



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

JUN 11 2008

John Lublinkhof
Director of Regulatory Affairs
Bell Laboratories, Inc.
3699 Kinsman Blvd.
Madison, WI 53704

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Mr. Lublinkhof:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated May 9, 2008 for:

EPA Registration 12455-107

Tomcat Ant Killer

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

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 nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Nicole Williams of my staff at 703-308-8893.

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



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Linda Arrington
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Office of Pesticide Programs



United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☐ Amendment
☒ Other

OPP Identifier Number 3/1

Application for Pesticide - Section I

Company/Product Number
2455-107

2. EPA Product Manager
John Hebert

3. Proposed Classification
☒ None ☐ Restricted

Company/Product (Name)
Tomcat Ant Killer

PM#
7

Name and Address of Applicant (Include ZIP Code)

Bell Laboratories, Inc.
3699 Kinsman Blvd.
Madison, WI 53704

☐ 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. **NOTIFICATION**

Product Name **JUN 11 2008**

Section - II

☐ Amendment - Explain below.

☐ Resubmission in response to Agency letter dated _____

☒ Notification - Explain below.

☐ Final printed labels in response to Agency letter dated _____

☐ "Me Too" Application.

☐ Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification of label change per PR Notice 2007-4 (See attached).

Section - III

1. Material This Product Will Be Packaged In:

Child-Resistant Packaging

☐ Yes
☒ No

Unit Packaging

☐ Yes
☒ No

Water Soluble Packaging

☐ Yes
☒ No

2. Type of Container

☒ Metal
☐ Plastic
☐ Glass
☐ Paper
☐ Other (Specify) _____

*** Certification must be submitted**

If "Yes" Unit Packaging wgt.

No. per container

If "Yes" Package wgt

No. per container

3. Location of Net Contents Information

☒ Label ☐ Container

4. Size(s) Retail Container

1 lb. - 5 lb.

5. Location of Label Directions

☒ On label

6. Manner in Which Label is Affixed to Product

☒ Lithograph
☐ Paper glued
☐ Stenciled

☐ Other _____

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name
John Lublinkhof

Title
Director of Regulatory Affairs

Telephone No. (Include Area Code)
608-241-0202

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.

2. Signature

3. Title

Director of Regulatory Affairs

4. Typed Name

John Lublinkhof

5. Date

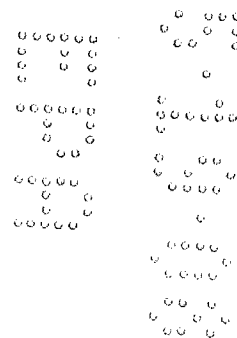
May 9, 2008

6. Date Application Received
(Stamped)

Section II (Explanation)

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statements to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, 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.

Please see attached label incorporating the changes. The changes are highlighted in gray in the Storage and Disposal section.



5/10

TOMCAT® ANT KILLER

ACTIVE INGREDIENT:

Indoxacarb (CAS# 173584-44-6):.....0.008%

OTHER INGREDIENTS:.....99.992%
100.000%

NOTIFICATION
NOTIFICATION 2008

JUN 11 2008

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

FIRST AID

HAVE LABEL WITH YOU WHEN OBTAINING TREATMENT ADVICE

IF SWALLOWED:	<ul style="list-style-type: none">• Call a poison control center, doctor, or 1-877-854-2494 immediately for treatment advice.• Have person sip a glass of water if able to swallow.• Do not induce vomiting unless told to by a poison control center or doctor.• Do not give anything to an unconscious person.
IF ON SKIN:	<p>IF ON SKIN:</p> <ul style="list-style-type: none">• Take off contaminated clothing.• Rinse skin immediately with plenty of water for 15-20 minutes.• Call a poison control center, doctor, or 1-877-854-2494 immediately for treatment advice.

See Back/Side Panel for additional precautionary statements.

NET WEIGHT: 1-10 lb.

