

02719-272

11/19/2004

45 B14-3 1/p

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0080, Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

 Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number Dow AgroSciences/62719-272	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Dow AgroSciences/Recruit™ II	PM# 10	
5. Name and Address of Applicant (Include ZIP Code) Dow AgroSciences LLC 9330 Zionsville Road Indianapolis, IN 46268 <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 _____	

NOV 19 2004

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.)
 Per PR Notice 98-10, Dow AgroSciences is notifying the EPA of an alternate brand name for Recruit™ II termite bait. The alternate brand name is Shatter™ termite bait.

Section - III

1. Material This Product Will Be Packaged In:

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	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> 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

5. Location of Label Directions

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 A. Sterett Robertson	Title Regulatory Manager	Telephone No. (Include Area Code) (317) 337-4384
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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 Regulatory Manager	6. Date Application Received (Stamped)
4. Typed Name A. Sterett Robertson ™Trademark of Dow AgroSciences LLC	5. Date November 9, 2004	

308/2E
November 9, 2004



Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U. S. Environmental Protection Agency
Room 266A, Crystal Mall 2
1801 South Bell Street
Arlington, VA 22202

NOTIFICATION

NOV 19 2004

RECRUIT II (A.I. HEXAFLUMURON)
EPA REGISTRATION NUMBER: 62719-272
NOTIFICATION OF ALTERNATE BRAND NAME PER PR NOTICE 98-10

Per PR Notice 98-10, Dow AgroSciences is notifying the EPA of an alternate brand name for Recruit™ II termite bait. The alternate brand name is Shatter™ termite bait.

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.

Contents of Submission

- Transmittal document (this letter)
- Application for Pesticide, EPA Form 8570-1
- Label entitled Shatter (J1A / Shatter / Final Printed Labeling (Notif) / 11-04-04
(7 Pages plus Registration Notes) (5 Copies)

If you require further information, please contact Richard Bjerregaard, Registration Specialist at (317) 337-4674 or Amy Hudson, Registration Assistant for this product, at (317) 337-3967.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Sterett Robertson", with a long horizontal flourish extending to the right.

A. Sterett Robertson
Regulatory Manager
Regulatory Success – Americas
(317) 337-4384
(317) 337-4649 (FAX)

ASR/akh
Enclosures

3/10

(Base Label):

Shatter termite bait is sold in conjunction with a service provided by a pest control operator licensed by the state to apply termiticides

(Logo) Dow AgroSciences

Shatter™

NOTIFICATION

NOV 19 2004

A termite bait for use in an integrated management system for protection of structures from subterranean termites

Active Ingredient:	
hexaflumuron:	0.5%
Inert Ingredients	99.5%
Total Ingredients	100.0%

U.S. Patent No. 4,468,405

Keep Out of Reach of Children

CAUTION

Precautionary Statements

Hazards to Humans and Domestic Animals

Do not tamper with bait material.

Environmental Hazards

This product is highly toxic to aquatic invertebrates and possibly to fish. Do not use Baitube™ devices in depressions, low areas, near ponds, streams, springs, other water sources, or near downspout openings when the bait or its hexaflumuron contents could be washed out of the Baitube into water at or near the surface of the ground.

Refer to label booklet for additional precautionary information and Directions for Use.

Notice: Read the entire label. Use only according to label directions. **Before using this product, read Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies at end of label booklet.**

In case of emergency endangering health or the environment involving this product, call 1-800-992-5994. If you wish to obtain additional product information, visit our web site at www.dowagro.com.

EPA Reg. No. 62719- 272

EPA Est. 37429-GA-01

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Dow AgroSciences LLC • Indianapolis, IN 46268 U.S.A.

Termite Bait

Net Weight 1.2 oz Min.

4/10

(Datapack cover):

Shatter termite bait is sold in conjunction with a service provided by a pest control operator licensed by the state to apply termiticide

(Logo) Dow AgroSciences

Shatter™

A termite bait for use in an integrated management system for protection of structures from subterranean termites

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Dow AgroSciences LLC • Indianapolis, IN 46268 U.S.A.

Termite Bait

Net Weight 1.2 oz Min.

