



U.S. ENVIRONMENTAL PROTECTION AGENCY  
Office of Pesticide Programs  
Registration Division (H7505C)  
401 "M" St., S.W.  
Washington, D.C. 20460

EPA Reg. Number:

62719-329

Date of Issuance:

NOV 16 1999

## NOTICE OF PESTICIDE:

☒ Registration  
☐ Reregistration

(under FIFRA, as amended)

Term of Issuance: **Unconditional**

Name of Pesticide Product:

Conserve Professional Fire  
Ant Bait (A.I. Spinosad)

Name and Address of Registrant (include ZIP Code):

Dow AgroSciences LLC  
9330 Zionsville Rd.  
Indianapolis, IN 46268

**Note:** Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA sec. 3(c)(5), provided that you:

1. Submit and/or cite all data required for registration/reregistration of your product under FIFRA sec. 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of your product under FIFRA section 4.
2. Make the following labeling changes listed below before you release the product for shipment:
  - a. Replace the word "Destroys" with "Controls" throughout the labeling.
  - b. Add the phrase "Hazard to Humans and Domestic Animals" to the "Precautionary Statements" section directly above the signal word "CAUTION". Add the statement "Wash thoroughly with soap and water after handling" immediately after the "Harmful if swallowed" statement.

Signature of Approving Official

Date:

NOV 16 1999

## CONCURRENCES

SYMBOL	7575C								
SURNAME	George T. LaRocca								
DATE	11/16/99								

- c. Under the "Environmental Hazard" section of your label, please change the last sentence to read "Do not contaminate water when cleaning equipment or when disposing of equipment washwaters."
- d. Delete the label claim "Quickly stops aggressive biting and stinging" from the front panel. Quickly implies within minutes when it fact it may take 12-36 hours for such a response. This is misleading and may give a false sense of security to the user.
- e. On page 3, add "sod farms" to the WPS uses.

Note that comments 2(a), 2(b) and 2(d) also apply to Conserve Fire Ant Bait (EPA Reg No. 62719-304). Replace "destroys" with "control(s)" throughout the labeling, add "Harmful if Swallowed" under the "Precautionary Statements" section, and delete the label claim "Quickly stops aggressive biting and stinging" from the front panel.. These changes may be made at the next label printing. We regret that these comments were overlooked in our previous response.

Please submit two (2) copies of your final printed label for before your release the product for shipment. Please refer to the A-79 enclosure for a further description of final printed labeling. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product bearing amended labeling constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records.

If you have any questions regarding this action, please contact Dr. William Sproat of my team at (703) 308-8587.

Sincerely,

George T. LaRocca  
Product Manager (13)  
Insecticide Branch  
Registration Division (7505C)

Enclosure

(front panel)

## Conserve\* Professional Fire Ant Bait

For control or suppression of Red Imported Fire Ant (*Solenopsis invicta*) in:

- Lawns and other turf areas, including sod farms
- Recreation areas, including golf courses, playgrounds and playing fields
- Noncrop areas such as roadsides, rights of way, industrial areas, farmsteads, corrals and around animal housing facilities
- Ornamentals in landscapes and nurseries
- Greenhouses

[Editors note: If applicable, supplemental distributor may include one or more of the following label claims in sale copy.]

Kills the Queen	Ready to Use
and/or	and/or
Kills the Mound	No Odor
and/or	and/or
Eliminates the Colony	Easy to Use
and/or	and/or
No Mixing Required	Mound or Broadcast Treatments
and/or	and/or
No Mound Movement	Fast Acting
and/or	and/or
Dead Ants in 24 Hours	Quickly stops aggressive biting and stinging
and/or	and/or
Contains Conserve	Use Straight from the Bag (Bottle, Container)
and/or	and/or
Controls Fire Ants for up to 2 Months	Kills Fire Ants
and/or	and/or
No Watering Necessary	Treats (depends on package size) Mounds
and/or	
Fast, Effective Kill of Fire Ants	

### Active Ingredients:

spinosad (a mixture of spinosyn A and spinosyn D)..... 0.015%  
Inert Ingredients..... 99.985%  
Total Ingredients..... 100.000%

U.S. Patent No. 5,362,634 and 5,496,931

Keep Out of Reach of Children

## CAUTION PRECAUTION

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

See back panel of label for additional Precautionary Statements.

