

64405-7

02/10/2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

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

FEB 10 2010

Subject: Label Amnedment  
Product Name: Boracide™ Borate Powder  
Registration No.: 64405-7  
Date of Submission: 20 May 2009

Dear Ms. Davis;

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) §3(c)(7)(A)(ii), is acceptable provided that you submit to the Agency within 60 days:

1. a revised data matrix indicating the cite-all method of support for use of the product to control flies in poultry operations
2. a valid offer to pay to the appropriate data holders..

If these conditions are not met, the registration will be subject to cancellation in accordance with FIFRA §6 and/or may be found to be misbranded and referred to OECA for enforcement. Your release for shipment of the product constitutes acceptance of these conditions

A stamped copy is enclosed for your records. If you have any questions, you may contact Mark E. Suarez, at (703) 305-0120.

Sincerely,

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

Mark E. Suarez  
Product Manager 13  
Insecticide Branch  
Registration Division (7505C)

Enclosure

064405-00007 D412720.doc  
Stamped Label

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# Boracide™ Borate Powder

For the Control of Ants, Carpenter Ants, Cockroaches, Darkling Beetles, Drain Flies,  
Dampwood Termites, Drywood Termites, Earwigs, Flies, Fly Larvae, Hide Beetles and Silverfish  
[[Select from listed insects in Directions for Use]]

For Use In and Around  
{Select from listed use sites in Directions for Use}

Active Ingredient:  
Sodium Borate Pentahydrate ..... 100%

EPA Reg. No. 64405-7      EPA Est. 64405-TN-1

**ACCEPTED  
with COMMENTS  
In EPA Letter Dated:  
FEB 10 2010**  
Under the Federal Insecticide,  
Fungicide, and Rodenticide Act,  
as amended, for the pesticide  
registered under EPA Reg. No.  
64405-7

Keep Out of Reach of Children  
**CAUTION**  
See other panels for First Aid and additional precautionary statements.

Net Contents: \_\_\_ pounds (\_\_\_ grams)  
{1, 5, 25, 50 and 1500 pounds}

{Other Panels}

### First Aid Borate Insecticide

<b>If Swallowed</b>	<ul style="list-style-type: none"> <li>• Immediately call a poison control center or doctor for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by the poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
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.}

### PRECAUTIONARY STATEMENTS

#### Hazards to Humans and Domestic Animals

**CAUTION:** Harmful if swallowed. Thoroughly wash with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.

#### Environmental Hazards

This product is toxic to fish and wildlife. 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 cleaning equipment or disposing of equipment washwaters.

#### 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**.

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## 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 or processed. Do not use in serving areas while food is exposed. Do not contaminate feed and foodstuffs. As a termiticide, this product is not intended as a substitute for mechanical alteration, soil treatment or foundation treatment; where active infestations exist, get a professional inspection.

Use this product in apartment buildings, bird/poultry production facilities, boats, buses, camps, existing construction, factories, garages, grocery stores, homes, hospitals, hotels, industrial plants, kennels, libraries, manhole cavities, markets, military bases, mobile homes, motels, new construction, nursing homes, offices, restaurants, schools, sewers, ships, theaters, trains, trucks, utilities, warehouses, yachts and zoos.

### Application Instructions

**To Control Ants, Cockroaches, Earwigs and Silverfish,** apply liberally, at the rate of 0.1 oz. to 0.5 oz. per foot, scattering under and behind refrigerator, stove, sink, dishwasher, washing machine and dryer tubs; into openings around drains, water pipes and electrical conduits; and in cracks and crevices along baseboards and corners of cabinets, cupboards and closets. Remove all lower drawers in kitchen and bathroom cabinets, bedroom dressers and chests of drawers, then scatter liberally in drawer wells.

**Directions for Applying in New and Existing Construction to Control Cockroaches:** When treating large areas, such as wall voids, soffit and subcabinet voids in new and existing construction, dust liberally using dusting application equipment.

**Directions for Applying in New and Existing Construction to Control Ants, Carpenter Ants, Drywood Termites and Cockroaches:** When treating areas such as wall voids and electrical lines for carpenter ants, and attics and areas over soffits, out to the gutter plate, for the control and prevention of drywood termites and cockroaches, dust liberally at the rate of 12 to 20 oz. per 250 sq. ft. using dusting application equipment. Apply dust directly into insect galleries and cracks and crevices in infested wood.

**Directions for Controlling Fly Larvae in Refuse Containers:** Apply liberally to trash cans or dumpsters as a dust or liquid spray (1 cup of powder per gallon of water).

**Directions for Applying in Sewers and Manhole Cavities for the control of Ants and Cockroaches:** Apply as a dust at a rate not to exceed 12 oz. per 250 square feet using a blower or air pressure equipment.

**Directions for the Control of Carpenter Ants, Dampwood Termites and Drywood Termites in Infested Wood:** Add 1 cup of powder (approximately four ounces) to each gallon of water and stir until dissolved. Inject solution directly into galleries.

**Directions for the Control of Ants, Fly Larvae, Earwigs and Cockroaches as a Spray Solution:** Add 1 cup of powder (approximately four ounces) to each gallon of water and stir until dissolved. Spray solution directly onto floors, baseboards and other non-food contact areas where insects are prevalent.

**Directions for the Control of Drain Flies in Drains:** Add 1 cup (approximately four ounces) of powder to each gallon of water and stir until dissolved. Pour one quart of solution into each drain at the end of working day.

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**Directions for Applying as a Mop Solution to Control Cockroaches:** Add 1 cup (approximately four ounces) of powder to each gallon of rinse water. Apply only to floor areas. Make only enough for each application. This is only a supplemental treatment.