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(Page 1 through end):

Precautionary Statements

Hazards to Humans and Domestic Animals**CAUTION**

Do not tamper with bait material.

Environmental Hazards

This product is highly toxic to aquatic invertebrates and possibly to fish. Do not use Baitube™ devices in depressions, low areas, near ponds, streams, springs, other water sources, or near downspout openings when the bait or its hexaflumuron contents could be washed out of the Baitube into water at or near the surface of the ground.

Directions for Use

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Read all Directions for Use carefully before applying.

Storage and Disposal

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

Storage: Store in original container in a dry storage area.

Disposal: Store used Baitube devices that are damaged or no longer needed until they can be sent to an approved facility as instructed by Dow AgroSciences for disposal or recycling.

Handling Procedures

Do not break open, or cut into or remove protective wrapper from the Baitube until ready for use.

General Information

Shatter™ termite bait contains an insect growth regulator (IGR), hexaflumuron, that prevents successful molting and development of subterranean termites. This disruption of development ultimately results in the decline of the termite colony to the point where the colony can no longer sustain itself and is eliminated.

Shatter was developed to be used in the Sentricon® System which represents an integrated pest management approach for the elimination of subterranean termite colonies, including *Coptotermes*, *Reticulitermes*, and *Heterotermes spp.* and is intended to form the basis of an on-going program providing structural protection from subterranean termites. Use of this management system involves three basic steps: (1) monitoring for the presence of termite activity in and around the target site; (2) delivery of a slow acting insect growth regulator, Shatter, when the presence of subterranean termites has been detected; and (3) continued inspection and monitoring of the site for the presence of termite activity after elimination of the colony has been achieved. Although the third phase of the management system is an optional service offered to the owner of the structure, it provides an on-going preventive service in order to detect and eliminate any new termite activity.

When termite activity is detected and feeding of Shatter termite bait is established, Baitube devices must remain in the station as long as the bait material is being consumed and termites remain active. When evidence of termite activity in the Baitube ceases, resume monitoring to detect the presence of renewed termite activity by substituting a monitoring device for the Baitube if the termite control program is on-going.

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Do not re-use Baitube devices or Shatter termite bait. Subterranean termites excrete colony specific pheromones that become incorporated into the bait while feeding and foraging. The pheromones left in the bait by one colony will cause feeding deterrence or repellency to other colonies, causing it to be ineffective.

It is important for operators to understand the biology and behavior of subterranean termite species, and construction and landscape features conducive to infestation by subterranean termites.

Target sites for this system can include buildings, fences, utility poles, decking, landscape plantings and trees or other features that could be damaged by termite feeding and foraging activity. Shatter can be used on the inside or outside of foundation walls of crawl space areas or through concrete and asphalt if adequate soil is not accessible and such action is warranted. Shatter may be used in lieu of a pre-construction termiticide (chemical barrier) treatment as a means of preventing termite infestation of new structures (Shatter cannot be use in lieu of a pre-construction termiticide (chemical barrier) treatment in the state of Florida).

Monitoring

The purpose of the monitoring phase is to detect the presence of subterranean termites. This procedure does not attract termites from other locations. When present, termites can be collected from monitoring devices placed in the Sentricon stations. Upon collection, these termites can be placed inside the Baitube containing Shatter to force tunneling through the bait material. This facilitates their return to the colony for "recruiting" other nestmates to feed on Shatter. This Self-Recruitment procedure further encourages the subterranean termite population to forage into and feed on Shatter termite bait.

Identify critical areas suitable for placing Sentricon stations. Critical areas include locations within or adjacent to visible termite activity such as indicated by: foraging tubes, termite infested plants, wood, and other materials; and areas conducive to termite foraging (bath traps, moist soil in shaded areas, near irrigation sprinkler heads, roof down spouts and other moist areas, and near planting beds or other areas with plant root systems). Sentricon stations should be placed within 4 feet of critical areas unless placement is obstructed. Sentricon stations should not be placed in soil within 18 inches of structural foundations previously treated with a liquid termiticide. In addition to select critical areas, install Sentricon stations around the target site at intervals not to exceed 20 feet where soil access is not restricted.

