

64405-1

08/17/2007

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United States Environmental Protection Agency

Robert Brennis
Lewis & Harrison
122 C St. NW Suite 740
Washington, DC 20001

Product Name: BoraCare®
Company Name: Nisus Corp.
EPA File Symbol: 64405-1
EPA Receipt Date: 17 August 2007
Subject: Label Amendment for BoraCare®

Dear Mr. Brennis,

The label amendment submitted is accepted conditionally, with the requirement that the following data are submitted within 60 days of the receipt of this letter:

Conditional Data Requirements:

1. Claims for preventative treatments of the structure for protection against the Formosan termite, *Coptotermes formosanus*, must be supported by data demonstrating that the efficacy of BoraCare against *C. formosanus* that is equal to, or greater than, efficacy demonstrated against *Reticulitermes* spp. This requirement may be satisfied by the submission of acceptable data demonstrating equivalent efficacy of $\leq 20\%$ disodium octaborate tetrahydrate applied to wood as a surface spray and allowed to dry.
2. Directions for use requiring a single treatment of lumber of only three sides exposed must be further supported. The data in MRID 46753006 must be validated to support claims that wooden structural members with only three exposed sides are effectively protected by a single application of 1:1 water to BoraCare applied to the point of surface saturation. This requirement will be satisfied by the submission of affidavits from the study directors and an interim report indicating that this claim is consistent with the treatment methodology employed in MRID 46753006.

In the event that the data requirements stated above are not satisfied, the registrant subsequently agrees to submit a label amendment removing any unsupported claim(s) within 30 days of notification by the Agency.

Additionally, the registrant agrees to amend the product label to include the statement "In areas where a soil treatment/barrier termiticide treatment is required by law, BORA-CARE® may be applied as a supplemental pretreatment to protect wood from subterranean termites that may penetrate chemical gaps occurring in termiticide-treated soil." if any localities are found to require such a treatment.

Shipment of the product is considered as an acceptance of the terms of this registration. If you have any questions, you may contact Mark E. Suarez, at (703) 305-0120.

Sincerely,



Richard Gebken
Product Manager (10)
Insecticide Branch
Registration Division (7505C)

Enclosure
EPA Reg. No. 64405-1 Label Accepted 17 August 2007

CONCURRENCES

	H7505C							
<	MSUAREZ							
	Aug 17, 2007							

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(Front Panel)

BORA-CARE®

Termiticide, Insecticide and Fungicide Concentrate

For Prevention and Control of: •Subterranean Termites •Formosan Termites
• Drywood Termites •Carpenter Ants •Listed Wood Destroying Beetles •Fungi (Rot) •Algae

Keep Out of Reach of Children
CAUTION
See Back Panel for Additional Precautionary Statements.
See Booklet for Complete Directions for Use.

Active Ingredient:
Disodium Octaborate Tetrahydrate (CAS No. 12280-03-4) 40%
Other Ingredients 60%
Total 100%

Net Contents: 1.0 Gallon (3.78 Liters) Net Weight: 11.1 Pounds (5.0 Kilos)
[Net Contents: 5 Gallons 55 Gallons 250 Gallons 275 Gallons]

EPA Reg. No. 64405-1 EPA Est. 64405-TN-1
U.S. Patent Nos. 5,104,664, 5,460,816, 5,645,828, 6,426,095, 6,630,174

Manufactured by
Nisus
Corporation
© _____ **Made in the U.S.A.**

ACCEPTED
with COMMENTS
In EPA Letter Dated:
08/17/07
Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No. 64405-1

(Back Panel)

BORA-CARE®

Termiticide, Insecticide and Fungicide Concentrate
A Product of Nisus Corporation

For the Prevention and Control of:
Subterranean Termites , Formosan Termites, Drywood Termites , Carpenter Ants,
Listed Wood Destroying Beetles, Fungi (Rot), Algae

For use in and around Homes, Apartments, Garages, Museums, Public and Private Institutions, Schools, Hotels, Hospitals, Kennels, Stables, Farm Buildings, Trucks, Trailers, Warehouses and Non-Food Areas of Supermarkets, Restaurants and Food Processing Plants.

Active Ingredient:
Disodium Octaborate Tetrahydrate (CAS No. 12280-03-4) 40%
Other Ingredients 60%
Total 100%

EPA Reg. No. 64405-1 EPA Est. 64405-TN-1

U.S. Patent Nos. 5,104,664, 5,460,816, 5,645,828, 6,426,095, 6,630,174

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Keep Out of Reach of Children

CAUTION

PRECAUTIONARY STATEMENTS

Hazards to Humans & Domestic Animals

CAUTION: Harmful if inhaled or absorbed through skin. Avoid breathing vapors or spray mist. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Remove contaminated clothing and wash clothing before reuse. Avoid contamination of food or feed.

First Aid
Borate Pesticide

If Inhaled	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.
If on Skin or Clothing	<ul style="list-style-type: none"> • Take off contaminated clothing. • Immediately rinse skin with plenty of water for 15-20 minutes.
If in Eyes	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.
<p>Call a poison control center or doctor for further treatment advice. Have the product container or label with you when calling a poison control center or doctor, or going for treatment. [You may also contact 1-800-424-9300 for emergency medical treatment information.]</p>	

(Note: The first aid statements' grid format will be used if market label space permits; otherwise a paragraph format will be used.)

{For product in containers less than 5 gallons:}

Environmental Hazards

This pesticide is toxic to fish and wildlife. Do not apply directly to water, to intertidal areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when cleaning equipment or disposing of equipment washwaters.

{For product in containers 5 gallons or greater:}

Environmental Hazards

This pesticide is toxic to fish and wildlife. Do not apply directly to water, to intertidal areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when cleaning equipment or disposing of equipment washwaters. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your state water board or regional office of the EPA.

