



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

OFFICE OF.
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

JUN 4 2009

Mrs. Vee Lee Regulatory Affairs Specialist Chemsico Division of United Industries Corporation P.O. Box 142642 St. Louis, Missouri 63114

RE: Notification to add the Optional Marketing Claim(s): "Shake to Use" Under Storage and Disposal the option "[container]

EPA Reg. No.: 9688-217

Date of Submission: April 21, 2009

Dear Mrs. Lee:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated April 21, 2009, for the product, Chemsico Insect Bail 16 1. 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.

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

Notifications & Minor Formulations Team Leader Registration Division (7505P)

Office of Pesticide Programs

April : Please read instructions on rev	erse before completir	ng form.	Form Approve	d. OMB No. 2070-0060. Ap	proval expires 11-30-93		
	United States Environ	mental Protection	Agency	<del>-</del> -	OPP Identifier Number		
	Office of Pesticide		5C)	Registration			
<b>ŞEPA</b>	Washington, DO		L	Amendment			
	<b>Application</b>	tor Pestic	cide:	c Other	1		
Section I							
1. Company/Product Number		1	2.Product Manager	3. Proposed Classific	ation		
9688-217			John Hebert		_		
4. Company/Product (Name)			PM#	x None	Restricted		
Chemsico Insect Bait 16 I			4B				
5. Name and Address of Applicant (include ZIP Code)				accordance with FIFRA			
Chemsico, Div. Of United Industries			(b)(i), my product is similar or identical in composition and labelling to:				
P.O. Box 142642			O. CATION				
St. Louis, MO 63114			EPA Reg. No. NOTIFICATION				
Check if this is a new address			Product Name HIN 0 4 2009				
	<del></del>	Section I	1				
Amandana-4 Complete to the							
Amendment - Explain bel		stad	<b>—</b>	ponse to Agency letter date	•		
Resubmission in respons			"ME TOO" Application.				
X Notification - Explain belo	·w.		Other - explain below				
Explanation: Use additional page	Explanation: Use additional page(s) if necessary. (For section I and Section II.)						
Notification per PR Notice 9	8-10 to add the	following or	otional marketing claim(	s): "Shake to us	e". Under Storage		
and Disposal the option "[co	ontainer]".						
		Section II	<u> </u>	7	<del></del>		
1. Material in Which This Product Wi	ll Be Packaged:		<del></del>		<del></del>		
Child-Resistant Packaging	Unit Packaging		Water-Soluble Packaging	2. Type of Container			
Yes *	Yes		Yes	Metal			
No No	X No		X No	X Plastic			
			—	Glass			
* Certification must be	If "YES,"	No. per	If "YES," No. per	Paper			
submitted	Unit package wgt	container	Package wgt container	Other (Sp	ecify)		
2 Landing of New Contents Information		4 6:-0(0)	of Poteil Container	E leasting of label C	\\\\\\		
3. Location of Net Contents Information	n	4. Size(s)	of Retail Container	5. Location of Label D	pirections		
<b>X</b> Labei	Container	5 pound	ls	X On Label	ompanying product		
Laber	Container		· · · · · · · · · · · · · · · · · · ·	On Labeling acc	ompanying product		
6. Manner in Which Label Is Affixed To	Product	Lithograph	ned	Other			
X Paper glued			ed				
		Stenciled					
		Section I					
	directly below for ide		individual to be contacted, if ne				
Name		Title		Telephone No. (inc	ude Area Code)		
Vee Lee		Regulato	ry Affairs Specialist	314-683-2438			
	Certification	on		<u> </u>	6 Date Application		
I certify that the statements I have made on this form and all attachments thereto are true, accurate, and complete.  Received							
I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or (Stamped)							
both under applicable law.							
2. Signature 3. Title							
Regulatory Affairs Specialist							
1			negulatory Affairs S	Jecianst			
4. Typed Name			5. Date		4		
1					1		
Vee Lee April 21, 2009							
EPA Form 8570-1 (Rev.12-90)	Previous	editions are obs	solete White - EPA	File Copy (original)	Yellow - Applicant copy		



Division of United Industries P.O. Box 142642 St. Louis. MO 63114-0642

March 18, 2009

Document Processing Desk (NOTIF)
Office of Pesticide Programs
United States Environmental Protection Agency
Room S4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Attention:

Mr. John Hebert

Product #4B

Subject:

Notification per PR Notice 98-10

Chemsico Insect Bait 16 I EPA Reg. No. 9688-217

Dear Mr. Hebert:

Please find the enclosed notification per PR Notice 98-10 to add the option, [container] under Storage and Disposal. Under Optional Marketing Claims, "Shake to use" will be added as an optional claim.