Manufactured By:



Bell Laboratories, Inc.
Madison, WI 53704

EPA REG. NO. 12455-107

EPA EST. NO. 12455-WI-1

This Section For Product Label Identification Purposes Only:
Tomcat Ant Bait, EPA Reg. No. 12455- 107 Container Label
Page 1 of 6

DIRECTIONS FOR USE

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

READ THIS LABEL: Read this entire label and follow all use directions and use precautions. Use only for the sites, pests, and application methods described on this label.

USE RESTRICTIONS:

Use product **outdoors** only. For control of ants (excluding carpenter and pharaoh ants) on lawns, perimeter of homes, in and around ornamental plants (flowers, shrubs and trees), in home gardens, on sidewalks, patios and driveways.

People and pets may return to treated area after product application has been completed.

APPLICATION DIRECTIONS:

How to Apply	<p>Mound Treatment: Use 1 Tablespoon per 1 square foot of mound area. Sprinkle bait evenly around each mound in an area four times the area of the mound. Apply gently to avoid disturbing ants (excluding carpenter and pharaoh ants).</p> <p>Broadcast Application: Use 1 pound per 1000 square feet (approx. a 40 foot x 25 foot area). Use a hand held, drop, or rotary broadcast spreader.</p> <p>Perimeter Application): Apply a 5 foot wide band next to the home foundation. Use a hand held broadcast spreader.</p> <p>Do not use kitchen utensils for measuring. Keep measuring utensils with pest control products and away from children.</p> <p style="text-align: center;"><u>Spreader Settings for 1.0 lb/1000 sq. ft.</u></p> <table border="1"> <thead> <tr> <th><u>Model</u></th><th><u>Setting</u></th></tr> </thead> <tbody> <tr> <td colspan="2"><u>Drop Spreaders:</u></td> </tr> <tr> <td>Scotts® AccuGreen® 1000, 2000 or 3000</td><td>8 ½</td></tr> <tr> <td>Scotts® EdgeGuard®</td><td>7 ½</td></tr> <tr> <td colspan="2"><u>Rotary Broadcast Spreaders:</u></td> </tr> <tr> <td>Scotts® SpeedyGreen® 1000, 2000 or 3000</td><td>6 ½</td></tr> <tr> <td>Sta-Green® 4500</td><td>5 ½</td></tr> <tr> <td>EarthWay® 2000</td><td>11</td></tr> <tr> <td>EarthWay® 2050</td><td>9</td></tr> <tr> <td>Vigoro® 4300</td><td>5 ½</td></tr> <tr> <td colspan="2"><u>Hand Held Spreaders:</u></td> </tr> <tr> <td>Ortho® Whirlybird®</td><td>4</td></tr> <tr> <td>Scotts® HandyGreen® II</td><td>4</td></tr> </tbody> </table> <p><i>Note: Spreader settings are approximate. Variation can occur due to variability and wear of the spreader, even among identical models. Check settings and calibrations on a small area to assure correct rate of application.</i></p>	<u>Model</u>	<u>Setting</u>	<u>Drop Spreaders:</u>		Scotts® AccuGreen® 1000, 2000 or 3000	8 ½	Scotts® EdgeGuard®	7 ½	<u>Rotary Broadcast Spreaders:</u>		Scotts® SpeedyGreen® 1000, 2000 or 3000	6 ½	Sta-Green® 4500	5 ½	EarthWay® 2000	11	EarthWay® 2050	9	Vigoro® 4300	5 ½	<u>Hand Held Spreaders:</u>		Ortho® Whirlybird®	4	Scotts® HandyGreen® II	4
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Scotts® HandyGreen® II	4																										
Mowing	Avoid mowing 1 day before and after application.																										