Net Contents: 1.0 Gallon (3.78 Liters) Net Weight: 11.5 Pounds (5.2 Kilos)
[Net Contents: 5 Gallons 55 Gallons 250 Gallons 275 Gallons]

Nisus Corporation
100 Nisus Drive
Rockford, TN 37853
(800) 264-0870
www.nisuscorp.com

{Affixed Booklet}

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For use in and around Homes, Apartments, Garages, Museums, Public and Private Institutions, Schools, Hotels, Hospitals, Kennels, Stables, Farm Buildings, Trucks, Trailers, Warehouses and Non-Food Areas of Supermarkets, Restaurants and Food Processing Plants.

PRECAUTIONARY STATEMENTS

Hazards to Humans & Domestic Animals

CAUTION: Harmful if inhaled or absorbed through skin. Avoid breathing vapors or spray mist. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Remove contaminated clothing and wash clothing before reuse. Avoid contamination of food or feed.

First Aid Borate Pesticide

If Inhaled	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.
If on Skin or Clothing	<ul style="list-style-type: none"> • Take off contaminated clothing. • Immediately rinse skin with plenty of water for 15-20 minutes.
If in Eyes	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.
Call a poison control center or doctor for further treatment advice. Have the product container or label with you when calling a poison control center or doctor, or going for treatment. [You may also contact 1-800-424-9300 for emergency medical treatment information.]	

{Note: The first aid statements' grid format will be used if market label space permits; otherwise a paragraph format will be used.}

{For product in containers less than 5 gallons:}

Environmental Hazards

This pesticide is toxic to fish and wildlife. Do not apply directly to water, to intertidal areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when cleaning equipment or disposing of equipment washwaters.

{For product in containers 5 gallons or greater:}

Environmental Hazards

This pesticide is toxic to fish and wildlife. Do not apply directly to water, to intertidal areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when cleaning equipment or disposing of equipment washwaters. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your state water board or regional office of the EPA.

DIRECTIONS FOR USE

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

Notice

Read and understand the entire label before using. Use only according to label directions.

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Before buying or using this product, read **Warranty Disclaimer** and **Limitation of Remedies** statements found elsewhere on this label. If terms are unacceptable, return unopened package to seller for full refund of purchase price. Otherwise, use by the buyer or any other user constitutes acceptance of the terms under **Warranty Disclaimer** and **Limitation of Remedies**.

Use Restrictions

Do not use in edible product areas of food processing plants or on countertops and other surfaces where food is prepared. Do not use in serving areas where food is exposed. Do not contaminate feed, water or food. Do not enter or allow others to enter or occupy treated areas until spray has been absorbed into the wood. Treated areas must not be occupied during application.

Phytotoxicity

This product may be phytotoxic to plants. When treating around the exterior of structures, cover and protect shrubbery and plants that may be potentially exposed to this product, when applied in accordance with the label directions.

Personal Protective Equipment (PPE)

Some materials that are chemical-resistant to this product are barrier laminate; butyl, nitrile, neoprene and natural rubbers \geq 14 mils; polyethylene; polyvinyl chloride; and viton \geq 14 mils. If you want more options, follow the instructions for category C on an EPA chemical-resistance category selection chart.

Applicators, mixers and other handlers must wear long-sleeved shirt, long pants, socks, shoes, chemical-resistant gloves and protective eyewear. When applying Bora-Care in confined spaces, provide ventilation or an exhaust system or use of a NIOSH-approved dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C) with a prefilter approved for pesticides (MSHA/NIOSH approval prefix TC-23C), or a canister approved for pesticides (MSHA/NIOSH approval prefix TC-14G) or a NIOSH-approved respirator with any N, R, P or HE prefilter is recommended.

User Safety Requirements

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, 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;
- Remove clothing immediately if pesticide gets inside, then wash thoroughly and put on clean clothing;
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

I. Mixing Instructions

Bora-Care is a concentrate that **must** be diluted with clean water before use. The use of warm or hot water, if available, and an impeller-type mixer that can be used with an electric drill aids the dilution process.

- A. Hand Sprayers:** Mix in a clean container and stir the solution until completely uniform. Always mix in a separate container then add the solution to a spray tank. Mixing Bora-Care directly in a spray tank can block hoses and nozzles.
- B. Hand Volume Pumping Systems:** Add all of the dilution water to tank, start recirculator and slowly add Bora-Care concentrate. Mix until uniform.

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Use 1:1, 2:1 and 3:1 Bora-Care solutions within 24 hours after mixing. 5:1 solutions will remain stable for up to 30 days. Do not leave unused solution under pressure or in tank overnight. Clean and/or flush equipment and lines with water after use.

Bora-Care can be mixed with pyrethrins at 0.3% for carpenter ants and other listed insects, or with Mold-Care® Moldicide Concentrate (EPA Reg. No. 6836-212-64405) for mold, in accordance with the most restrictive of label limitations and precautions. No label dosage rates should be exceeded. This product cannot be mixed with any product containing a label prohibition against such mixing. Follow the mixing directions under Section XVI below.

II. Dilution Ratios by Volume

Table A

Target Pests	Mixing Ratios Water plus Bora-Care	Application Notes
Subterranean and Formosan Termites	1:1 or 2:1	For remedial and preventative treatments apply a 1:1 dilution ratio for all treatments by spray, injection, brush or roller. The 2:1 dilution ratio may be used for foaming or, for application into inaccessible wall voids, may be used in a misting machine.
Drywood Termites	1:1, 2:1 or 5:1	For remedial treatment apply the 1:1 or 2:1 by foam or by misting using a misting machine. Use the 5:1 dilution ratio for prevention.
Anobiid and Lyctid Powderpost Beetles	1:1, 2:1 or 5:1	For all remedial treatments use a 1:1 dilution ratio. Logs > 4" require a 1:1 dilution ratio for prevention. Use a 2:1 dilution ratio for treating hardwood floors. Use the 5:1 dilution ratio for prevention.
Old House Borers, Longhorn Beetles and Ambrosia Beetles	1:1 or 5:1	Use the 1:1 dilution ratio for remedial and preventative treatment in wood > 4" in thickness. Use the 5:1 dilution ratio for prevention in wood less than 4" in thickness.
Carpenter Ants	1:1, 2:1 or 5:1	Use the 1:1 dilution ratio for all remedial treatments. Use the 2:1 dilution ratio for remedial treatments applied by foam or with a misting machine (or applicator). Use the 5:1 dilution ratio for prevention.
Fungi (Rot) and Algae	1:1, 3:1 or 5:1	For remedial control use a 1:1 dilution ratio on wood members 4" or greater in thickness. Use a 3:1 dilution ratio for wood less than 4" in thickness. For prevention use a 5:1 dilution ratio.

