



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

January 21, 2016

Jeffrey Birk, Ph.D.
BASF
26 Davis Drive
RTP, NC 27709

Subject: Label Amendment – Supplemental – Use with Non-Borate Based Termiticides
Product Name: TERMIDOR HP HIGH PRECISION TERMITICIDE
EPA Registration Number: 7969-354
Application Date: January 20, 2016
Decision Number: 513058

Dear Dr. Birk:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable. This approval does not affect any conditions that were previously imposed on this registration. You continue to be subject to existing conditions on your registration and any deadlines connected with them.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. "To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

Should you wish to add/retain a reference to the company's website on your label, then 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.

Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6. If you have any questions, please contact Maggie Rudick by phone at 703-347-0257, or via email at rudick.maggie@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kable Bo Davis', enclosed within a large, hand-drawn oval.

Kable Bo Davis, Product Manager 3
Invertebrate and Vertebrate Branch 1
Registration Division (7505P)
Office of Pesticide Programs

Enclosure

Supplemental Label


TERMIDOR® H•P
 High Precision Termiticide

Use with non-borate-based termiticide products

This supplemental label expires January 31, 2019, and must not be used or distributed after this date.

Active Ingredient:

fipronil: 5-amino-1-[2,6-dichloro-4-(trifluoromethyl)phenyl]-4-[(1*R,S*)-(trifluoromethyl)sulfinyl]-

1*H*-pyrazole-3-carbonitrile 9.1%

Other Ingredients: 90.9%

Total: 100.0%

One gallon (128 fluid ounces) of **Termidor® H•P High Precision Termiticide** contains 0.8 lb of fipronil.

EPA Reg. No. 7969-354

Directions For Use

- It is a violation of federal law to use this product in a manner inconsistent with its labeling.
- The supplemental labeling and the entire **Termidor® H•P High Precision Termiticide** container label, EPA Reg. No. 7969-354 must be in possession of the user at the time of application.
- Read the label affixed to the container for **Termidor H•P** before applying.
- Use of **Termidor H•P** according to this labeling is subject to the use precautions and limitations imposed by the label affixed to the container for **Termidor H•P**.

ACCEPTED

01/21/2016

Under the Federal Insecticide, Fungicide
and Rodenticide Act as amended, for the
pesticide registered under
EPA Reg. No. 7969-354

Use Directions

Use with Other Termiticide Products

Use with Non-borate-based Termiticide Products

Termidor H•P finished dilution may be applied as a spot/partial supplemental termite treatment when another registered non-borate-based termite prevention and/or control product/system is used as the primary treatment. These supplemental **Termidor H•P** treatments can be made to critical areas of the structure (e.g., plumbing and utility entry sites, bath traps, shower pan drain penetrations, expansion joints, foundation cracks, outside foundation walls, areas of known or suspected termite activity at either pre-construction or post-construction sites).

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.

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.

PC309

NOTICE TO BUYER

Purchase of this material does not confer any rights under BASF's patents relating to this product.

Termidor® termiticide is specially formulated and sold by BASF for the control of termites according to the directions on this label. The purchaser agrees to employ the purchased quantity of **Termidor® termiticide** only for the specified uses. Uses of **Termidor® termiticide** other than those specified on this label are not licensed through the purchase of this product. The use of this product for other purposes may violate patent rights of BASF. The purchaser assumes all risks as to the patents of others.

Termidor and the  symbol are registered trademarks of BASF.

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Based on: NVA 2015-04-403-0085

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