

9444-131

6-26-2007

1/6



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

JUN 26 2007

Ms. Cynthia L. Rohner
Registration Specialist
Waterbury Companies, Inc.
P.O. Box 640/129 Calhoun Street
Independence, LA 70443

Re: Notifications to add Optional Pen Application Method Statements in the Direction of Use
EPA Reg No.: 9444-131
Date of Submission: May 29, 2007

Dear Ms Rohner:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated May 29, 2007, for the product Drax® Ant Kil Gel. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) 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.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

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

2/6



United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide – Section I

1. Company/Product Number 9444-131	2. EPA Product Manager Richard Gebken	3. Proposed Classification
4. Company/Product (Name) Drax® Ant Kil Gel	PM# 10	<input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
5. Company/Product Number WATERBURY COMPANIES, INC. P.O. BOX. 640/129 CALHOUN STREET INDEPENDENCE, LA 70443 <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 _____
<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.)

By Notification we are adding the additional optional pen application method statements. See Attached cover letter for complete details.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	
*Certification must be submitted				<input type="checkbox"/> Plastic	
	If "Yes" Unit Packaging wgt.	No. per Container	If "Yes" Unit Packaging wgt.	<input type="checkbox"/> Glass	
				<input type="checkbox"/> Paper	
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/> On label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input 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 Cynthia L. Rohner	Title Registration Specialist	Telephone No. (Include Area Code) 985-878-6751 Ext. 210
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.		Date Application Received (Stamped)
2. Signature 	3. Title Registration Specialist	
4. Typed Name Cynthia L. Rohner	5. Date May 29, 2005	

3/6



**WATERBURY
COMPANIES, INC.**

May 29 2007

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
Room 266 A, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202-4501

ATTN: Sherada Hobgood

**RE: Drax Ant Kil Gel, EPA Reg. No. 9444-131
Notification per PR Notice 98-10**

Dear Ms. Hobgood:

By notification, we are adding the additional optional pen application method statements in the Directions for Use section of the label for the pen packaging/application.

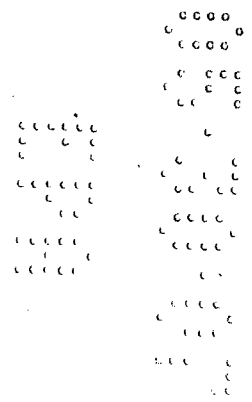
This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 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.

Attached are EPA Form 8570-1 and a copy of the label with the revisions highlighted in yellow. Also enclosed is a self-addressed, stamped postcard so that we may obtain notice when the Agency has processed this notification.

Please contact me at (985) 878-6751 Ext. 210 or crohner@watco.com if additional information is needed to expedite this notification request.

Sincerely,

Cynthia L. Rohner
Cynthia L. Rohner
Registration Specialist



4/16

[indicates optional text]

D R A X[®] ANT KIL GEL

[For the control of sugar feeding ants including Pharaoh ants][also][Aids in the Control of [Native][&][Imported] fire ants]

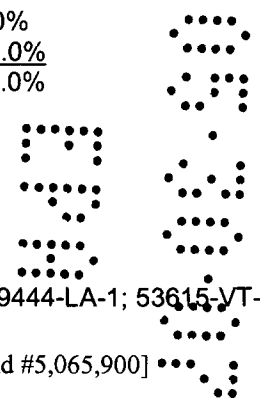
- Nutritionally Balanced Bait Matrix composed of equal parts proteins, fats & carbohydrates
- Kills [Common] [Indoor/Outdoor] [Indoor and Outdoor] [Indoor] [Outdoor] [Ants, Including:] [Grease Feeding,] [Protein Feeding,] [and other Ants, including] [Pharaoh,] [Argentine,] [Carpenter,] [Thief,] [Crazy,] [Ghost,] [Little Black,] [Odorous House,] [and] [Pavement] [and [other] [all] sugar feeding ants [including Pharaoh Ants]] [ants].
- Kills grease and sweet [eating] [feeding] ants.
- Kills grease [eating] [feeding] ants.
- Kill sweet [eating] [feeding] ants.
- [For] Use [both] Indoors and Outdoors
- For [Indoor] [Outdoor] Use
- Indoor/Outdoor
- Kills Ants before they enter your [home] [house]
- Kills Ants Indoors and Outdoors
- Kills Ants [Indoors] [Outdoors]
- Easy to use [Gel]
- Convenient, one-step process
- No mixing [Required]
- Ready-to-use [Gel]
- [Product Name] is effective because ants carry the bait back to destroy queen and entire colony
- Kills common [house] [household] ants
- Kills Ants Outdoors [adjacent to the home] Before [They Come Indoors] [so they don't invade your home]
- Ants Carry Bait Back to the Colony to Kill the Queen and Other Ants Before They [Invade] [Come Inside] Your Home
- Ants Carry Bait Back to the Colony to Kill the Queen [and Other Ants]
- Odorless
- Nothing to Activate
- Highly Attractive to [Native] [&] [Imported] Fire Ants [all season]
- Significant [Native][&][Imported] [Fire Ant] Mound Reduction
- Suppresses [Native] [&] [Imported] Fire Ants After Only 2 Applications
- Destroys the Mound

