

64405-2

08-18-2010

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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Ms. Kim Davis
Nisus Corporation
c/o RegWest Company, LLC
8203 West 20th Street., Suite A
Greeley, CO 80634-4696

AUG 18 2010

Subject: Label Notification(s) for Pesticide Registration 98-10

Dear Ms. Davis:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated for May 7, 2010

Alternate Brand Name

BugBait

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

EPA Registration Number 64405-2

Redzone Bait

Please re reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on non-refillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact Melody Banks on 703 305-5413.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Suarez".

Mark Suarez
Product Manager 13
Insecticide Branch
Registration Division (7504P)

212

United States Environmental Protection Agency 1200 Pennsylvania Avenue, N.W. Washington, DC 20460-0001	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number Notification
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Application for Pesticide – Section I

1. Company/Product Number EPA Reg. No. 64405-2	2. EPA Product Manager Mark Suarez	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/ Product (Name) Redzone Bait	PM # 13	
5. Name and Address of Applicant (Include ZIP Code) Nisus Corporation c/o RegWest Company, LLC 8203 West 20th St., Suite A Greeley, CO 80634-4696 <input type="checkbox"/> Check if this is a new address		6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(i) my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____

Section – II

NOTIFICATION

<input type="checkbox"/> Amendment – Explain below. <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification – Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated AUG 18 2010 <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other – Explain below.
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Explanation: Use additional page(s) if necessary. (For Section I and Section II.)
Additional Brand Name and container size (3 lbs.) Notification per PR Notice 98-10. The Additional Brand Name is:

BugBait


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 the 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:			
Child Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input checked="" type="checkbox"/> Yes (pre-filled bait stations) <input type="checkbox"/> No (all other containers)	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input checked="" type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify): _____
*Certification must be submitted	If "Yes" Unit Packaging Wt. 1.25 oz.	No. Per Container 12	If "Yes" Packaging Wt.
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container 1.25 oz (prefilled bait stations); and 1, 3, 4, 5, 20, 40, 250 and 1500 lbs.		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling Accompanying Product
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Stenciled <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Other Self-adhesive and printed bags			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application).		
Name Kim Davis	Title Consultant/Agent	Telephone No. (Include Area Code) 970.353.0611 kim@regwest.com

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 Consultant/Agent	
4. Typed Name Kim Davis	5. Date May 7, 2010	

Additional Brand Name/Container Size Notification

May 7, 2010



Mr. Mark Suarez, Product Manager 13
Document Processing Desk – **NOTIF**
Office of Pesticide Programs – **7504P**
U.S. Environmental Protection Agency
One Potomac Yard (South Building), Room S-4900
2777 South Crystal Drive
Arlington, VA 22202

Dear Mr. Suarez:

Subject: Nisus Corporation
Redzone Bait
EPA Reg. No. 64405-2

On behalf of **Nisus Corporation**, RegWest Company, LLC is submitting the attached materials as an additional brand name and additional container size notification. RegWest will act as sole agent in this endeavor.

Attached are the following items:

- 1. Application for Pesticide: Other – Notification
- 2. Two market labels

The additional brand name is:

BugBait

The additional container size is:

3 lbs. (1.36 kg)

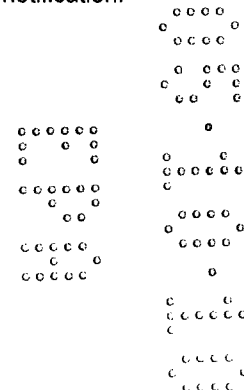
Please contact me at 970.353.0611 or kim@regwest.com if you have any questions concerning this notification.

