

# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

July 5, 2019

Anna Crowder Regulatory Affairs Specialist Nisus Corporation Nisus Corporation 100 Nisus Drive Rockford TN 37853

Subject: Registration Review Label Mitigation for Boric Acid

Product Name: Redzone Bait

EPA Registration Number: 64405-2 Application Date: Oct 7, 2018 Decision Number: 552086

#### Dear Anna Crowder:

The Agency, in accordance with the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, has completed reviewing all of the information submitted with your application to support the Registration Review of the above referenced product in connection with the Boric Acid Interim Decision, and has concluded that your submission is acceptable. The label referred to above, submitted in connection with registration under FIFRA, as amended, is acceptable.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

A copy of your label stamped "Accepted" is enclosed. Products shipped after 12 months from the date of this amendment must bear the new revised label. Your release for shipment of the product bearing the amended label constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6.

If you have any questions about this letter, please contact Miguel Zavala by phone at 973-873-5298 or via email at <u>zavala.miguel@epa.gov</u>.

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Sincerely,

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Linda Arrington, Branch Chief Risk Management and Implementation Branch 4 Pesticide Re-Evaluation Division Office of Pesticide Programs

Enclosure

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BORIC ACID/ SODIUM SALTS GROUP: 8D INSECTICIDE FUNGICIDE

{The MOA Box will be used if required}

# **Redzone Bait**

{ABNs: NiBan Granular Bait, NiBan-FG Fine Granular Bait and BugBait}

Active Ingredient:	
Orthoboric Acid	5%
Other Ingredients	95%
Total	100%

# Keep Out of Reach of Children CAUTION

See Side Panel [Booklet] [Label] for First Aid [Additional Precautionary Statements] [and] [Complete Directions for Use.] [Peel Here] [Read All Instructions Inside Before Using]

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

U.S.	. Patent Nos		
EPA Reg. N	lo. 64405-2	EPA Est.	
Net Weight:	pounds [	ounces] [(	kg)]

Nisus Corporation 100 Nisus Drive; Rockford, TN USA 37853 (800) 264-0870

#### **FIRST AID**

If in Eyes:	<ul> <li>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.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>	
If on Skin:	Take off contaminated clothing.	
	<ul> <li>Immediately rinse skin with plenty of water for 15 – 20 minutes.</li> </ul>	
	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 finsert appropriate toll-free number] 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 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.

Additionally, a long-sleeved shirt is required in California.

# **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 highwater 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.

#### **Notice**

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

Not for use on plants or turf being grown for sale on sod farms, commercial greenhouses or nurseries, or for commercial seed production, or for research purposes. For use on plants or turf intended for aesthetic, recreational purposes or climate modification and being grown in interior plantscapes, ornamental gardens or parks, recreational areas, or lawns or grounds.

#### **General Information**

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

**Ants:** Argentine, carpenter, thief, pharaoh, little black, pavement, odorous house and crazy ants **Cockroaches:** Asian, American, brown, brownbanded, smokybrown, German and oriental cockroaches

Crickets: Camel, house, field and mole crickets

Snails and Slugs European Earwigs

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 [{brand name} bait stations]. This product is designed to be used as a residual treatment in an Integrated Pest Management program incorporating good sanitation practices.

This product may be applied in appropriate areas with a power duster (except in California). Consult equipment manufacturer for recommended settings.

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**

#### **Exterior Applications:**

Apply bait evenly at the rate of 2-to 4 pounds per 1,000 square feet. Treat exterior perimeter areas of structure in band 2 to 4 feet wide. Also apply product in a 2 to 4-foot band around all trees, stumps and firewood piles. Scatter bait in other localized sites. Reapply as necessary. If any ant nests are located, apply  $\frac{1}{2}$  to 1 ounce of products directly to the area.

# **Interior Applications:**

Apply only in areas inaccessible to children and pets. Avoid contamination of feed and foodstuffs. This product may be applied to cracks and crevices where insects may hide. Apply by scattering and dusting under and behind refrigerators, coolers, stoves, sinks, dishwashers, washing machines, dryer tubs, cabinet voids and counters. Apply as needed into openings around drains, water pipes and electrical conduits, and in cracks and crevices along baseboards and corners of cabinets, counter tops, cupboards and closets.

Spread evenly in crawl spaces, attics, drop ceilings and cellars with dirt or gravel floors. In sewers, apply along ledges and around manhole entrances. Bait may also be placed in removable bait stations in areas accessible to insects but inaccessible to children and pets. Any bait visible after application must be brushed into cracks and crevices or removed.

To Control and Kill Cockroaches, Crickets, Ants, Earwigs and Silverfish in Federally-Inspected (USDA) Meat and Poultry Plants: For application only in inedible product areas and non-processing areas as a crack and crevice treatment. Any bait visible after application must be brushed into cracks and crevices or removed. Avoid contamination of feed and foodstuffs.