7/10

Water/Rainfall	<ul style="list-style-type: none"> • Do not water in bait. • Do not water within 6 hours of a mound application or 24 hours of a broadcast application. • If rain occurs within 6 hours of a mound application or 24 hours of a broadcast application, adequate foraging of the bait may not occur and retreatment may be necessary.
When to Apply	<ul style="list-style-type: none"> • Apply when ants (excluding carpenter and pharaoh ants) are active (usually when temperatures are greater than 70° F). • The best time to apply is in the early morning or late evening when ant (excluding carpenter and pharaoh ants) foraging is at its peak. • Colonies will usually be destroyed within 3 to 7 days. Large mounds may require a repeat application. • Make a broadcast application every other month during warm months to keep ants (excluding carpenter and pharaoh ants) from establishing/starting/forming new mounds, but limit number of ant bait broadcast applications in treated areas to 4 per year.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Wash thoroughly with soap and water after handling.

ENVIRONMENTAL HAZARDS

Do not apply where/when conditions could favor runoff. Runoff of this product will be reduced by avoiding applications when rainfall is forecasted to occur within 48 hours. Do not apply this product directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Cover, incorporate, or clean up granules that are spilled. Do not contaminate water when disposing of equipment rinse water or put product or rinse water down any drain. This product is toxic to birds and mammals. This product is highly toxic to bees exposed to direct treatment or residues on weeds.

STORAGE AND DISPOSAL

STORAGE: Store only in original container in a cool, dry place inaccessible to children and pets.

DISPOSAL: ~~If empty: Nonrefillable. Do not reuse or refill this container. Place in trash or offer for recycling if available.~~ **If partially filled:** Place in trash or call your solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

WARRANTY: To the extent consistent with applicable law, seller makes no warranty, expressed or implied, concerning the use of this product other than indicated on the label. Buyer assumes all risk of use and/or handling of this material when such use and/or handling is contrary to label instructions.

HOW IT WORKS (Optional section)

8/10

WARRANTY: To the extent consistent with applicable law, seller makes no warranty, expressed or implied, concerning the use of this product other than indicated on the label. Buyer assumes all risk of use and/or handling of this material when such use and/or handling is contrary to label instructions.

Tomcat® Ant Killer contains the active ingredient, indoxacarb, in a formulation that is highly attractive to ants (excluding carpenter and pharaoh ants). Worker ants encounter the bait and quickly transport it back to the mound where it is fed to developing larvae. Indoxacarb is metabolically activated by the larvae into a highly toxic metabolite, which is then fed to other workers and the queen ensuring the rapid demise of the colony.

Ant (excluding carpenter and pharaoh ants) colonies are started by newly mated queens that fly into an area, burrow into the ground and begin laying eggs. Flights may occur from spring to fall, often shortly after a rain. It takes several weeks for new mounds to appear. Combining broadcast applications with mound treatments eliminates/controls visible mounds and helps to prevent new mounds from forming.

OPTIONAL MARKETING STATEMENTS:

Treats X Mounds [Depends on Package Size]

Treats X Square Feet [Depends on Package Size]

Easy to Use

Easy Spreading Granules

No Mixing Required/Necessary

Use Straight from the Container (Bag/Bottle)

Mound or Broadcast Treatments

No Watering Necessary

No Watering

No Watering Required

Low Density Formula

Kills Fire Ants

Effective Kill of Fire Ants

Effective Kill of Ants (excluding carpenter and pharaoh ants)

Kills Ants (excluding carpenter and pharaoh ants)

Kills the Queen(s)

Kills the Mound

No New Mounds

Kills the Colony

Controls the Mound [Plus Stops New Mounds from Forming]

Controls the Colony [Plus Stops New Mounds from Forming]

