

64405-6

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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

WASHINGTON, D.C. 20460

OFFICE OF  
CHEMICAL SAFETY AND  
POLLUTION PREVENTION

**February 23, 2011**

**Kim Davis, Consultant/Agent**  
**Nisus Corporation**  
**c/o RegWest Company, LLC**  
**8203 West 20<sup>th</sup> St., Suite A**  
**Greeley, CO 80634-4696**

**Subject:** Label amendment, addition of killing claims for bedbugs and revisions in precautionary labeling in accordance with Bora-care (64405-1) label, and revision of storage and disposal statement (PR 2007-4)

**Product Name:** RTU Flea Spray

**EPA Reg. No.:** 64405-6

**EPA Decision No.:** 440674

**Application Dated:** October 5, 2010

Dear Ms. Davis:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable subject to the comments listed below. Two copies of the finished labeling must be submitted prior to releasing the product for shipment.

1. The following change must be made to the label:
  - a. Revise Directions for Use to be consistent with the Bora-Care label, to include the following statement: "Do not enter or allow others to enter treated areas until spray has dried. Treated areas must not be occupied during application. In hospitals, patients must be removed prior to treatment of the area. Ventilate area for two hours before returning patients."

A copy of the label stamped "Accepted with Comments" is enclosed for your records. If you have any questions, you may contact Clayton Myers at (703) 347-8874 or [myers.clayton@epa.gov](mailto:myers.clayton@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "MS", written over a circular stamp or mark.

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

Enclosures:  
Label Stamped "Accepted"  
Copy of Agency's Product Performance/Efficacy Review

# RTU Flea Spray®

[[Select marketing claims from "Marketing Claims" section]]

**Active Ingredient:**

Disodium Octaborate Tetrahydrate (CAS No. 12008-41-2) .....	8.5%
<b>Other Ingredients</b> .....	<b>91.5%</b>
<b>Total</b> .....	<b>100.0%</b>

EPA Reg. No. 64405-6

EPA Est. 64405-TN-1

U.S. Patent No. \_\_\_\_\_

Keep Out of Reach of Children  
**CAUTION**

**ACCEPTED  
With COMMENTS  
In EPA Letter Dated:  
FEB 23 2011**  
**Under the Federal Insecticide, Fungicide  
and Rodenticide Act, As amended, for the  
pesticide Registered under EPA Reg. No:**  
**64405-6**

### One-Year Guarantee

RTU Flea Spray is guaranteed to control flea infestations in carpets up to one year providing product is applied according to the RTU Flea Spray label. All application procedures must be followed, and carpet areas must not be shampooed or steam cleaned after application. Documentation of application procedures required. Guarantee limited to replacement of product by manufacturer.

Net Contents: \_\_\_ gals. (\_\_\_ lts.)

Net Wt: \_\_\_ lbs. (\_\_\_ ks.)

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### 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** statement 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**.

### DIRECTIONS FOR USE

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

### Product Information

Do not use in edible product areas of food handling establishments, restaurants or other places where food is commercially prepared. Do not use in serving areas while food is exposed. Do not contaminate feed and foodstuffs.

Do not apply RTU Flea Spray to wood floors, linoleum or ceramic tile surfaces due to the possible creation of a slippery surface or light residue. Do not walk on surfaces treated with RTU Flea Spray until completely dry. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco.

**Odorless**  
**Colorless**  
**Flea Ovicide**

**Highly Effective**  
**Low Toxicity**  
**Flea Adulticide**

### Application Instructions

Thoroughly vacuum all furniture, upholstery, carpeting, rugs and pet bedding before application. Seal and discard vacuum bag and collected debris. Remove people and pets during product application and allow treatment to completely dry before reintroducing people or pets into treated areas. Best results are obtained when combined with a simultaneous treatment of pets using a product approved for use on pets. Although **RTU Flea Spray** will kill adult fleas [within 48 to 72 hours], better knock-down of adult fleas may be obtained by simultaneous use of another approved insecticide.

Apply to carpets, area rugs, draperies, upholstery and floor cracks. Apply using a fine, uniform spray to carpets and area rugs at the rate of one (1) gallon of solution per 750 to 1,250 square feet of surface, depending upon density and thickness. **Treat to dampness but do not saturate.** Entire rug and carpeting areas may be treated.

Pay particular attention to application of pet bedding and resting areas. Apply in cracks and crevices along baseboards and [around floor coverings as well as] under furniture and furniture cushions. Cement and concrete floors may also be treated using a rate of one (1) gallon of solution per 1,250 square feet of surface area.

**Note:** Freshly treated concrete floors may be slippery.

**Carpet Beetles, Dust Mites and Household Fungus:** Thoroughly vacuum before treatment and seal and discard bag with collected debris. Apply as a fine, uniform spray to affected areas of carpets, rugs or upholstery at the rate of one (1) gallon of solution per 750 to 1,250 square feet of area, depending upon density and thickness. **Treat to dampness but do not saturate.** Entire areas of rugs and carpeting may be treated.

**To Kill Bed Bugs:** Apply at a rate of 3 – 5 oz per square foot of treatment area. Apply as a contact treatment onto active bedbug infestations in cracks and crevices on and around baseboards, floorboards, bed frames, headboards, furniture, window frames, door frames, walls, wall hangings and millwork. Apply as a topical spray application to mattresses, box springs, carpets, walls, furniture, rugs and other floor coverings. Treat folds, seams and tufts in mattresses, sofas and other furniture where bedbugs harbor.

Do not apply as a surface spray to wood floors, linoleum or ceramic tiles due to the possible creation of a slippery surface or light residue. Do not walk on, lay or sit on treated surfaces until dry. Always test fabrics for color fastness before application by treating in an inconspicuous area first.

**Cleanup:** Use soap and water to clean up tools.

### Storage and Disposal

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

**Storage:** Store in a cool, dry (preferably locked) storage area inaccessible to children and pets. Do not freeze.

**Container Disposal:** Non-refillable container; do not reuse or refill this container. **If empty:** 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.

*{The Batch Code or Lot Number will appear either on the container or labeling per PR Notice 2007-4}*

### Warranty Limitations and 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

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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.**

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.



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

**RTU Flea Spray® is a Registered Trademark of Nisus Corporation  
Made in the U.S.A.**

© \_\_\_\_\_

{Marketing Claims}

**Interior Boracide Spray**

**Kills and Prevents Fleas**

**Also Controls and Prevents Carpet Beetles, Dust Mites and Household Fungus**

**For Use In Apartments, Boats, Factories, Food Processing Plants,  
Garages, Homes, Hospitals, Hotels, Kennels, Motels, Offices, Restaurants, Schools, Supermarkets, Trains,  
Trucks, Veterinary Areas, Warehouses and Zoos**

**Liquid Insecticide**  
**Liquid Spray Insecticide**

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Fast-acting Liquid Spray  
Kills Bed Bugs on Contact  
Bed Bug Contact Kill  
Fast-acting Contact Kill  
Kills Bed Bugs  
Kills Bed Bugs on Contact

{End of Marketing Claims}

[ ] Denotes optional/alternate language

{ } Denotes language that will not appear on market labeling.