#### {Optional Language for Retail Packaging}

[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.

Exterior Baiting to Control and Kill Ants (Except Fire Ants), Including Carpenter Ants, Around Apartment Buildings, Food Processing Plants, Garages, Homes, Hospitals, Hotels, Kennels, Motels, Pet Stores, Public & Private Institutions, Recreational Vehicles, Restaurants, Schools, Supermarkets, Warehouses 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 ½ 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 Apartment Buildings, Garages, Homes and Kennels: Apply at a rate of 4 pounds per 1,000 square feet (6 ounces or 1.25 [1-1/4] cups per 100 square feet) [4 ounces bait per 67 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. Any bait visible after application must be brushed into cracks and crevices or removed. Reapply as necessary.]

{For product packaged in non-refillable containers [bags]- 1 lb bottle, 2.5 lb can, 3 lb can, 4 lb jug, 4 lb pail, 5 lb bag, 20 lb pail, 40 lb box, 250 lb minisack, 1500 lb super sack:}

#### 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 [bag]; do not reuse or refill this container [bag]. Completely empty container [bag] [into application equipment], then offer for recycling, if available; otherwise dispose of empty container [bag] in a sanitary landfill or by incineration.

[Per PR Notice 2007-4 the batch code/lot number will appear on the label or container.]

(For product packaged in containers [bags] with only residential/household uses - 1 lb bottle, 2.5 lb can, 3 lb can, 4 lb jug, 4 lb pail:)

#### STORAGE AND DISPOSAL

**Pesticide Storage:** Store in a dry place. Do not store where children or animals may gain access. **Disposal:** Non-refillable container [bag]; do not reuse or refill this container [bag]. **If empty:** Offer for recycling, if available; otherwise place in trash. **If partly filled:** Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

{Per PR Notice 2007-4 the batch code/lot number will appear on the label or container.}

[{Option 1}

#### 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, the presence of other materials, climatic conditions or the manner of application, all of 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) TO THE EXTENT NOT PROHIBITED BY APPLICABLE LAW, 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 applicable patent whether mentioned or not, without procurement of a license, if necessary, from the owner, following investigation by the user.

# [{Option 2}

[For a complete and printable Warranty Disclaimer, please visit www.nisuswarranty.com.]

(Brand Name) and Nisus Corporation are [Registered] Trademarks of Nisus Corporation.

©

- [ ] Denotes alternate/optional language
- { } Denotes language that does not appear on market label



Nisus Corporation 100 Nisus Drive; Rockford, TN USA 37853 800-264-0780 Made in the U.S.A.

{Optional Marketing Claims}

A Weather/Moisture Resistant Bait to Kill and Control Ants, {insert pests listed on the label} (Except Fire Ants),

Weather-Resistant Bait for the Control of: {insert pests listed on the label} (Except Fire Ants

[Also] Kill[s] [and Control[s]] {insert pests listed on the label} Sweet and Grease Eating Ants,-(Except Fire Ants)

For the Control of: {insert pests listed on the label} (Except Fire Ants)

Rainfast [waterproof] up to 4 inches [4"]

Long-Lasting, Weather-Resistant Bait

For Both Interior and Exterior Use

For Crack and Crevice Applications!

Can be used indoors and outdoors

For indoor and outdoor use

For Use In and Around the Following Structures (select from use sites listed in Directions for Use)

For outdoor use on {select from use sites listed in Directions for Use}

No known insect resistance

No photo-decomposition

No Thermal Degradation

Won't break down in heat or sunlight

Odorless - No chemical odors

[Proprietary] [Patented] Formula

Ants take bait back to colony to kill the queen

Kills the entire ant colony (queens, workers, etc.)

Fast-Acting

Convenient, Easy-to-Use [Shaker] Bag

Easy to Apply with Comfort Grip Container

Comfort Grip Container

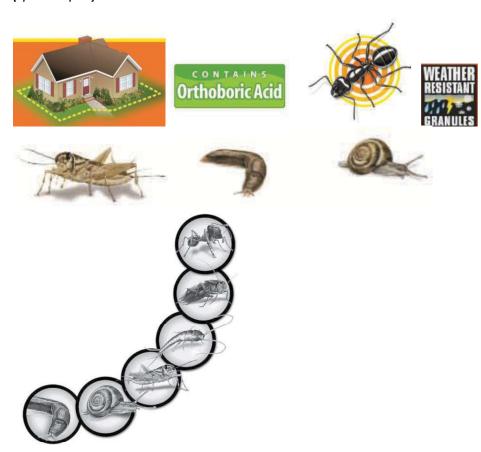
All-in-One Bait Station(s) [(Sold Separately)]

For Use Only in {brand name} Bait Stations [(Sold Separately)]

Contains Orthoboric Acid

For Sale [Use] Only in California

# {Optional Graphics}



- [ ] Denotes alternate/optional language { } Denotes language that does not appear on market label