.

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](mailto: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, Nondietary Exposure/Risk Assessment for the Proposed Use of Fipronil in Termidor® Dry Termiticide

# Termidor® Dry Termiticide

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.

Ready-to-Use product for the control of subterranean and drywood termites

**Active Ingredient:**

fipronil: 5-amino-1-(2,6-dichloro-4-(trifluoromethyl) phenyl)-4-((1,R,S)-(trifluoromethyl)sulfinyl) -1-H-pyrazole-3-carbonitrile . . . . . 0.5%

**Other Ingredients:** . . . . . 99.5%

**Total:** . . . . . 100.0%

One pound of **Termidor Dry** contains 0.08 ounces of fipronil.

EPA Reg. No. 7969-XXX

EPA Est. No.

**KEEP OUT OF REACH OF CHILDREN.  
CAUTION/PRECAUCIÓN**

Si 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)**

See inside for additional **First Aid, Precautionary Statements, Directions for Use** and **Conditions of Sale and Warranty.**

Net Contents:

BASF Corporation  
26 Davis Drive  
Research Triangle Park, NC 27709



ACCEPTED  
With COMMENTS  
In EPA Letter Dated:  
APR - 8 2010  
Under the Federal Insecticide, Fungicide  
and Rodenticide Act, As amended, for the  
pesticide Registered under EPA Reg. No:  
7969 - 292

2/c

FIRST AID	
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>• <b>DO NOT</b> induce vomiting unless told to by a poison control center or doctor.</li> <li>• <b>DO NOT</b> give anything by mouth to unconscious person.</li> </ul>
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 INHALED	<p>Move person to fresh air.</p> <p>If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</p> <p>Call a poison control center or doctor for further treatment advice.</p>
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 eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact BASF Corporation for emergency medical treatment information: 1-800-832-HELP (4357).</p> <p>NOTE TO PHYSICIAN: There is no specific antidote. All treatment should be based on observed signs and symptoms of distress in the patient. Overexposure to materials other than this product may have occurred. In severe cases of overexposure by oral ingestion, lethargy, muscle tremors, and in extreme cases, possibly convulsions may occur.</p>	

**PRECAUTIONARY STATEMENTS**  
**HAZARDS TO HUMANS AND DOMESTIC ANIMALS**  
**CAUTION**

Harmful if swallowed, absorbed through skin or inhaled. Avoid contact with skin, eyes or clothing. Avoid breathing dust. Causes moderate eye irritation. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

**ENVIRONMENTAL HAZARDS**

This pesticide 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 prevent any and all drift, spillage of the product, or runoff. **DO NOT** contaminate water by cleaning equipment or disposal of wastes or when disposing of equipment washwaters or rinsate.

## STORAGE AND DISPOSAL

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

### PESTICIDE STORAGE

Store unused product in original container only, out of reach of children and animals.

### PESTICIDE DISPOSAL

Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide is a violation of federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

### CONTAINER DISPOSAL

Nonrefillable Container. **DO NOT** reuse or refill this container.

After completely emptying container, offer for recycling, if available.

## 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.

### USE RESTRICTIONS

- During and after any application, the applicator is required to check for spills. Any and all spills resulting in the deposition of [product] in locations other than those prescribed on this label must be cleaned up immediately and prior to leaving the application site. **DO NOT** allow people or pets to contact contaminated areas or to reoccupy contaminated areas of the structure until the cleanup is completed.

### APPLICATION INSTRUCTIONS

**Termidor Dry** may be used alone to kill subterranean or drywood termites or as a supplement to a post-construction treatment of **Termidor® 80 WG termiticide/insecticide** or **Termidor® SC termiticide/insecticide** to provide protection from subterranean termites. This [product] [treatment] will kill workers and/or winged reproductive forms of the listed termite species present at the time of application and will provide residual control of termites contacting the treated surfaces only as described in the Directions for Use. This [product] [treatment] is intended only as a spot treatment. Application of this product will not provide structural protection nor substitute for mechanical alteration, or soil or foundation treatment with registered termiticide products. This product is not to be used as sole protection against termites, as it is not intended for elimination of termite infestations nor for protection against future infestations.

6  
1/7

**Application Device:** This Ready-to-Use product is contained in a non-refillable package and is for use with a specially designed applicator. Approximately 3 bulb compressions of the applicator deliver 0.1 grams of product.

**Application Sites:** Apply **Termidor Dry** into voids and galleries, shelter tubes, termite nests or other inaccessible areas of buildings, trees, utility poles, fencing, decking materials, railroad trestles, piers, beams and other structural or landscape timbers where termite damage is observed or termite activity is present or suspected. If necessary, gain access to gallery or void by creating an opening into it. Openings should be approximately every 24 inches or into each void. Multiple injection points for each void, carton or gallery may be required. Do not apply more than 5 grams [product] (25.0 mg Fipronil a.i.) per 1,000 square feet of total internal surface area of the void, carton, or gallery.

**Drywood termites:** Apply 0.1 to 1 gram of Termidor Dry per injection point.

**Subterranean Termites:** For termite galleries and shelter tubes apply 0.1 to 1 gram of Termidor Dry per injection point. For applications into carton and nests apply 0.3 to 3 grams per injection point. For applications into voids apply 0.2 to 2 grams per injection point.

**Reapplication interval:** Termidor Dry may be applied to previously treated sites if termite activity is found 30 days after previous application.

---

#### **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 which are beyond the control of BASF CORPORATION ("BASF"). To the extent consistent with applicable law, all such risks shall be assumed by the Buyer. 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. BUYER'S EXCLUSIVE REMEDY AND BASF'S EXCLUSIVE LIABILITY, WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE, SHALL BE LIMITED, TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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

27

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.

#### **NOTICE TO BUYER**

Purchase of this material does not confer any rights under patents governing this product or the use thereof in countries outside the United States.

#### **LABEL LICENSE FOR Termidor Dry Termiticide**

**Termidor Dry** is specially formulated and sold by BASF for the control of termites according to the directions on this label. The purchase price of **Termidor Dry** includes a royalty whereby the purchaser acquires a prepaid license under U.S. Patent Nos. 5,232,940 under which purchaser agrees to employ the purchased quantity of **Termidor Dry** only for the above-specified uses under BASF's United States patent rights and to provide notice of the terms and conditions of this license to any subsequent purchaser. Uses of **Termidor Dry** 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

© 2010 BASF Corporation  
All rights reserved.

® Registered trademark of BASF.

20081211.NVA 2008-04-348-0350



The Chemical Company  
BASF Corporation  
26 Davis Drive  
Research Triangle Park, NC 27709