

62719-454

07-28-2010

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

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

JUL 28 2010

Jim Baxter
Regulatory Manager
Dow AgroSciences LLC.
9330 Zionsville Road
Indianapolis, IN 46268

Subject: Application for Pesticide Notification
EPA Registration Number: 62719-454
Date of Submission: June 30, 2010

Dear Mr. Baxter:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration (PRN) 98-10 dated June 30, 2010, for the above mentioned product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions 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 regarding this letter, please contact Clayton Myers at (703) 347-8874.

Sincerely,

for

Mark Suarez
Product Manager
Insecticide Branch
Registration Division (7505P)

Enclosures: Copy of Label Stamped "Notification"



United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number Dow AgroSciences/62719-454	2. EPA Product Manager Mark Suarez	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Dow AgroSciences/Recruit IV AG	PM# 13	
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: NOTIFICATION EPA Reg. No. _____ JUL 28 2010 Product Name _____	

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.)

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.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
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		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
* Certification must be submitted	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	Other (Specify) _____	
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Jim Baxter	Title Regulatory Manager	Telephone No. (Include Area Code) (317) 337-4388 (fax: 317-337-4649)
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.		6. Date Application Received (Stamped)
2. Signature 	3. Title Regulatory Manager	
4. Typed Name Jim Baxter (jpbaxter@dow.com)	5. Date June 30, 2010	

Dow AgroSciences LLC
9330 Zionsville Road
Indianapolis, IN 46268-1054

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308/2E
June 30, 2010



Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U. S. Environmental Protection Agency
One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

NOTIFICATION

JUL 28 2010

RECRUIT IV AG (A.I. NOVIFLUMURON)
EPA REGISTRATION NUMBER: 62719-454
NOTIFICATION OF MINOR LABEL CHANGE PER PR NOTICE 98-10

Enclosed please find labeling for the notification action of Recruit® IV AG termite bait. The following changes have been made by notification:

1. Updated trademark symbol throughout.
2. Moved generic descriptor "termite bait" directly underneath product name.
3. Ingredients statement: Changed "Inert" to "Other."
4. Deleted "U.S. Patent 5,886,221."
5. Deleted references to web site.
6. Added "Produced for" before name and address.
7. Storage and Disposal: Added "Pesticide" before "Storage" and before "Disposal."

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 Recruit IV AG (M7A/Recruit IV AG/Notif/06-30-10) (8 Pages plus Registration Notes) (1 Copy)

If you require further information, please contact Cindy Loy, Regulatory Specialist at (317) 337-4655.

Sincerely,

Jim Baxter
Regulatory Leader
(317) 337-4388
(317) 337-4649 (FAX)

Enclosures

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(Base label):

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

Recruit® IV AG

Termite Bait

A termite bait for use as an above ground delivery system for elimination of subterranean termite colonies

Active Ingredient: noviflumuron	0.5%
Other Ingredients	99.5%
Total	100.0%

NOTIFICATION

JUL 28 2010

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 this product in depressions, low areas, near ponds, streams, springs, other water sources, or near downspout openings when the bait or its noviflumuron contents could be washed out of the bait station into water at or near the surface of the ground. Do not use, handle or tamper with the bait container in a manner inconsistent with this label.

Storage and Disposal

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

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

Pesticide Disposal: Product not disposed of by use according to label directions should be wrapped in paper and placed in a trash can.

Refer to label booklet for 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.

EPA Reg. No. 62719-454

EPA Est. _____

®Trademark of Dow AgroSciences LLC

**Produced for
Dow AgroSciences LLC
9330 Zionsville Road
Indianapolis, IN 46268**

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Net Weight ____

(Label booklet cover):

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

Recruit[®] IV AG

Termite Bait

A termite bait for use as an above ground delivery system for elimination of subterranean termite colonies

Active Ingredient: noviflumuron	0.5%
Other Ingredients	99.5%
Total	100.0%

Keep Out of Reach of Children

CAUTION

Refer to label booklet 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.

EPA Reg. No. 62719-454

[®]Trademark of Dow AgroSciences LLC

**Produced for
Dow AgroSciences LLC
9330 Zionsville Road
Indianapolis, IN 46268**

Net Weight _____

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(Bait label):

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

Recruit[®] IV AG

Termite Bait

Active Ingredient: noviflumuron	0.5%
Other Ingredients	99.5%
Total	100.0%

Keep Out of Reach of Children

Refer to label booklet Directions for Use.