Table B

Materials to Be Treated	Mixing Ratios Water plus Bora-Care	Application Notes
Logs, Large Beams, Timber and	See target pests in Table A	All spray applications for insects and Fungi

Dimensional Lumber > 4"		(rot).
Decking, Fences and Plywood	See target pests in Table A	Use on wood members 2" or less in thickness.
Logs, Large Beams and Dimensional Lumber	See target pests in Table A	Use the 5:1 dilution ratio only for dip treatment for insect prevention. May be used in conjunction with other fungicides for fungi (rot) control.
Cellulosic Drywall and Insulation	1:1, 3:1 or 5:1	Use the 3:1 dilution ratio for active remedial treatment of dry rot. Use the 5:1 dilution ratio for prevention of dry rot. May be used in conjunction with other fungicides.

Table C

Parts Water	Part Bora-Care	% Disodium Octaborate Tetrahydrate
1	to 1	23%
2	to 1	16%
3	to 1	13%
5	to 1	9%

III. General Information

Bora-Care is not intended for application to soil; it is not a soil termiticide. **Do not use to directly treat soil. When an active infestation exists, get a professional inspection.**

Bora-Care contains an inorganic borate salt, soluble in water, with insecticidal and fungicidal properties effective against wood destroying organisms, including the target pests listed below. This product may be used as a remedial treatment of infested wood and as a long-term protective or preventive treatment (before signs of infestations are observed) of wood in existing or new construction. Bora-Care is recommended for protection of all interior and exterior wood (including wood-foam composite structural components). Treatment is long lasting provided the treated material is not exposed to rain or continuous water or in contact with the ground.

Subterranean Termites: *Reticulitermes*, *Heterotermes*

Formosan Termites: *Coptotermes*

Drywood Termites: *Kaloterms*, *Incisitermes*

Dampwood Termites: *Zootermopsis*, *Neotermes*

Powderpost Beetles: *Lyctidae*, *Bostrichidae*

Anobiid Beetles: *Anobiidae*

Old House Borers, Longhorn Beetles: *Cerambycidae*, *Hylotrupes*

Ambrosia Beetles: *Platypodidae*, *Scolytidae*

Carpenter Ants: *Camponotus*

Brown Rot (including dry rot), White Rot, Wood Decay and Listed Fungi

Antrodia sinuosa

Antrodia xantha

Aureobasidium pullulans

Basidiomycete

Bisporia pusillas 132

Ceratocystis pluriannulata

Ceratocystis picea

Fomes pinicola

Gloeophyllum abietinum

Gloeophyllum sepiarium

Gloeophyllum trabeum

Hericium abietis

Heterobesidion annosum

Lentinus lepideus

Phialophora lignicola

Phialophora lueto-olivacea

Phoma herbarum

Phoma lanosa

Polyporus abietinus

Polyporus rugulosus

Polyporus sulphureus

Poria subacida

Poria viallantii

Poria vaporaria

Poria xantha

Rhinocardiella spp.

Scerophoma pityophila

Serpula lacrymans

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<i>Chaetomium globosum</i>	<i>Lenzites trabea</i>	<i>Polyporus tomentosus</i>	<i>Sistotrema brinkmenii</i>
<i>keinze</i>	<i>Merulius lacrymans</i>	<i>Polyporus versicolor</i>	<i>Stereum abietinum</i>
<i>Coniophora cerebella</i>	<i>Ophiostoma coeruleum</i>	<i>Polystictus versicolor</i>	<i>Torulla spp.</i>
<i>Coniophora olivacea</i>	<i>Paecilomyces varioti</i>	<i>Poria carbonica</i>	<i>Trametes lilacino-gliva</i>
<i>Coniophora puteana</i>	<i>Phialophora spp.</i>	<i>Poria incrassata</i>	<i>Trametes serialis</i>
<i>Fomes lividus</i>	<i>Phialophora fastigiata</i>	<i>Poria monticola</i> 698	<i>Trichocladium asperum</i>
<i>Fomes officinalis</i>	<i>Phialophora haffmannii</i>	<i>Poria nigrescens</i> 4856	
<i>Fomes pini</i>	<i>Phialophora heteromorpha</i>	<i>Poria placenta</i>	

Bora-Care may be used on all non-food contact surface cellulosic materials including wood, plywood, particle board, paper, oriented strand board (OSB), cardboard (non-food packaging material), wood composite structural components, concrete, block, brick, metals, PVC plumbing pipes and other non-cellulosic materials found in structures. Apply Bora-Care only to bare wood, plywood, particle board and other cellulosic materials where an intact water-repellent barrier, such as paint, stain or sealer, is not present.

For tracking purposes (to make it easier to see where Bora-Care solutions have been applied) an appropriate marker dye or pigment may be added to the solution when diluting Bora-Care with water. Refer to the dye or pigment product label for recommended amount to add to the Bora-Care solution.

When spraying overhead interior areas of homes, apartment buildings, etc., cover or protect all surfaces below the area being sprayed with plastic sheeting or other material that can be disposed of if contamination from dripping occurs. Do not apply in food serving areas while food is exposed. Cover to protect all food contact and preparation surfaces prior to treatment. After treatment, thoroughly clean all food contact surfaces with a potable water/detergent solution followed with a potable water rinse. Remove all pets, turn off fish aquarium pumps, and cover.

In new construction applications for the prevention of subterranean termites, structural wood is defined as: only wood needed for the basic building structure as found in the dried-in stage of construction, including wood in direct contact with foundations, interior and exterior wall sill plates, wood studs, wood or cellulosic sheathing, floor joists and sub-flooring.

Use soap and water to clean up tools.