ACCEPTED  
with COMMENTS  
in EPA Letter 62719-329

NOV 16 1999

Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the product registered under EPA Reg.

62719-329

**Notice:** Read the entire label. Use only according to label directions. **Before buying or using this product, read "Warranty Disclaimer" and "Limitation of Remedies".**

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](http://www.dowagro.com).

EPA Reg. No. 62719-~~XXX~~ *GED*

EPA Est. 00000-XX-00

\*Trademark of Dow AgroSciences LLC

**Dow AgroSciences LLC • Indianapolis, IN 46268 USA**

**[Editor's note: If applicable, substitute name and address of supplemental distributor.]**

## **Insect Control**

Net Wt.      lb

(back panel)

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### Precautionary Statements

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## CAUTION

**Harmful If Swallowed.**

### Personal Protective Equipment (PPE)

**Non-WPS Uses** [Any use NOT covered by the Worker Protection Standard (40 CFR Part 170)]:

There are no specific PPE requirements for applicators and other handlers; however, the following is recommended as a minimum:

- Short-sleeved shirt and long pants
- Shoes plus socks

**WPS Uses:** Applicators and other handlers who handle this product for any use covered by the Worker Protection Standard (40 CFR Part 170) -- such as agricultural plants grown for sale or research purposes in farms, forests, nurseries and greenhouses -- must wear:

- Long-sleeved shirt and long pants
- Shoes plus socks
- Waterproof gloves

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

### User Safety Recommendations

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.

### First Aid

**If Swallowed:** Call a physician or Poison Control Center. Drink 1 or 2 glasses of water and induce vomiting by touching back of throat with finger. If person is unconscious, do not give anything by mouth and do not induce vomiting.

### Environmental Hazards

This product is toxic to aquatic invertebrates. Do not **apply** directly to water, to areas where surface water is present, or to intertidal areas below the mean high **water** mark. Do not contaminate water when disposing of equipment washwaters or rinsate.

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### Directions for Use

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

Read all directions carefully before applying this product.

Do not **apply** this product in a way that will contact **workers** or other persons, either directly or through drift. Only protected handlers may be in the area during **application**. For any requirements specific to your state or tribe, consult the agency responsible for pesticide **regulation**.

### Agricultural Use Requirements

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 4 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is:

- Coveralls
- Waterproof gloves
- Shoes plus socks

### Non-Agricultural Use Requirements

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants in nurseries, greenhouses, and on sod and seed farms.

- Do not allow unprotected workers or other persons or pets in treated area during application.

**[Editor's note: "...until dusts have settled." statement is not applicable since product is non-dusty granular formulation.]**

### Storage and Disposal

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

**Storage:** Store in original container in a cool dry place. In case of leak or spill, contain material and dispose as waste.

**Disposal:** Wastes resulting from the use of this product may be disposed of on site according to label use directions or at an approved waste disposal facility.

**Container Disposal:** Completely empty bag/container into application equipment. Then dispose of empty bag/container in a sanitary landfill, or, if allowed by state and local authorities, by burning. If burning, stay out of smoke.

### General Information

Conserve\* Professional Fire Ant Bait contains the fermentation-based active ingredient "spinosad" which is derived from the soil organism, *Saccopolyspora spinosa*.

**Insecticidal Activity:** Conserve Professional Fire Ant Bait is attractive to foraging Red Imported Fire Ants (*Solenopsis invicta*) and is readily taken back into the nest as food for the colony. The active ingredient in the bait is distributed throughout the colony, killing the ants including the queen. Fire ants that consume the bait will appear sick and lethargic within 12-24 hours. Dead ants will frequently be seen near treated mounds 24-36 hours after application. Soon after the ants eat the bait their aggressive biting and stinging behavior diminishes. The entire colony, including the queen, will usually be eliminated within 3 to 14 days after treatment, depending on environmental conditions. Extremely large colonies may take longer to control or require reapplication for complete elimination. Control may be slower with broadcast applications than with individual mound treatments. Maintain the freshness and attractiveness of the bait by keeping the container tightly sealed and using the product within the season of purchase.