Reapply as necessary. Any powder visible after application must be brushed into cracks and crevices or removed. Apply only in areas inaccessible to children and pets. Do not use in edible product areas of food handling establishments, restaurants or other areas where food is commercially prepared or processed. Do not use in serving areas while food is exposed.

**Crack and Crevice Treatment to Kill/Control Ants, Cockroaches, Fly Larvae and Silverfish**

**Food and Feed Handling Establishments:** Places other than private residences in which food or feed is held, processed, prepared or served.

**Food Area Application Limited to Crack and Crevice Treatment Only:** Includes areas for receiving, storage, packing (canning, bottling, wrapping, boxing), preparing edible waste storage and enclosed processing systems (mills, dairies, edible oils, syrups). Serving areas (when food is exposed and facility is in operation) also would be considered a food area.

Apply in small amounts at the rate of 0.1 oz. to 0.5 oz. per foot, directly into cracks and crevices using a bulbous duster or other suitable equipment capable of applying insecticide directly into cracks and crevices, in points between different elements of construction, between equipment and floors, openings leading to voids and hollow spaces in walls, equipment legs and bases, conduits, motor housing and electrical switch boxes [where insects hide].

Avoid depositing the product onto exposed surfaces or introducing the material into the air. Avoid contamination of food or food processing surfaces.

**Applications of this product in the food areas of food handling establishments, other than as a crack and crevice treatment, are not permitted.**

**Serving Areas:** Facilities where prepared foods are served, such as dining rooms, but excluding areas where food may be prepared or held. Apply as a spot treatment to selected surfaces such as baseboards, under elements of construction into cracks and crevices. Do not treat surfaces likely to be contacted by food. Do not apply when facility is in operation or foods are exposed.

**Non-Food Areas:** Including garbage rooms, lavatories, floor drains (to sewer), entries, vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, closets and storage areas (after canning or bottling). Apply to baseboard areas, around water pipes, surfaces behind and beneath sinks, lockers, tables, pallets and similar areas where insects hide or through which they may enter.

**To Kill and Control Darkling Beetles and Hide Beetles (adults and larvae)  
and Fly Control in Bird and Poultry Production Facilities**

**For dirt-floor and cement floor houses where birds are in contact with the litter:** First, remove birds. Apply dry product with a spreader directly to the floor or old litter surface at the rate of 1 to 2 pounds of product per 100 square feet of floor area. Apply a band treatment along bird feeder lines. Reapply annually if needed or after each grow out.

**For houses where birds are in cages and not in contact with the floor or litter:** First, remove birds. Apply dry product at the rate of 1.5 to 2 pounds of product per 100 square feet of surface area. Dust product into cracks and crevices, on surfaces of side walls, around insulation, posts, framing and top plates and any other structural components that might harbor beetles. Use equipment designed for this type of application. For long-term beetle control, reapply after each grow-out, especially if facility is washed, sanitized and disinfected using standard

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procedures. For fly control, apply the dust to the surface of manure piles at the rate of 1.5 to 2 pounds of product per 100 square feet of surface area.

**Liquid applications:** For additional or supplemental control, apply this product as a liquid. First, remove birds. Dissolve dry product into water at the rate of 1.5 to 2 pounds per 4 gallons of water. Apply liquid solution onto surfaces at the rate of 4 gallons of spray for every 100 square feet of surface area. Spray structural sidewalls, into cracks and crevices, around insulation, posts, framing, top plates and other structural components that might harbor beetles. Only use spray equipment designed for this purpose. Do not expose birds to spray. For long-term beetle control, reapply spray application annually or after each grow-out, especially if facility is washed, sanitized and disinfected using standard procedures. For fly control, apply a liquid application to the surface of manure piles at the rate of 1.5 to 2 pounds of product per 100 square feet of surface area.

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

*{For containers with only household/domestic uses:}*

**Storage and 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. **Container Management:** Non-refillable container; do not reuse or refill this container. **If empty:** Place container 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.

Lot Number [Batch Code]: \_\_\_\_\_

*{For non-refillable containers labeled with non-household/domestic uses:}*

**Storage and 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 Management:** Non-refillable container; do not reuse or refill this container. Completely empty container by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment; then offer for recycling, if available; or dispose of in a sanitary landfill; or, if allowed by state and local authorities, by incineration.

Lot Number [Batch Code]: \_\_\_\_\_

*{For non-rigid refillable containers labeled with non-household/domestic uses:}*

**Storage and 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 Management:** Refillable container; refill this container with only Boracide Borate Powder. Do not reuse this container for any other purpose. Cleaning the container before refilling is the responsibility of the refiller. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Before final disposal, completely empty container by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment; then offer container for recycling, if available; or dispose of container in a sanitary landfill; or, if allowed by state and local authorities, by incineration.

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{For rigid refillable containers labeled with non-household/domestic uses:}

### Storage and 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 Management:** Refillable container; refill this container with only Boracide Borate Powder. Do not reuse this container for any other purpose. Cleaning the container before refilling is the responsibility of the refiller. Cleaning the container before final disposal is the responsibility of the person disposing of the container. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10% full with water. Agitate vigorously or recirculate water with a pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times, then offer container for recycling, if available; or reconditioning, if appropriate; or dispose of container in a sanitary landfill; or, if allowed by state and local authorities, by incineration.

### 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 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.

**Nisus Corporation**  
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(800) 264-0870

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[ ] Denotes optional/alternate language  
{ } Denotes language that will not appear on market labeling