EPA Reg. No. 62719-454

EPA Est. _____

®Trademark of Dow AgroSciences LLC

Produced for
Dow AgroSciences LLC
 9330 Zionsville Road
 Indianapolis, IN 46268

Net Weight ___

(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 this product in depressions, low areas, near ponds, streams, springs, other water sources, or near downspout openings when the bait or its noviflumuron contents could be washed out of the bait station into water at or near the surface of the ground. Do not use, handle or tamper with the bait container in a manner inconsistent with this label.

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.

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

Pesticide Disposal: Product not disposed of by use according to label directions should be wrapped in paper and placed in a trash can.

Handling Procedures: Do not remove station from its protective wrapper or expose the bait matrix until ready to use.

General Information

Recruit® IV AG termite bait is an above ground station of the Sentricon® *Termite Colony Elimination System* and may be used to eliminate subterranean termite colonies. Recruit IV AG contains the insect growth regulator (IGR) noviflumuron which prevents successful molting and development of subterranean termites. This disruption of development results in the decline and ultimate elimination of the termite colony when it can no longer sustain itself. Recruit IV AG may be used against economically important species of termites, including *Coptotermes*, *Reticulitermes*, and *Heterotermes* spp. Target sites for use of this product include interior and exterior surfaces of buildings and crawl spaces, fences, utility poles, decking, landscape decorations, trees, or other features that could be damaged by termite foraging and feeding activity.

A thorough understanding of the biology and behavior of subterranean termites relative to building construction and landscape features is essential for effective use of this product.

Recruit IV AG must remain in place as long as termites are actively feeding on the bait material. Recruit IV AG, when used alone as a control system, should be inspected regularly to ensure that termites do not entirely consume the bait matrix. When used alone as a control system, the inspection interval may be monthly, bi-monthly or quarterly. Recruit IV AG may also be used as a spot treatment without a specified inspection interval if used in conjunction with the in-ground installation of the Sentricon System. Access to additional bait matrix at a specific target site may be provided by "stacking" Recruit IV AG stations one on top of another. Stations may be stacked during the initial installation or during a subsequent inspection if one-third to one-half of the bait matrix has been consumed and active feeding continues. Details of this process are provided in the "Installation of Supplemental Recruit IV AG Stations" section of this label. When feeding in the stations has stopped, the Recruit IV AG stations can be removed.

Do not re-use Recruit IV AG. Subterranean termites secrete colony specific pheromones that become incorporated into the material during feeding and foraging. The pheromones deposited in the material by one colony will induce feeding deterrence or repellency in members of other colonies and thereby prevent feeding and toxicant delivery.

Recruit IV AG can be used in conjunction with other termite control methods, including soil barrier treatments and monitoring/baiting of Recruit IV in the Sentricon System stations used in ground. However, application of a liquid soil barrier treatment to the area through which termites must pass to reach a Recruit IV AG installation will prevent feeding and should be delayed until the entire baiting process is completed.

Food Handling Establishments: Recruit IV AG may be installed in both food and nonfood areas of all types of food-handling establishments, i.e., food service, food processing and food manufacturing establishments. This includes, but is not limited to, restaurants, grocery stores, bakeries, bottling plants, canneries, meat and poultry processing plants, and grain mills.

Inspection of Structures

Thorough inspection of the site to be protected is required to determine if subterranean termites are present and accessible. Treatment sites may include the interior and exterior surfaces of buildings and crawl spaces, fences, utility poles, decking, landscape decorations, trees, and other features that could be damaged by termite foraging and feeding activity.

Recruit IV AG is effective only when applied to areas where termites are active and direct access to the station is possible. Installation of Recruit IV AG does not attract termites. Areas suitable for placement of Recruit IV AG include interior and exterior surfaces where:

- Live termites are visually observed in mud tubes or subsurface galleries;
- Feeding activity is detected using an acoustic emission detector or other detection technology; or
- Termite mud tubes, feeding damage, or emergence holes have recently appeared.

The surface area for installation of Recruit IV AG should be large enough to allow the station to be firmly attached to the structure.

Once suitable areas for placement are identified, some surface preparation may be necessary before installation of Recruit IV AG. In areas where there are no obvious subsurface mud tubes, feeding damage, or emergence holes, but termite feeding activity is detected, holes approximately 3/8-inch in diameter may be drilled to intercept feeding galleries within the area to be covered by the bait station. Be careful not to scrape off or disturb surface mud tubes during the drilling process.

Installation of Recruit IV AG

The Recruit IV AG station consists of a rigid plastic housing containing the bait matrix packet. A removable cover allows for internal inspection of the bait station after installation. When attached to the mounting surface, the access window (open side) of the bait station allows termites direct access to the bait. Breakout points in the mounting surfaces surrounding the access window may be removed to avoid damage to surface mud tubes or allow better contact with the mounting surface.