In structures where a soil treatment/barrier termiticide has been applied and/or termite bait system installed, apply Bora-Care as an additional treatment to protect wood from subterranean termites that may have penetrated the chemical gaps occurring within the termiticide-treated soil or have bypassed the bait/monitor systems.

As a remedial treatment, Bora-Care will both eliminate and prevent infestations of Formosan, native subterranean termites, wood boring beetles, carpenter ants and decay fungi. It may also be used as a supplement or alternative to fumigation in order to provide long-term residual control. The active ingredient in Bora-Care is an inorganic salt and once in place it will not decompose or volatilize out of the wood.

[The active ingredient in Bora-Care, disodium octaborate tetrahydrate, is toxic to listed insects, decay fungi and algae. Once Bora-Care has been applied, those insects that eat or infest the wood come in contact with the active borate ingredient and are killed. There are wood damaging insects, such as carpenter ants, that do not consume wood but use the wood as nesting sites. While chewing, they exude chemicals that soften the wood for easier removal. In the process of releasing and absorbing these chemicals or by being in contact with Bora-Care-treated wood, these insects also ingest the borate in the wood and are killed. Once individual members of many ant and termite colonies begin to die after feeding on a particular food source, the rest of the colony usually stops feeding

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on that same source and retreats from the area. Thus, borate-treated wood may be avoided by those members of the colony still alive.]

Older wood boring beetle larvae and especially pupae (particularly Old House Borers) already present in the wood at the time of treatment may occasionally emerge sometime after treatment. This is because they are no longer feeding on the wood. This will not occur frequently enough to cause structural damage to any wooden member and reinfestation is prevented.

IV. Remedial Wooden Structure Treatment for the Control of Subterranean, Formosan, Drywood and Dampwood Termites, Carpenter Ants, Old House Borers, Powderpost and Listed Wood Boring Beetles and Fungi (Rot)

A. Infested wood: Spray and/or inject Bora-Care solution into beetle holes, termite and carpenter ant galleries and decay pockets. Apply one (1) coat of Bora-Care solution to the point of surface saturation to all infested and susceptible wood, paying particular attention to infested areas. Apply two (2) coats of Bora-Care solution to those wood members with only one (1) or two (2) exposed sides. For quicker control, apply an additional coat to heavily infested areas. Allow first application to dry by waiting at least 20 minutes between applications. For specific pests to be controlled refer to Table A for applicable mixing instructions.

In cases where the infestation is not accessible from the surface, drill small holes into the wood to gain access to the infested area. Inject enough solution to completely flood galleries or voids. Adjacent intact wood may be treated by pressure injecting Bora-Care into holes drilled into the wood at eight (8) to ten (10)-inch intervals. Inject at 40 psi for four (4) to six (6) seconds per hole.

For treating infested wall voids, refer to Sections IV.E. and F.

B. Basements and crawl spaces: Apply one (1) coat of diluted Bora-Care solution to the point of surface saturation to all accessible surfaces including sill plates, piers, girders, subfloors, floor joists and any wood exposed to vertical access above ground. On wood where access is limited to one (1) or two (2) sides of wood members, such as sills and plates on foundation walls, apply two (2) coats of Bora-Care solution. Allow first application to dry by waiting at least 20 minutes between applications.

C. Buildings on slabs: Apply Bora-Care solution into wall voids by foaming or misting. Locate each stud and drill a small hole through the wall covering to gain access to the infested area. Drill holes every 18-24 inches adjacent to the side of each stud and inject at least 1/3 fluid ounce of Bora-Care solution per hole. Drill at least one hole per stud bay near the floor to treat the base plate in each void. Treat entire wall area as opposed to single stud bays to completely include the infested area within the treatment zone. Cover at least six (6) inches of slab surface area out from the penetration site.

D. Wood flooring: Treat by spray, brush or roller application. Prior to application, remove any existing finish by complete coarse sanding or stripping. Apply a two (2) parts water to one (1) part Bora-Care (2:1) solution at a rate of approximately one (1) gallon of solution per 500 square feet of floor surface. For treating infestations of subterranean or Formosan termites, two (2) coats may be required, waiting at least one (1) hour between applications. Allow floor to completely dry (typically 48 to 72 hours). Moisture content must be 10% or less before applying final finish. Bora-Care applications may raise the grain of the wood and an additional light sanding may be necessary before applying a new finish.

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Bora-Care is compatible with most floor coatings; always test a small section of treated floor with the new finish and check for appropriate adhesion prior to coating the entire floor.

Note: If surface is tacky or residue is evident after 72 hours of drying time, wash affected area with clean water and a mop, cloth or sponge, rinsing frequently. Allow surface to dry prior to final light sanding and application of finish coat.