FOR USE IN Homes, Zoos, Nursing Homes, Ships, Hospitals, Kennels, Grocery Stores, Railcars, Restaurants, Mobile Homes, Hotels, Motels, Schools, Offices, Detention Facilities, Apartments, Commercial Structures, Residential Turf & Landscapes (around flowers, shrubs, and trees), Perimeter Areas of Buildings, Sheds, Barns, Poultry Houses, Swine Operations, Dairies, Electrical & Phone Boxes, Pump Houses and other Associated Areas, Parks, Sports Fields, Golf Courses, Cemeteries, Airports, Roadsides, School Grounds, Sod Farms, Commercial Nurseries including Field Grown and Container Stock, and Forestry Sites. FOR MOUND APPLICATION IN Cropland, Citrus Groves, Pastures and Rangeland.

ACTIVE INGREDIENT:

Orthoboric Acid.....	5.0%
INERT INGREDIENTS.....	95.0%
	100.0%

STORE IN A COOL PLACE
KEEP OUT OF REACH OF CHILDREN
CAUTION
SEE BACK PANEL FOR ADDITIONAL PRECAUTIONS



EPA Reg. No. 9444-131

EPA Est. No. 9444-LA-1; 53615-VT-001

[US Patent #4,919,323 #5,419,466 and #5,065,900]

NET WEIGHT 7.75 oz / 220 g

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS & DOMESTIC ANIMALS**

CAUTION

Harmful if swallowed. Causes eye irritation. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling.

[For Reviewer: Boxed and "bulleted" format will be used if label space permits; otherwise, a paragraph format will be used.]

FIRST AID

If Swallowed: 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 a poison control center or doctor. Do not give anything by mouth to an unconscious person. **If In Eyes:** 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. Call a poison control center or doctor for treatment advice.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-985-878-6751 for emergency medical treatment information.

[For Pressurized Bait System]

PHYSICAL OR CHEMICAL HAZARDS

Contents under pressure. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting.

DIRECTIONS FOR USE

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

INDOORS: [HOW TO APPLY] Apply 1 ¼ to 1 ½ inches of gel bait in linear placements in areas where ants are seen. Areas include behind the refrigerator, stove, around water pipes, in cracks and crevices around windowframes, baseboards and shelves. Renew as needed.

APPLICATION SITES

[OUTDOORS:]

[Product name] [This product] [may be applied to, but not limited to,] [the following areas:] [FOR USE IN] Homes, Zoos, Nursing Homes, Ships, Hospitals, Kennels, Grocery Stores, Railcars, Restaurants, Mobile Homes, Hotels, Motels, Schools, Offices, Detention Facilities, Apartments, Commercial Structures, Residential Turf & Landscapes (around flowers, shrubs, and trees), Perimeter Areas of Buildings, Sheds, Barns, Electrical & Phone Boxes, Pump Houses and other Associated Areas, Parks, Sports Fields, Golf Courses, Cemeteries, Airports, Roadsides, School Grounds, Sod Farms, Commercial Nurseries including Field Grown and Container Stock, and Forestry Sites. [[ALSO][FOR USE [IN]] Swine Operations, Dairies and Poultry Houses - apply bait in areas inaccessible to [children and] pets.]