Inspect monitoring devices monthly when termite activity is known to be present at the site and environmental conditions are favorable for termite feeding on Shatter or monitoring devices (**see note below**). If no termite activity at a site is documented, then monitoring can be done on a bi-monthly or quarterly basis.

When termite activity is observed in a monitoring device, use worker termites (if present at time of inspection) for Self-Recruitment procedure and install Baitube devices containing Shatter and auxiliary Sentricon station(s) per directions in section 2 of this label. Resume monitoring at an interval not to exceed one month. Upon reinspection, if more than 75% of the Baitube device contents are consumed in one or more stations, reinspection should occur more frequently than monthly. When no active termites or evidence of new termite feeding on Shatter bait is observed for two consecutive monitoring periods, replace the Baitube with a monitoring device and resume monitoring on a bi-monthly or quarterly basis, provided the control program is continuing. If auxiliary Sentricon stations have been installed they may be removed leaving the original Sentricon station in place.

Note: Unfavorable conditions including, but not limited to, frozen or water saturated soil or normal seasonal decline in subterranean termite foraging activity may temporarily disrupt feeding on Shatter. Seasonal effects on termite activity vary geographically, but feeding activity typically declines during periods when the historical average daily temperature falls below 50°F. Monitoring may be suspended during these periods. (Refer to National Weather Service data or contact Dow AgroSciences for information regarding local mean temperatures). However, do not allow more than four months to elapse between monitoring visits.

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Installation of the Baitube Device Containing Shatter

The monitoring device should be replaced with a Baitube containing Shatter when termites are present in the monitoring device in numbers sufficient for Self-Recruitment procedure. The monitoring device may also be replaced with a Baitube when signs of termite activity are observed or there is evidence of consumption of the monitoring device by termites, but no termites are present at time of inspection. The Self-Recruitment procedure will maximize the "recruitment" of nestmates and expose a larger number of termites from a target colony to the IGR containing material. The Self-Recruitment procedure is accomplished by transferring termites collected from the monitoring device to the Self-Recruitment chamber at the top of the Baitube according to the following procedure:

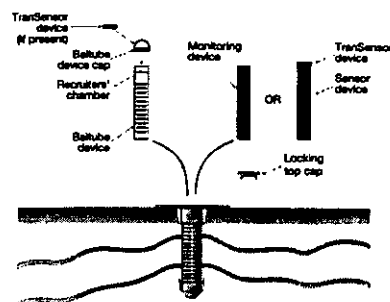
Self-Recruitment Procedure: Remove termites from the monitoring device and introduce them into the Self-Recruitment chamber in the top of the Baitube as follows (refer to Figure 1).

1. Prepare the Baitube for introduction of termites as follows:
 - (1) Remove the cap.
 - (2) Add a minimum of 0.7 fluid ounces (approx. 20 mL) of water or a sugar-containing solution such as a sports performance drink to the Self-Recruitment chamber. In arid areas and in dry soils, add up to up to 2.7 fluid ounces (approx. 80 mL) of water or sugar-containing solution before introducing termites to the chamber. This moisture is necessary for termites to survive the Self-Recruitment procedure. Allow the water or sugar-containing solution to be completely absorbed by the bait before transferring termites to the chamber.
2. Transfer termites from the infested monitoring device to the Self-Recruitment chamber of the Baitube as follows:
 - (1) Remove monitoring device from the Sentricon station and place in a container suitable for collecting termites and associated debris that will be introduced into the Self-Recruitment chamber. A shallow pan works well for this purpose, or, with experience, users may fashion other devices more suitable for this purpose.
 - (2) Carefully remove termites, debris, soil and mud tube material from the surface of the monitoring device. Save this material to add to the Self-Recruitment chamber along with termites.
 - (3) Separate the halves of the monitoring device and gently tap them to dislodge as many termites as possible into the collecting pan.
 - (4) Introduce the termites and debris collected into the Self-Recruitment chamber of the Baitube. Excess debris and termites may be discarded or used to initiate the Self-Recruitment process in an auxiliary Sentricon station placed adjacent to the primary baited station (see Installation of Auxiliary Stations).
 - (5) Replace the cap of the Baitube. Avoid harming termites placed in the chamber when replacing the cap. If the chamber is overfilled, wait for excess termites to move out of the way to avoid injuring them since dead termites may repel nestmates from feeding at the bait station.
3. Remove the plastic covering of the Baitube at the perforations to expose the termite access holes before inserting into the Sentricon station.
4. Complete the Self-Recruitment procedure by inserting the capped Baitube into the Sentricon station and replacing the outer cap of the station.