- E. Inaccessible wall voids, wall studs and wood members:** Apply by foaming or misting into voids and channels of damaged or suspected infested wood and/or through small holes drilled into walls and baseboard areas. Space holes no more than 24" apart along each member to be treated and at least one (1) hole must be drilled between each wall stud when treating base plates. Use sufficient amount of material to cover all areas to the point of surface saturation.
- Note:** Existing insulation may interfere with distribution of the Bora-Care solution. If necessary, move or displace insulation during or prior to treatment.
- F. Foam application:** Apply Bora-Care to bare wood surfaces and void areas as a foam by mixing two (2) parts water with one (1) part Bora-Care (2:1) and adding 3 to 8 ounces of foaming agent per gallon of mixed solution. Foam will take approximately one (1) hour to return to liquid state and soak into bare wood. Apply foamed Bora-Care to void spaces at a 1:20 to 1:30 foam ratio (one (1) gallon of mixed solution expanded with foaming agent to produce 20 to 30 gallons of foam). Apply enough foam to fill void and contact all wood surfaces in the void space.
- G. [Roofs containing infested cellulosic materials:** Apply by drilling holes through roofing surface to gain access to the infested area. Space holes no more than three (3) feet apart in a grid pattern. Inject two (2) to four (4) fluid ounces of Bora-Care solution into each hole. Patch all holes with suitable materials to prevent subsequent water infiltration.]
- H. [Fogging application:** Use a fogging device to treat confined spaces such as attics or crawl spaces. Add a two (2) parts water to one (1) part Bora-Care (2:1) solution to the fogging device reservoir. Fog the area with enough Bora-Care solution to completely wet all exposed wood surfaces. Apply approximately one (1) gallon of solution for every 400 to 800 cubic feet of void volume. In heavily infested areas, supplement fogging with direct spray applications. If fogging is for control of subterranean or Formosan termites, two (2) separate applications may be necessary. Wait at least 2 hours between re-applications. Simultaneously operate multiple fogging devices for each 2000 cubic feet of void volume being treated.
- Note:** Fogging is recommended **only** when access is limited, preventing application by other means.]
- I. Foam insulation:** Apply by injecting a one (1) part water to one (1) part Bora-Care (1:1) solution into the infested area and/or low pressure surface spraying at a rate of one (1) gallon per 300 to 400 square feet.
- Note:** Some types of foam insulation, such as polyisocyanurate and extruded polystyrene, have closed cell structures that do not allow significant penetration from surface application. Inject and surface spray these types of insulation.
- J. For remedial treatments:** Apply a supplemental treatment of Bora-Care to concrete, block or brick on the interior of crawlspace and basement foundations to prevent shelter tubing by subterranean termites. Apply Bora-Care 1:1 [one (1) part water to one (1) part Bora-Care] solution at the rate of one (1) gallon to 400 square feet of surface area. In crawlspaces, apply solution two (2) feet (24 inches) up from the ground on interior wall surfaces. In unfinished basements with bare slabs, apply Bora-

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Care 1:1 solution two (2) feet (24 inches) up from the slab on interior foundation walls. In addition to the wall treatment, extend application up to six (6) inches away from foundation walls onto the horizontal surface of the bare slab. Treat bath trap areas in slab construction, after obtaining access to the area, by evenly applying eight (8) ounces of the 1:1 Bora-Care solution into the traps in at least a one (1) foot (12 inch) band covering all sides on the slab surface area out from the trap area. Treat other termite access areas (such as plumbing penetrations, expansion joints and abutting slabs) by applying the 1:1 Bora-Care solution in at least a one (1) foot (12 inch) band covering all sides of the slab surface area out from the penetration and by treating protruding utilities and adjacent wood to a height of two (2) feet (24 inches).

V. Preventative Treatment of Wooden Structures for Formosan, Drywood and Dampwood Termites, Carpenter Ants, Old House Borers, Powderpost and Other Wood Boring Beetles, and Fungi (Rot)
Note: Bora-Care is not intended for application to soil.

Bora-Care provides only limited and temporary protection of wood in contact with the ground (see specific instructions) and is not a substitute for products registered for protection of wood in contact with the ground. Bora-Care may be applied as a treatment to protect wood from Formosan, drywood and dampwood termites, carpenter ants, old house borers, powderpost and listed wood boring beetles and wood decay fungi.

Apply when access to wooden structural components is optimized such as at the "dried-in" stage when sheathing and roofing are in place, yet before installation of insulation, wiring, plumbing and other mechanical components.

For framed wood surfaces above ground, apply to the point of surface saturation one (1) coat of a one (1) gallon water to one (1) gallon Bora-Care (1:1) solution for subterranean termites and Formosan termites as described in Section VI. For treatment of new log structures see Section IX. Treat remainder of structural wood in a five (5) parts water to one (1) part Bora-Care (5:1) solution. Concentrate application in areas susceptible to attack, to include all sills, plates, floor joists, piers, girders and subfloors. Treat structural wood in all plumbing, electrical and ductwork areas where they penetrate walls or floors. Treat all structural wood base plates and studs on interior and exterior walls, especially those surrounding any high moisture areas such as bathrooms, kitchens and laundry rooms. For buildings built on slabs, treat all structural wood in contact with the slab, all interior and exterior wall studs and wall sheathing material. In attics, treat all structural wood including ceiling joists, trusses, top plates, rafters and roof decking. Treat all structural wood sill plates and structural wood contacting garages and porches.

In areas where access is limited to one (1) or two (2) sides of a wood member, including exterior wall base plates and any married studs, apply two (2) coats of Bora-Care solution to the exposed surfaces. Allow first application to dry by waiting at least 20 minutes between applications.

Treat all exterior wood including siding, facias, soffits, eaves, roofing, porches, decks and railings.

VI. Preventative and Pretreatments for Subterranean Termites (Crawl Space, Basement and Slab)

Note: This treatment serves as a primary treatment for the control of subterranean termites. The product must be applied at a dilution ratio of 1:1 Water:Bora-Care.

In new construction applications for the prevention of subterranean termites, structural wood is defined as: only wood needed for the basic building structure as found in the dried-in stage of construction,

including wood in direct contact with foundations, interior and exterior wall sill plates, wood studs, wood or cellulosic sheathing, floor joists and sub-flooring.

Apply when access to wooden structural components is optimized and when no further framing modifications will be made, such as after final framing inspection. If treatment is carried out prior to framing inspection, a second visit is required to ensure full treatment is still intact.

Do not use for new construction treatments if the total linear footage of the cellulosic base plates is less than 60% of the total linear footage of all base plates in structure to include exterior and interior walls. In new construction with 60% or more lineal footage of base plates, but without continuous wood on every exterior wall, the Bora-Care treatment must be installed to all other exterior structural construction materials, including brick or block, to a height of two (2) feet (24 inches) and extended out onto the slab a minimum of two (2) to a maximum of eight (8) inches.