Regards,
RegWest Company, LLC

Kim Davis,
Consultant/Agent

Attachments

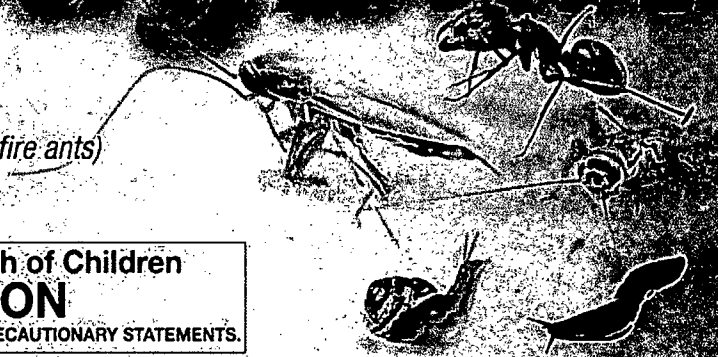
cc: NIS – Kintz-Early, J.





BUG BAIT

- Kills and Controls:*
- Cockroaches • Earwigs
 - Silverfish • Ants (except fire ants)
 - Carpenter Ants



Keep out of Reach of Children
CAUTION
 SEE BOOKLET FOR ADDITIONAL PRECAUTIONARY STATEMENTS.

ACTIVE INGREDIENT:
 Orthoboric Acid 5%

OTHER INGREDIENTS 95%

TOTAL 100%

EPA Reg. No 64405-2 EPA Est. 64405-TN-1

NET CONTENTS 3 lbs (1.36 kg)

MANUFACTURED BY



100 Nisus Drive
 Rockford, TN 37853 USA
 800-264-0870



© Nisus is a registered trademark of Nisus Corporation.
 U.S. Patent Nos. 7223415, 7264827 ©2010 Nisus Corporation #BB:PL-0410a-SAL070209

PEEL HERE FOR INSTRUCTIONS

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NOTIFICATION
AUG 18 2010

4/5

BugBait

First Aid

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. Call a poison control center or doctor for treatment advice.
If on Skin:	<ul style="list-style-type: none"> Take off contaminated clothing. Immediately rinse skin with plenty of water for 15-20 minutes. Call a poison control center or doctor for 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.	

PRECAUTIONARY STATEMENTS

Hazards to Humans & Domestic Animals

CAUTION: Harmful if absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing.

Personal Protective Equipment (PPE)

Applicators and handlers must wear: Long-sleeved shirt and long pants; waterproof gloves; and shoes plus socks. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables are given, use detergent and hot water.

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 thoroughly wash and put on clean clothing.
 - Immediately remove PPE after handling this product. Wash the outside of gloves before removing. As soon as possible, thoroughly wash and change into clean clothing.

Environmental Hazards

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.

DIRECTIONS FOR USE

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

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.

General Information

This product is a ready-to-use, weather/moisture resistant bait that controls and kills ants (except fire ants), cockroaches, crickets, earwigs, silverfish, snails and slugs.

Do not contaminate this product with other pesticides. If this product becomes contaminated with another pesticide it will lose its effectiveness.

Do not apply directly to food and avoid contamination of feed and foodstuff. In commercial food handling facilities, cover or remove any food during application. In food handling and other areas, bait may be placed in removable trays. Always record the number and location of trays. This product is designed to be used as a residual treatment in an Integrated Pest Management program incorporating good sanitation practices.

Keep children and pets out of treatment area until application has been completed. Do not treat pets with this product. Avoid over-application around ornamental plants and fish ponds. Do not apply this product in combination with fertilizers, other pesticides or other biologically-active materials.

Application Instructions

To Control and Kill Ants (except fire ants), Cockroaches, Crickets, Mole Crickets, Snails and Slugs on Campgrounds, Home Lawns, Lawns, Ornamental Turf, Parks and Picnic Areas: Apply bait evenly to affected areas at the rate of 2 pounds per 1,000 square feet (2/3 cup per 100 square feet). **When treating for mole crickets:** Thoroughly irrigate treatment areas in the late afternoon prior to application. For maximum effectiveness, do not irrigate treated area immediately after application.

Exterior Baiting to Control and Kill Snails and Slugs in Flower Gardens and Around Ornamentals, Groundcovers and Shrubs: At the beginning of the spring planting season (before damage occurs), broadcast 6 ounces per 100 square feet in areas likely to be infested with snails and slugs. It is best to apply the bait during early morning or evening when slugs and snails are present and eating. Reapply every four weeks for satisfactory control.