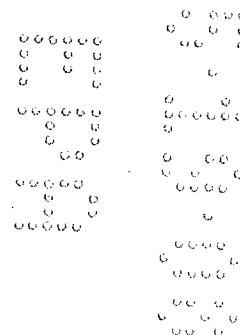
Stops New Mounds from Forming

Plus Stops New Mounds from Forming

No Mound Movement

No Mound Movement Means Less Product Needed

No Mound Movement Means No Additional Treatment



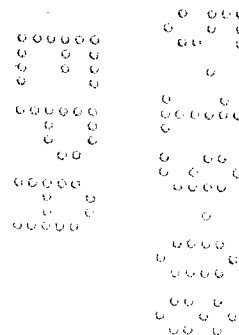
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Tomcat Ant Bait, EPA Reg. No. 12455- 107 Container Label

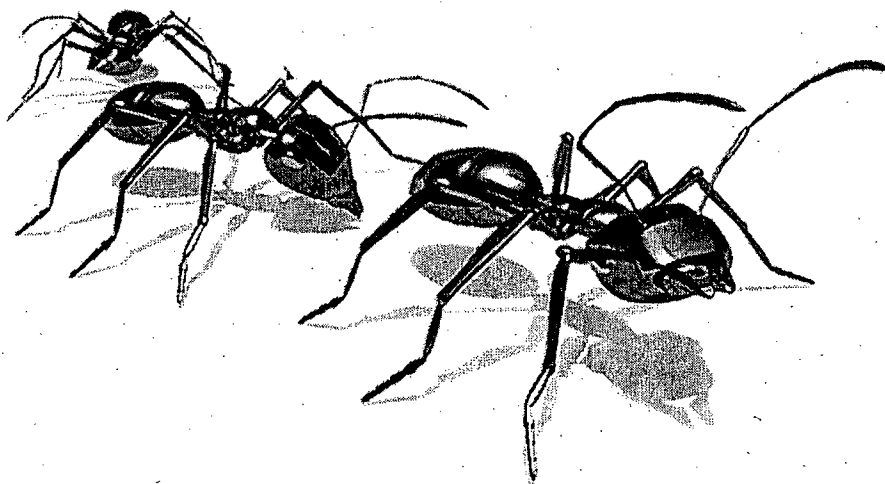
Page 4 of 6

9/10
OPTIONAL MARKETING STATEMENTS (Continued):

Controls Mounds You See Plus Those You Don't
Kills Mounds You See Plus Those You Don't
Fire Ants Find/Pick Up Bait in Minutes
Ants (excluding carpenter and pharaoh ants) Find/Pick Up Bait in Minutes
No Odor
Odor-free
Contains Indoxacarb
Featuring Indoxacarb – Next Generation Fire Ant Control
Featuring Indoxacarb- Next Generation Ant (excluding carpenter and pharaoh ants) Control
Improved Coverage
Guaranteed to Kill [or Your Money Back]
Guaranteed Kill [or Your Money Back]
Money Back Guarantee
Easy Spread Granules
Destroys the Mound
Destroys/Kills the Mound/Queen/Colony in as Few as 3 Days
Can be Applied as Broadcast or (Individual) Mound Treatment
Kills the Queens(s) and/& the Colony/Mound
Dual Action [Formula]
Treat [Individual] Mounds or Broadcast [Your Choice]
For Mound or Broadcast Treatment/Application
Deep Reaching Formula
Fire Ants Think it's Food
Ants (excluding carpenter and pharaoh ants) Think it's Food
Great Value
Kills Visible and/& Plus Hidden Mounds
Next Generation Fire Ant Control
Next Generation Ant (excluding carpenter and pharaoh ants) Control
Just Sprinkle/Shake and/& Walk Away
No Mound Relocation
Gets Down Deep to get the Queen(s)
Worker Ants (excluding carpenter and pharaoh ants) Feed the Queen(s) a Deadly Dose
Easy Pour Spout
Control Shake Handle
Ready to Use
Treats up [Your Choice] square feet
Effectiveness increases as Ants (excluding carpenter and pharaoh ants) Digest
Ants (excluding carpenter and pharaoh ants) Digestion Increases Effectiveness



OPTIONAL GRAPHIC WITHOUT TEXT



OPTIONAL PICTURE WITH TEXT