A. Buildings on Crawl Spaces and Basements: Apply one (1) coat of a one (1) gallon water to one (1) gallon (1:1) Bora-Care solution in a two (2) foot (24-inch) wide uninterrupted band to the point of surface saturation to all structural wood surfaces in crawl spaces and basements, to include all sills, plates, floor joists, piers, girders and subfloors as well as structural wood exposed to direct vertical access from the soil. To prevent termite shelter tubes on crawlspace walls, apply a 1:1 Bora-Care solution to crawlspace concrete or block walls in a two (2) foot (24 inch) band up from the ground on interior wall surfaces. Apply at the rate of one (1) gallon to 400 square feet of surface area. Treat a two (2) foot (24-inch) band around construction materials and structural wood adjacent to plumbing, electrical conduit and ducts where they penetrate subfloors, if they provide a direct vertical access from the soil. Treat all structural wood, including wall studs and sills, in finished-out basements where structural wood framing is immediately adjacent to the exterior foundation walls. Spray concrete slab surface a minimum of two (2) up to a maximum of eight (8) inches. To prevent termite shelter tubes on basement walls, spray all interior concrete or block foundation walls with a two (2) foot (24 inch) band up from the slab area. Apply the 1:1 Bora-Care solution at the rate of one (1) gallon per 400 square feet of concrete foundation wall area.

On structural wood where access is limited to one (1) or two (2) sides of wood members, such as sills and plates on foundation walls or wrapped sheathing, apply two (2) coats of Bora-Care solution. Allow first application to dry by waiting at least 20 minutes between applications. If accessible, treat the exterior of structural wood sill areas around the entire perimeter of the structure with a 24-inch wide band of Bora-Care solution beginning with the sill area and extending upwards onto the sheathing material. On multiple story structures, treat only the first story above the masonry foundation level. Coated or painted structural wood may be treated by pressure injecting Bora-Care into holes drilled into the wood at eight (8)- to ten (10)-inch intervals. Inject at 40 psi for four (4) to six (6) seconds per hole.

B. Buildings on slabs: Apply one (1) coat of a one (1) gallon water to one (1) gallon Bora-Care (1:1) solution to all base plates and the bottom two (2) feet (24 inches) of all studs on all exterior and interior walls. When spraying base plates also treat concrete surface a minimum of two (2) inches to a maximum of eight (8) inches in from plates. **In areas where access is limited to one (1) or two (2) sides of a structural wood member, such as sills and plates on foundation walls or wrapped sheathing, apply two (2) coats of Bora-Care solution to the exposed surfaces.** Allow first application to dry by waiting at least 20 minutes between applications. Treat all structural wood in plumbing walls and apply to any wood in bath traps as well as structural wood adjacent to plumbing,

electrical conduit and duct penetrations to provide a minimum two (2) foot (24-inch) wide barrier of treatment between the soil and the balance of the structure. Using a 1:1 Bora-Care solution treat all available plumbing penetrations at least two (2) feet (24 inches) up from slab. Treat all slab surface area at least one (1) foot out from all bath trap penetrations. Evenly treat bath traps with a minimum of eight (8) ounces of the 1:1 Bora-Care solution to a maximum of sixteen (16) ounces per square foot of trap. Treat any penetrations (such as plumbing, expansion joints and abutting slabs) not associated with any nearby structural wood by spraying the 1:1 Bora-Care solution on available penetrations up to two (2) feet (24 inches) high and extending application to cover at least six (6) inches of slab surface area out from penetration site.

C. Foam insulation: Treat with low-pressure surface spraying or injecting a one (1) part water to one (1) part Bora-Care (1:1) solution to the infested area at the rate of one (1) gallon per 300 to 400 square feet.

Note: Some types of foam insulation, such as polyisocyanurate and extruded polystyrene, have closed cell structures that do not allow significant penetration from surface application. Inject and surface spray these types of insulation.

VII. Preventative Treatment for Drywood Termites and Powderpost Beetles

Apply one (1) coat of a 5:1 [five (5) gallons water to one (1) gallon Bora-Care] solution to the point of surface saturation to all structural wood surfaces using a brush, spray or mist. Apply two (2) coats of Bora-Care solution to those surfaces where access is limited to one (1) or two (2) sides of structural wood members. Allow the first application to dry by waiting at least 20 minutes between applications.

VIII. Treatment of Exterior Wood Surfaces Less Than Two Inches Thick such as Decks, Sheds and Fences

Apply only to bare wood or to wood surfaces where an intact water repellent or finish is not present. Remove paint or finish prior to application. Apply one (1) coat of Bora-Care solution to the point of surface saturation to all wood surfaces. Apply two (2) coats of Bora-Care solution to heavily infested areas and to those surfaces where access is limited to one (1) or two (2) sides of wood members. Allow first application to dry by waiting at least 20 minutes between applications. Do not apply in rain or snow. Do not expose treated exterior wood surfaces to rain or snow for at least 48 hours after treatment. If inclement weather is expected, protect exterior treated surfaces with a plastic tarp.

For wood in contact with the ground or soil, see Section XI.

A. Finishing and Maintaining Treated Surfaces: For longer performance, exterior wood surfaces that have been treated with Bora-Care will require a topcoating with a water-resistant finish such as paint or exterior stain. Apply the finish or topcoat within six (6) weeks of treatment. It is important to allow Bora-Care-treated wood to completely dry (at least 48 hours) before applying any protective topcoat. Coat a small section of treated wood with the finish to be used and check for compatibility prior to complete application.

IX. Treatment of Log Structures, Timbers, Beams, Pilings and Exterior Wood Members Two or More Inches Thick

Apply only to bare wood or to wood surfaces where an intact water repellent or other finish is not present. Remove paint or finish prior to application. Prior to treatment clean interior, unfinished surfaces that have accumulated dirt or cooking oils with a strong detergent. Apply a one (1) part water to one (1) part Bora-Care (1:1) solution to the point of surface saturation to all interior and exterior wood surfaces. Refer to

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application chart for minimum amount of Bora-Care to treat various sized logs or beams. Typically, two (2) coats of solution are required to treat round logs 10" or greater in diameter and rectangular logs larger than 6" x 12". Wait at least one (1) hour before re-application. Apply two (2) coats of Bora-Care solution to log ends, notches, corners and sill logs. Actual number of coats necessary to meet minimum requirements will depend upon actual wood size, surface porosity and number of sides accessible for treatment. Do not apply in rain or snow. Do not expose treated exterior wood surfaces to rain or snow for at least 48 hours after treatment. If inclement weather is expected, protect exterior treated surfaces with a plastic tarp.