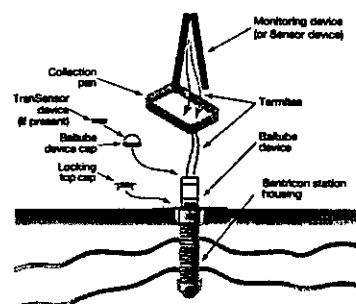
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Figure 1: (Refer to Self-Recruitment Procedure section)

- 1a.** When termite feeding activity is observed in a monitoring device, remove the monitoring device, and replace it with a Baitube containing Shatter. Use worker termites, if present, for Self-Recruitment procedure.



- 1b.** Remove termites from the monitoring device into the collecting pan and introduce them into the top of the Baitube.



- 2. Installation of Auxiliary Stations:** A Sentricon station is considered to be free-standing if it is more than 12 inches from another Sentricon station. When a free-standing station is baited with Shatter, install one or more auxiliary Sentricon stations containing monitoring devices within 12 inches of the baited station, if suitable ground access exists. Auxiliary Sentricon stations can be baited immediately if adequate numbers of termites can be collected to initiate the Self-Recruitment process. When auxiliary stations are baited at a subsequent inspection, continue to install auxiliary Sentricon stations as necessary. Installation of auxiliary Sentricon stations creates a cluster of two or more Sentricon stations in which each station is located 12 inches or less from adjacent station(s). Assure that one or more Sentricon stations per cluster contain monitoring devices.
- 3. Inspection of the Baitube:** Baitube devices are inspected by visually examining the device for termites. If termites are active in the Baitube and the material is nearly or totally consumed (or if the material appears to be degraded or moldy), replace it with another Baitube containing Shatter. If possible, gently tap the termites from the used Baitube device into the replacement device using the Self-Recruitment procedure described above. It is not desirable to have the entire contents of the Baitube consumed before replacing it, as termites may forage elsewhere in search of food. Inspect adjacent monitoring device locations and initiate placement of Baitube devices in Sentricon stations when and where termites are found in monitoring devices.

Warranty Disclaimer

Dow AgroSciences warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. Dow AgroSciences MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

Inherent Risks of Use

It is impossible to eliminate all risks associated with use of this product. Lack of performance or other unintended consequences may result because of such factors as use of the product contrary to the label instructions (including adverse conditions noted on the label, such as unfavorable temperatures, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, etc.), presence of other materials, the manner of application, or other factors, all of which are beyond the control of Dow AgroSciences and its agents. All such risks shall be assumed by the user.

Limitation of Remedies

The exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories), shall be limited to, at Dow AgroSciences' election, one of the following:

1. Refund of purchase price paid by buyer or user for product bought, or
2. Replacement of amount of product used

Dow AgroSciences shall not be liable for losses or damages resulting from handling or use of this product unless Dow AgroSciences is promptly notified of such loss or damage in writing. In no case shall Dow AgroSciences be liable for consequential or incidental damages or losses.

The terms of the Warranty Disclaimer and Inherent Risks of Use above and this Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of Dow AgroSciences or the seller is authorized to vary or exceed the terms of the Warranty Disclaimer or this Limitation of Remedies in any manner.

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EPA-Accepted 08/27/2003

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J1A / Shatter / Final Printed Labeling (Notif) / 11-04-04
File: Shatter-272 04Nov04Nf ABN.doc

Shatter™

EPA Reg. No. 62719-272
Shatter™ is an ABN for Recruit II.

Registration Notes:

Final printed labeling based on EPA-accepted copy for Recruit II dated August 27, 2003 and Notification coded "J1A / Shatter / Notification / 04-01-04."

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