To Control and Kill Snails and Slugs in Interiorscapes or Ornamental Gardens: Evenly apply bait to soil at a rate of 6 ounces per 100 square feet no more than once every 4 to 6 weeks.

Exterior Baiting to Control and Kill Ants (except fire ants), Including Carpenter Ants, Around Garages, Homes, Kennels, Recreational Vehicles and Other Structures: Treat exterior perimeter areas of structure in a band 2 to 4 feet wide at a rate of 6 ounces per 100 square feet. Also apply product in a 2 to 4 foot band around all trees, stumps, firewood piles and other locations where carpenter ants may nest. If the nest is located in a hollow tree or stump, apply 1/2 to 1 ounce of product directly into the cavity. Apply along ant trails and in areas where ant activity has been noted.

To Control and Kill Ants (except fire ants), Cockroaches, Crickets, Earwigs and Silverfish Within and Around the Exterior of Structures such as Garages,

Homes, Kennels, Recreational Vehicles: Apply at a rate of 4 pounds per 1,000 square feet (1 1/2 cups per 100 square feet) of surface area. Spread evenly in crawl spaces, attics, drop ceilings and cellars with dirt or gravel floors. Concentrate application in areas where insect activity is most prevalent. In attics, be sure to apply in eaves and access drains. In garages and basements, concentrate application along walls and baseboards. This product may also be applied in inaccessible areas such as cracks and crevices where insects may hide. Treat exterior perimeter building walls in a band approximately 2 feet wide and scatter bait in flower beds, leaf litter, wood piles, trash cans and refuse areas. Reapply as necessary.

For perimeter treatments: Spread bait at a rate of 1.25 cups per 100 square feet in a band at least 2 feet wide around foundations, patios, driveways, sidewalks, entrances to homes and buildings, or other areas where insects are present. Apply around landscape lighting, floodlights, street lamps or other exterior fixtures and scatter bait in flower beds, leaf litter, wood piles, trash cans and refuse areas. Reapply as necessary.

For treating ant mounds: Apply 1/2 to 1 ounce of this product around all ant mounds. Supplement by broadcast application in immediate area and along ant trails and in areas where ant activity has been noted.

To Control and Kill Ants (except fire ants), Cockroaches, Crickets, Earwigs and Silverfish In Apartments, Boats, Buses, Camps, Garages, Homes, Kennels, Mobile Homes, Motels, Offices, Recreational Vehicles, and Yachts: **Food area application limited to only crack and crevice treatment.** Apply only in areas inaccessible to children and pets. Avoid contamination of feed and foodstuffs. Apply liberally, scattering/dusting under and behind refrigerator, cooler, stove, sink, dishwasher, washing machine and dryer tubs; counters, into openings around drains, water pipes and electrical conduits; and in cracks and crevices along baseboards and corners of cabinets, counter tops, cupboard and closets. Remove all lower drawers in kitchen and bathroom cabinets, bedroom dressers and chests of drawers, then scatter/dust liberally in drawer wells. Any bait visible after application must be brushed into cracks and crevices or removed. Reapply as necessary.

STORAGE & DISPOSAL

Do not contaminate water, food or feed by storage or disposal. **Pesticide Storage:** Store in a dry place. Do not store where children or animals may gain access. **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:** Non-refillable container; do not reuse or refill this container. Completely empty container, then offer container for recycling, if available; otherwise dispose of empty container in a sanitary landfill or by incineration.

Lot Number located on container.

WARRANTY DISCLAIMER

To the extent not prohibited by applicable law 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 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, presence of other materials, climatic conditions or the manner of application, which are beyond the control of the Manufacturer. To the extent not prohibited by applicable law 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.**

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 patent not owned by Nisus Corporation, whether mentioned or not, without procurement of a license, if necessary, from the owner, following investigation by the user.



Nisus Corporation

100 Nisus Drive • Rockford, TN 37853 • 800-264-0870

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7/14