A. Finishing and Maintaining Treated Surfaces: For long-term protection, exterior wood surfaces that have been treated with Bora-Care will require a topcoating with a water-resistant finish, paint or exterior stain. Apply the finish or topcoat within six (6) weeks of treatment. It is important to allow Bora-Care-treated wood to completely dry (at least 48 hours) before applying any protective topcoat. Coat a small section of treated wood with the finish to be used and check for compatibility prior to complete application.

X. Dip Treating Logs and Lumber

Prepare a dip treating solution by mixing five (5) parts water to one (1) part Bora-Care (5:1). This will result in a stable solution containing 9% active ingredient. Sticker bundled wood to ensure the solution covers all wood surfaces. Submerge logs and/or lumber in the solution for at least one (1) minute or until all entrapped air has escaped. Protect treated wood from rain or snow for at least 24 hours after treatment.

XI. Treatment of Wood in Contact with the Ground

A Bora-Care treatment to wood in contact with the ground or soil has a limited lifespan and will require periodic reapplication. Protection may be extended with the use of a 40% disodium octaborate tetrahydrate (or borate) gel product.

XII. Prevention and Remedial Control of Algae for Cellulosic Building Components

Apply Bora-Care for the prevention and remedial control of algae to cellulosic building components (drywall, insulation) in new construction and existing structures and where an intact water repellent barrier such as paint, stain or sealer is not present. Apply Bora-Care at the rate of one (1) gallon of solution per 400 square feet of surface area. Apply only to the back paper side of drywall and to cellulose insulation. In areas where drywall has been installed and insulation is enclosed, apply Bora-Care using a misting machine (or applicator) applying sufficient solution to cover surfaces at the rate of one (1) gallon per 400 square feet. Refer to **Tables A and B** for mixing ratios for preventative and remedial algae treatments.

XIII. General Pest Control Applications

The application of Bora-Care to the surface of wood in new construction or to wood surfaces inside wall void areas in existing structures helps to prevent the establishment of cockroach, ant (except Fire ants, Harvester ants, Pharaoh ants), silverfish, earwig, boxelder bug, millipede and cricket infestations that come in direct contact with these treated areas. Apply one (1) gallon of Bora-Care solution per 400 square feet of surface area or refer to **Tables A and B** when applying as a surface application.

XIV. Bora-Care Total Wood Preservative

A wood preservative for protection and treatment of wood against brown rot, white rot, fungi (rot) and wood destroying insects including beetles, termites and carpenter ants. Treatment is permanent provided the treated material is not exposed to rain, moisture or ground contact.

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- A. General Information:** Bora-Care is a concentrated solution of sodium borate with additives that facilitate rapid penetration of wood, regardless of moisture content. It is designed for preventative and/or remedial treatment of wood in both new and existing structures against fungi (rot) and wood boring insects including:

Subterranean Termites (*Reticulitermes*, *Heterotermes*, *Coptotermes*)
Dampwood Termites (*Zootermopsis*)
Drywood Termites (*Kalotermites*, *Incisitermes*)
Powderpost Beetles (*Lyctidae*, *Bostrichidae*)
Anobiid Beetles (*Anobiidae*)
Old House Borers, Longhorn Beetles (*Cerambycidae*)
Carpenter Ants (*Camponotus*)

- B. Surface Preparation:** Apply only to bare wood. Remove any previous finishes or water repellents before application of Bora-Care. Surfaces must be free of dirt and other contaminants. If finished appearance is a concern, prior to application of Bora-Care, remove any mold or mildew with an appropriate wood cleaner followed by thorough surface rinsing.

C. Application Instructions:

- 1. Treatment of Dimensional Lumber, Plywood and Exterior Wood Surfaces (Decks, Sheds, Siding, etc.):** Apply only to bare wood or to wood surfaces where an intact water repellent or finish is not present. If necessary, remove paint or finish prior to application. To all wood surfaces apply to the point of surface saturation one (1) coat of either a one (1) part water to one (1) part Bora-Care (1:1) solution for remedial control of wood-infesting insects, three (3) parts water to one (1) part Bora-Care (3:1) for remedial control of fungi (rot), two (2) parts water to one (1) part Bora-Care (2:1) foam or mist solution or a five (5) parts water to one (1) part Bora-Care (5:1) solution for insect and fungi (rot) prevention. Apply two (2) coats of Bora-Care solution to heavily infested areas and to those surfaces where access is limited to one (1) or two (2) sides of wood members. Do not apply in rain or snow. Do not expose treated exterior wood surfaces to rain or snow for at least 48 hours after treatment. If inclement weather is expected, protect exterior treated surfaces with a plastic tarp.
- 2. Treatment of Logs, Timbers and Large Beams:** Apply only to bare wood or to wood surfaces where an intact water repellent or other finish is not present. If necessary, remove paint or finish prior to application. Prior to treatment, clean interior, unfinished surfaces that have accumulated dirt or cooking oils with a strong detergent. Apply to the point of runoff by spray or brush a one (1) part water to one (1) part Bora-Care (1:1) solution to all interior and exterior wood surfaces. Refer to application chart for minimum amount of Bora-Care to treat various sized logs or beams. Typically, two (2) coats of solution will be required to treat round logs 10" or greater in diameter and rectangular logs larger than 6" x 12". Wait at least one (1) hour between applications. Also apply two (2) coats of Bora-Care solution to log ends, notches, corners and sill logs. Actual number of coats necessary to meet the minimum requirements will depend upon actual wood size, surface porosity and number of sides accessible for treatment. Do not apply in rain or snow. If inclement weather is expected, protect exterior treated surfaces with a plastic tarp for at least 48 hours after treatment.
- 3. Dip Treating Logs and Lumber:** Prepare a dip treating solution by mixing five (5) parts water to one (1) part Bora-Care (5:1). This will result in a stable solution containing 9% active ingredient. Sticker bundled wood to ensure the solution covers all wood surfaces. Submerge logs and/or

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lumber in the solution for at least one (1) minute or until all entrapped air has escaped. Protect treated wood from rain or snow for at least 24 hours after treatment.