[MOUND(S)][APPLICATION:]

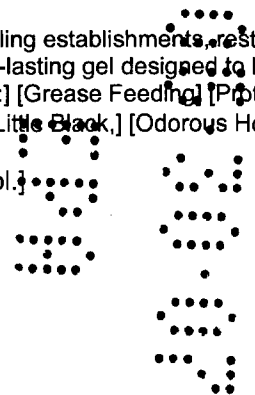
[Product name] [This product] [[may be applied to], but not limited to,] [the following areas:] [[ALSO]FOR USE IN] Cropland, Citrus Groves, Pastures and Rangeland.

[For Syringe] ["**HOW TO USE** Remove cap from the tip of the syringe and apply gel by pushing plunger in. *{graphics shows tip being removed from syringe and plunger being pushed down}*. Apply 1 ¼ to 1 ½ inches of gel bait in linear placements in areas where ants are seen. *{graphics shows Indoor and Outdoor pictures of where product can be used}*. Inspect gel regularly and renew as needed. *{graphics show a calendar with pictures indicating the seasons}*"]

[OUTDOORS:] [HOW TO APPLY] Apply gel bait in a uniform pattern (every 3 or 4 paces) along the building's foundation ledge or at 1-2 foot intervals. Apply gel bait where ants are seen entering the building, place small pea-sized baits (approximately 0.32 grams) along walkways, directly on ant nests and in cracks and crevices on window- and doorsills. Renew as needed.

Apply only in areas inaccessible to children and pets. Do not use in edible product areas of food handling establishments, restaurants, or other areas while food is exposed. [D R A X® ANT KIL GEL] [Product Name] [This] [Kills] [is a long-lasting gel designed to be used for the control of] [Common] [Indoor/Outdoor] [Indoor and Outdoor] [Indoor] [Outdoor] [Ants, including:] [Grease Feeding] [Protein Feeding,] [and other Ants, including] [Pharaoh,] [Argentine,] [Carpenter,] [Thief,] [Crazy,] [Ghost,] [Little Black,] [Odorous House] [and] [Pavement] [and [other] [all] sugar feeding ants [including Pharaoh Ants]] [ants].

[For syringe] [[Product Name] [This product] can also be dispensed with a syringe-type pistol.]



6/4

[For] [Native] [&] [Imported] [Fire Ant] Mound Treatment, apply product making a "X" pattern across the top of the all visible ant mounds.

ANT MOUND DIAMETER	GRAMS OF BAIT/APPLICATIONS	NO. OF APPLICATIONS
1" - 6"	3	4 - 6
7" - 11"	6	4 - 6
12" - 17"	6	5 - 8
18" - 22"	8	7 - 10
23" - 28"	10	7 - 10
28"	20	7 - 10

[For Pressurized Bait System] To apply gel, remove the safety tab on nozzle and insert plastic void injector application tip, touch the application tip to surface, and apply. The bait will adhere to non-dusty/non-greasy surfaces. Repeat treatments as necessary to maintain adequate control.

[For Pen Application] **HOW TO USE** 1) Push and turn cap to remove. 2) Place tip of [product name] [PowerPen™] against area to be treated. 3) To dispense product, slide button forward and depress. 4) When finished, replace the cap.

STORAGE AND DISPOSAL

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

STORAGE: Store in original container away from food and feedstuffs. Keep product in a locked storage area.

DISPOSAL: If empty: Do not reuse this container. Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency or 1800-CLEANUP for disposal instructions. Never place unused product down any indoor or outdoor drain.

[For Pressurized Bait System]

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

STORAGE: Store in a cool, dry area away from heat or open flame.

DISPOSAL: Do not Puncture or Incinerate! **If empty:** Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency or 1800-CLEANUP for disposal instructions.

[For Reviewer: The Steel graphics symbol is optional if label space allows it.]

Manufactured by
**WATERBURY
COMPANIES, INC.**
P. O. Box 1812
Waterbury, CT 06722
985-878-6751 [For Reviewer: Optional text]
Made in USA

www.CBProProducts.com [For Reviewer: Optional text]