Installation Procedure

1. Inspect the site to which the Recruit IV AG station will be attached to determine if the surface is suitable for attachment.
2. Always moisten the bait matrix before securing the station in place. Remove and open the packet and add 4 to 7 fl oz (120 to 210 mL) of water or a sugar-containing sports performance drink to the bait matrix. Reseal the packet and knead the matrix contents until the wetting agent has been fully absorbed (allowing for an initial 1 to 2 minutes of soak time helps aid in the kneading process). Once the wetting agent is absorbed, expose the bait matrix by creating access points for entry of termites in

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the packet. Reinsert the bait matrix packet into the bait station. The side with access points must be visible in the access window of the station to ensure the bait is exposed and in contact with the mounting surface.

3. Align the access window of the station housing with the termite gallery openings, exit holes, drilled holes, or mud tubes and secure the station to the surface. **(Note:** When mounting the bait station to surfaces containing surface mud tubes, a segment of each tube within the area to be covered by access window should be removed. This opening provides termites with direct access to the bait. Avoid crushing surface mud tubes when installing the bait station as this blocks termite access to the bait. Appropriate use of breakout points where surface mud tubes intersect the edges of the station housing will allow secure attachment without crushing the mud tubes.)
4. Firm and secure attachment of the station housing to the structure is necessary for it to remain in place under adverse weather conditions and to prevent tampering. Suitable attachment materials include screws, tape, non-volatile adhesives, latex-based caulk, or other appropriate materials. **(Note:** Avoid use of adhesives or caulking materials with volatile solvents that can temporarily repel termites.) Apply adhesive caulking material to the surfaces of the station housing which contact the mounting surface, but do so only after the final mounting position has been determined and, if necessary, breakout points have been removed. If adhesive is not desired, a foam gasket is included. Place the gasket between the mounting surface of the station and the termite infested structure. Align the holes in the gasket with the screw holes in the station and attach station to termite infested surface. The method of attachment should not interfere with removing the cover to inspect the bait or add a supplementary station.

Termites may abandon a station that allows light, air movement, drying of the matrix, or invasion by ants or other predators. Proper attachment and sealing of the station housing to the structure is critical.

5. After attachment of the station, replace and secure the cover.

Inspection of Recruit IV AG

To inspect Recruit IV AG, remove the cover to expose the bait matrix. If termites are active in the station and the matrix appears to be at least 1/3 to 1/2 consumed, a supplemental station should be added. If the bait matrix is moldy or degraded, it should be removed and replaced either with a new bait matrix packet or new station. If the bait matrix has dried out and contains no termites, it may be replaced with a fresh bait matrix packet that has been moistened as noted in Step 2 above or moisture may be added to the existing bait matrix. When termites are no longer actively feeding in a bait station, it should be removed.

If the entire contents of the bait station are consumed before replenishment, termites may forage elsewhere for food and water. The inspection interval may be monthly, bi-monthly or quarterly when Recruit IV AG is used alone as a control system. During inspection, check bait stations for secure attachment to the mounting surface and reinforce if necessary. Recruit IV AG may also be used as a spot treatment without a specified inspection interval if used in conjunction with the in-ground installation of the Sentricon System.

Installation of Supplemental Recruit IV AG Stations

Recruit IV AG stations are designed to accommodate the addition of a supplemental station by "stacking" a new station on top of an existing one. Stacking allows uninterrupted feeding without disturbing the termites in the original station. Moisture should be added to the supplemental station before installation, as described in the "Installation of Recruit IV AG" section of this label. Gaskets, which may be used for mounting the original stations, should **not** be used between stacked stations.

- Remove the cover from the existing station. After moistening as noted in Step 2 above, bait matrix should be exposed so termites can readily access the bait in the stacked station.
- Snap the new station and cover into place on top of the existing station.

Up to two stations (original plus 1) may be stacked at one location. Stacking of more than two stations is unnecessary and is undesirable for aesthetic and practical reasons. If it is necessary to continue baiting after two stations have been stacked, remove the second station, leaving the original station in place and add the new station on top of it. This procedure will ensure that foraging termites are minimally disturbed and that colony specific pheromones will remain at the site.

Inspect supplemental stations regularly as described in the "Inspection of Recruit IV AG" section of this label.

Terms and Conditions of Use

If terms of the following Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies are not acceptable, return unopened package at once to the seller for a full refund of purchase price paid. Otherwise, use by the buyer or any other user constitutes acceptance of the terms under Warranty Disclaimer, Inherent Risks of Use and Limitations of Remedies.

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 or the seller. All such risks shall be assumed by the user.

Limitation of Remedies

The exclusive remedy for losses or damages resulting from the use of 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, Inherent Risks of Use, and 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 Limitation of Remedies in any manner.

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EPA accepted 02/09/07