

9688-217

04-16-2010

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



OFFICE OF  
PREVENTION, PESTICIDES,  
AND TOXIC SUBSTANCES

April 16, 2010

Mr. Eric D. Smith  
Chemsico, Division of United Industries Corp.  
P.O. Box 142642  
St. Louis, MO 63114

Dear Mr. Smith:

Subject: Amended labeling per PRNs 98-10, 2007-4, and 2008-1  
Chemsico Insect Bait 16 I  
EPA Registration No. 9688-217  
Your submission dated March 15, 2010

The amended labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, is acceptable with the following comments:

- On page 2, under the Storage and Disposal section, please insert the heading "Container Handling" in front of the subheading "If Empty."
- On page 3, please delete claims 33, 34, and 35. The phrases "2-in-1" and "dual action" are not appropriate for products with a single active ingredient and, therefore, a single mode of action.
- On page 3, please delete claim 58. Unqualified guarantees are not acceptable. Alternatively, you may modify this claim with "or your money back," or with a clear reference to the text on page 2 (i.e., "[\*If you are not satisfied with this product for any reason...]").

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on non-refillable containers. The code may appear either on the label or durably marked on the container itself. This information can be added by non-notification per PR Notice 98-10.

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Finally, please note that, should you wish to add/retain a reference to the company's website ([www.spectracide.com](http://www.spectracide.com)) on your label, then 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 may be referred to the EPA's Office of Enforcement and Compliance Assurance.

A stamped copy is enclosed for your records. Please submit two copies of your final printed labeling before you release the product for shipment. 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(e). If you have any questions, please contact Julie Chao by phone at: (703) 308-8735, or by email at: [chao.julie@epa.gov](mailto:chao.julie@epa.gov).

Sincerely,



Kable Bo Davis  
Acting Product Manager (07)  
Insecticide-Rodenticide Branch  
Registration Division (7505P)

Enclosure

# CHEMSICO

## Insect Bait 16I

For outdoor use around the home only

(See Appendix for Optional Marketing Claims)

**ACCEPTED  
With COMMENTS  
In EPA Letter Dated:  
APR 16 2010**

**Under the Federal Insecticide, Fungicide  
and Rodenticide Act, As amended, for the  
pesticide Registered under EPA Reg. No:**

9688-217

Active Ingredient:	
Indoxacarb .....	0.016%
Other Ingredients .....	99.984%
Total.....	100.000%

KEEP OUT OF REACH OF CHILDREN

**CAUTION** See back for additional precautionary statements

NET WT. 5.0 POUNDS [LB] / 2.24 kilograms

### OPTIONAL MARKETING LANGUAGE

[Chemsico Insect Bait 16I][Alternate brand name] granules kill the queen [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 16I][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.spectracide.com](http://www.spectracide.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.

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**[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.
3. 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	X	Republic EZ Rotary 540	X
Scotts AccuGreen	X	Precision Rotary SB50	X
Scotts Drop	X	Ev-N-Spred	X
Red Devil Rotary	X	Cyclone Rotary	X

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 children and pets. **If Empty:** Nonrefillable container. Do not reuse or refill this container. 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**

To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Sweeping any product that lands on a driveway, sidewalk, or street, back onto the treated area of the lawn or garden will help to prevent run off to water bodies or drainage systems.

**NOTICE: To the extent consistent with applicable law, 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 [and 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\* long [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 yard]
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