D. Finishing and Maintaining Exterior-Treated Surfaces: For long-term protection, exterior wood surfaces that have been treated with Bora-Care require a topcoating with a water-resistant finish such as paint or exterior stain. Apply the finish or topcoat within six (6) weeks of treatment. It is important to allow Bora-Care-treated wood to completely dry (at least 48 hours) before applying any protective topcoat. Coat a small section of treated wood with the finish to be used and check for compatibility prior to complete application. Interior surfaces do not require topcoating except in situations involving repeated moisture contact or high humidity (shower stalls, bath houses, saunas, etc.)

E. Retention Rates: One (1) gallon of Bora-Care concentrate (two (2) gallons of Bora-Care solution as applied) will treat 800 board feet of wood to a minimum retention level of 0.084 pounds per cubic foot boric acid equivalent (BAE). Since the active ingredient penetrates throughout the wood being treated, calculate the amount of Bora-Care needed on the volume of wood being treated, not just the surface area. Use the following formulas to calculate the required amount of Bora-Care:

**For Dimensional Lumber
(2 x 4, 2 x 6, 2 x 12, etc.)**

$$\text{Material thickness (inches) x material width (inches) x material length (feet) divided by 12} \\ = \text{Board Feet}$$

For Log Homes

$$\text{Log height (inches) x log thickness (inches) x perimeter (feet) x number of courses divided by 12} \\ = \text{Board Feet}$$

(For round logs use the average diameter for both height and thickness measurements)

For Siding and Paneling

One (1) gallon of Bora-Care concentrate (two (2) gallons of solution) will treat 800 sq. ft. of 1" thick wood by spraying only one side. If siding or paneling is 1/2" thick, one (1) gallon of Bora-Care concentrate (two (2) gallons solution) treats 1,600 sq. ft.

XV. Application Rates

Table A – Dimensional Lumber

Lumber Size (Inches)	1 Gallon of Diluted Bora-Care® Will Treat Up To	Minimum Amount of Diluted Bora-Care® To Treat 1000 Lineal Feet
1 x 4	1,200 Lineal Feet	0.8 Gal.
1 x 12	400	2.6
2 x 4	600	1.6
2 x 6	400	2.6
2 x 8	308	3.2
2 x 10	240	4.2
2 x 12	200	5.0
4 x 4	300	3.4
4 x 6	200	5.0

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4 x 8	150	6.8
4 x 12	100	10.0
6 x 6	133	7.6
6 x 8	100	10.0
6 x 10	80	12.6
6 x 12	68	15.0

Table B – Panels, Siding and Plywood
(1:1 or 2:1 mixing ratio)

Thickness (Inches)	1 Gallon of Diluted Bora-Care® Will Treat Up To	Minimum Amount of Diluted Bora-Care® To Treat 1000 Square Feet
1/4	1,600 sq. ft.	0.6 Gal.
3/8	1,067	1.0
1/2	800	1.2
3/4	533	1.8
1	400	2.6

Table C – Round Logs
(only the 1:1 mixing ratio)

Diameter (Inches)	1 Gallon of Diluted Bora-Care® Will Treat Up To	Minimum Amount of Diluted Bora-Care® To Treat 1000 Lineal Feet
6	167 Lineal Feet	6.0 Gal.
8	96	10.4
10	61	16.4
12	43	23.4

Note: The numbers listed above are based on an application rate of one (1) gallon of Bora-Care solution to 400 board feet of wood.

XVI. For Prevention and Control of Listed Wood Destroying Beetles, Decay Fungi (Rot) and Drywood Termites; and Mold Control when mixed with Mold-Care® Moldicide Concentrate

For mold control, mix entire contents [1 pint] of Mold-Care® Moldicide Concentrate and 1 gallon of Bora-Care® in 5 gallons of water [following the procedures below:] The solution will remain stable for up to 30 days. Do not leave unused solution under pressure or in tank overnight. Clean and/or flush equipment and lines with water after use.

Bora-Care may be mixed with Mold-Care Moldicide Concentrate for performance against mold, provided the products' labels contain no prohibition against such mixing, following the more restrictive label's precautions and limitations. Do not exceed label dosage rates.

{Specific use directions will be taken from selected portions of the Bora-Care label.}

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(For product packaged in containers of 1 gallon or less:)

Storage and Disposal

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

Pesticide Storage: Store in a cool, dry (preferably locked) storage area inaccessible to children and pets. Do not freeze. **Disposal: If empty:** Do not reuse this container. Place in trash or 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.

(For product packaged in containers greater than 1 gallon:)

Storage and Disposal

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

Pesticide Storage: Store in a cool, dry (preferably locked) storage area inaccessible to children and pets. Do not freeze. **Pesticide Disposal:** Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility. **Container Disposal:** Triple rinse (or equivalent) then offer for recycling or reconditioning; or puncture and dispose of in a sanitary landfill; or incineration; or if allowed by local authorities, by burning (if burned, stay out of smoke).

XVII. Warranty Disclaimer

Manufacturer 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. To the extent not prohibited by applicable law, **MANUFACTURER MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.**

Inherent Risks of Use

The directions for use of this product are believed to be adequate and must be carefully followed. 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 label instructions, abnormal conditions, the presence of other materials, climatic conditions or the manner of use/application, all of which are beyond the control of the Manufacturer. The buyer/user assumes all such risks.

Limitation of Remedies

To the extent not prohibited by applicable law, 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 Manufacturer'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.

To the extent not prohibited by applicable law: a) Manufacturer shall not be liable for losses or damages resulting from handling or use of this product unless Manufacturer is promptly notified of such loss or damage in writing; and b) **IN NO CASE SHALL MANUFACTURER BE LIABLE FOR CONSEQUENTIAL OR INCIDENTAL DAMAGES OR LOSSES, INCLUDING WITHOUT LIMIT, HEALTH RELATED DAMAGES OR INJURIES.**

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

It is not intended that this product be used to practice any applicable patent, whether mentioned or not, without procurement of a license, if necessary, from the owner, following investigation by the user.

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