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.

The following documents are enclosed in support of this submission:

- 1. Application for Pesticide (EPA Form 8570-1)
- 2. One copy of the proposed label with changes highlighted
- 3. Five copies of the proposed label

Please call me at 1-800-242-1166, Ext. 2438 you have questions or need further information. Thank you very much for your attention to our application.

Sincerely

Vee Lee

Regulatory Specialist

# **CHEMSICO** Insect Bait 16l

For outdoor use around the home only

(See Appendix for Optional Marketing Claims) NOTIFICATION

JUN 0 4 2009

Active Ingredient: Indoxacarb ...... 0.016% Other Ingredients 99,984% 

KEEP OUT OF REACH OF CHILDREN

**CAUTION** See back for additional precautionary statements

NET WT. £.0 FOUNDS [LB] / 2.24 kilograms

## OPTIONAL MARKETING LANGUAGE

[Chemsico Insect Bait 16] [Alternate brand name] granules kill the gueen [in as little as 48 hours] and provide season\* long control against Fire Ant Colony formation. Worker Fire Ants forage the bait immediately and take the granules deep into the colony to feed other Fire Ants and the Queen, [Chemsico Insect Bait 16] [Alternate brand name] granules will quickly start to work, showing significant reduction of foraging Fire Ants within 24 hours and will help prevent them in your yard [for an entire season\*[for 3 months].

## OPTIONAL PRODUCT FACT BOX

## PRODUCT FACTS

#### What It Does:

Kills Fire Ant[s] [Mound] [colony] and helps prevent new mounds from forming all season\* long

#### Where to Use:

Outdoors, on Fire Ant Mounds [and as a broadcast treatment in lawns] When to Use:

Apply in early Spring or Summer at the first sign of fire ant activity. Re-apply in the Fall to reduce the number of Fire Ants that will return next Spring.

Questions & Comments: (icon phone) (icon computer) Call 1-800-332-5553 or Visit our Website at www.xxx.com

# STOP, READ ENTIRE LABEL BEFORE USE

# **DIRECTIONS FOR USE**

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

# MOUND TREATMENT

[Kills the colony]

- 1. (graphic) Sprinkle 4 tablespoons [4 shakes] of bait around each mound.
- 2. (graphic) Do not water in.
- 3. Decreased ant activity will be observed as soon as 24 hours after bait placement. Mound control will occur in as little as 48 hours after application.
- 4. Treat new mounds as they appear.

# [OPTIONAL DIRECTIONS FOR BROADCAST TREATMENT] BROADCAST TREATMENT

- 1. Apply granules with a spreader at a rate 0.5 lbs per 1,000 sq. ft.
- 2. Do not water in.
- Decreased ant activity will be observed as soon as 24 hours after bait placement. Mound control in treated areas will occur in as little as 48 hours after application.
- \*4. In areas where the fire ant season lasts longer than three months, re-apply after 12 weeks (3 months) to prevent re-infestation.

SPREADER SETTINGS FOR LAWN APPLICATION						
Make & Model	0.5 lbs./1,000 sq. ft.	Make & Model	0.5 lbs./1,000 sq. ft.			
Vigoro Rotary	X	Republic EZ Drop 530	X			
Scotts Speed/Green	х	Republic EZ Rotary 540	×			
Scotts AccuGreen	X	Precision Rotary SB50	×			
Scotts Drop	X	Ev-N-Spred	X			
Red Devil Rotary	×	Cyclone Rotary	×			

NOTE: These settings are approximate due to variability and wear of spreader. Check settings and calibrations on a small area before making total application.]

# **USE TIPS**

- 1. (graphic) For best results, apply in early Spring or Summer at the first sign of Fire Ant activity to prevent mounds from forming.
- 2. Apply in the early morning or late evening when fire ants are actively foraging.
- 3. Do not apply if rain is expected within 4-6 hours.
- 4. Do not water or mow treated area for 24 hours after application. This will allow time for the ants to forage the bait and take it to the mound.
- 5. Treating the entire yard is recommended since it will kill foraging ants and mounds which may not be visible at the time of application.
- 6. People and pets may re-enter treated area immediately after broadcast.