**Labeled Use Sites:** This product may be applied in:

- Lawns and other turf areas, including sod farms
- Recreation areas, including golf courses, parks, playgrounds and playing fields
- Noncrop areas such as roadsides, rights of way, industrial areas, farmsteads, corrals and around animal housing facilities
- Ornamentals in landscapes and nurseries
- Greenhouses

**Precaution:** Do not use kitchen utensils for measuring. Keep measuring utensils with pest control products and away from children. Do not allow livestock or domestic animals to consume the bait.

### Application

**Application Timing:** Apply when ants are active (usually when temperatures are greater than 60° F). The best time to apply is in the cooler morning and late evening hours when fire ant foraging is at its peak. Tillage operations should be timed so as to avoid interference with foraging and consumption of the bait by fire ants (see "Insecticidal Activity" under "General Information" above).

**Mound Application:** Apply according to the rate table below. Evenly distribute the bait over the mound and extending out to about two feet surrounding the mound. Do not disturb the mound before, during or after treatment. Avoid mowing or tillage operations before or after application. Disturbing the mound may cause the ants to relocate. If mound disturbance cannot be avoided, supplement mound treatments with a broadcast application. If rain occurs within 6 hours of application, adequate foraging of the bait may not occur and retreatment may be necessary.

#### Mound Application Rate (All Labeled Use Sites):

Mounds Less Than 15" in Diameter	Mounds Greater Than 15" in Diameter
4 Tablespoons	4-6 Tablespoons

**Broadcast Application:** Apply according to the rate table below. Distribute as evenly as possible over the infested area with a calibrated rotary-type hand-held, PTO, electric or ground driven spreader. Broadcast applications will control established mounds and new colonies that are just becoming established. Applications every two months during the warm part of the year when the ants are active will help keep invading queens from establishing new colonies. If rain occurs within 12 hours of application, adequate foraging may not have occurred and retreatment may be necessary.

#### Broadcast Application Rate (All Labeled Use Sites):

Cups per 1000 Sq. Ft.	Cups per 10,000 Sq. Ft.	Pounds per Acre
1/3-2/3 cups	3-6 cups	2.5-5 lb/acre

Use higher rates for heavier infestations, faster activity and greater overall control.

#### Reinfestation and Multiple Queen Colonies

Fire ant colonies become established when newly mated queens fly into an area, burrow into the ground and begin to lay eggs. Several mating flights are common during the summer months, often occurring shortly after rainfall. It may take several months for new mounds to appear. Combining mound and broadcast applications will eliminate established colonies and help prevent new ones from developing.

An increasing number of fire ant infested areas have seen the development of multiple queen (polygynous) colonies that can be particularly difficult to eliminate. Consult your County Extension Agent or other

authority to determine if these colonies exist in your area. Conserve Professional Fire Ant Bait will control these colonies with a combination of individual mound treatment and subsequent broadcast application within 1 week. Repeat broadcast applications as directed above will help prevent reinfestation.

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**Warranty Disclaimer**

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Seller 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. SELLER MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

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**Inherent Risks of Use**

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It is impossible to eliminate all risks associated with use of this product. Plant injury, lack of performance, or other unintended consequences may result because of such factors as use of the product contrary to label instructions (including conditions noted on the label, such as unfavorable temperature, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of Seller. All such risks shall be assumed by Buyer.

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**Limitation of Remedies**

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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 Seller's 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.

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

The terms of the "Warranty Disclaimer" above and this "Limitation of Remedies" cannot be varied by any written or verbal statements or agreements. No employee or sales agent of the Seller 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: \_\_/\_\_/\_\_