# STORAGE AND DISPOSAL

**Storage**: Reclose bag [container] tightly after each use. Store in a cool, dry area which is inaccessible to childrengand pets. **If Empty**: Do not reuse this container. Place in trash of offer 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

# Hazards to Humans and Domestic Animals CAUTION

Food utensils such as spoons or measuring cups must not be used for food purposes after use in measuring pesticides.

#### **Environmental Hazards**

Do not apply directly to water. Do not contaminate water when disposing of equipment washwaters or rinsate.

NOTICE: Buyer assumes all responsibility for safety and use not in accordance with directions.

[\*If you are not satisfied with this product for any reason send your written request for a refund to the address below, together with the original dated store receipt showing the price you paid. Please allow 6-8 weeks for processing]

[Questions or comments? Call 1-800-332-5553]

Made in the USA for Chemsico Division of United Industries Corp. P.O. Box 142642 St. Louis, MO 63114-0642

EPA Reg. No. 9688 - 217

EPA Est. No. 9688-MO-1

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## **APPENDIX**

#### **OPTIONAL MARKETING CLAIMS**

- 1. Kills mounds in your lawn in as little as 48 hours
- 2. [Kills] the [entire][Mound][Queen and Colony] in as little as 48 hours fand prevents new mound formation]
- 3. [Mound][Queen][Colony] Control in as little as 48 hours!
- 4. Destroy invisible [hidden] mounds
- 5. Destroys the mound
- 6. Limits New Mound Formation
- 7. Mound destroyer
- 8. Prevents [new] mound formation [movement]
- 9. Starts to kill the mound as soon as 24 hours
- 10. Kills the Mound
- 11. [Just] One application controls Fire Ants for 3 months [for an entire season\*] [all season\* long]
- 12. 3-Month Control
- 13. Control(s) Fire Ants for 3 months [for an entire season\*]
- 14. Apply in the Spring [and/or Summer] and get season\* long control of Fire Ants
- 15. Apply Once for Season\*-Long Control!
- 16. Lasts All Season\*!
- 17. Long lasting (3 Month) residual action [control] [for an entire season\*]
- 18. Long-lasting killing power lasts for 3 Months
- 19. One Application Season\* Long Control
- 20. Season\*-Long Control
- 21. Fast Acting Fire Ant Bait [kills][controls] [Queen] [Colony] [mound] in as little as 48 hours [and lasts all season\* long] [for an entire season\*]
- 22. Kills Fire Ants [and keeps killing them] [and prevents them] all season\* iona [up to 3 months]
- 23. Fast Acting Plus Season\* Long Control Guaranteed\*
- 24. Fast acting, [and] season\* long control
- 25. Kills Fire Ants [all season\* long]
- 26. PowerBait® technology Kills Fire Ants Fast and lasts [all season\* long] [for an entire season\*]
- 27. [Starts] [Begins] to work as soon as 24 hours
- 28. For a Fire Ant free yard [in as little as 48 hours]
- 29. Starts to work quickly and kills Queen [and Colony] in as little as 48 hours!
- 30. Lawn control of fire ants in 7-14 days

- 31. [Treats] [covers] [up to] 10,000 sq ft [entire vard]
- 32. 2X more coverage than standard 5,000 sq. ft. bags
- 33. 2-in-1 Formula 1.) Kills Fire Ants [fast]; 2.) Keeps [killing][working] all season\* long [for 3 months]
- 34. Dual action 1.) Kills Fire Ants [fast]; 2.) Keeps [killing] [working] all season\* long [for 3 months]
- 35. Dual Action formula -Kills Fire Ants Fast, Lasts all Season\*!
- 36. Broadcast with spreader
- 37. For broadcast or [individual] mound treatment
- 38. Colony destroyer
- 39. Controls [Kills] the colony
- 40. Kills Queen and Colony Fast [in as little as 48 Hours]
- 41. Kills the Queen & Colony
- 42. Prevents [re-colonization of] Fire Ants [after treatment]
- 43. Controls imported Fire Ants
- 44. Fire Ant destroyer
- 45. Kills Fire Ants
- 46. Kills imported and native Fire Ants
- 47. Kills imported Fire Ants
- 48. Easy to use
- 49. Ready-to-use [Granules]
- 50. For Outdoor use [on lawns]
- 51. Guaranteed Results or Your Money Back
- 52. Guaranteed Results\*\* \*\*Or Your Money Back
- 53. No odor
- 54. Odor Free
- 55. No watering necessary
- 56. Take back your yard from Fire Ants
- 57. Resealable bag
- 58. Results Guaranteed
- 59. Treats Up To 3,500 sq ft
- 60. Shake to use