

64405-9

02-14-2011

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

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

FEB 14 2011

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

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

Dear Ms. Davis:

Subject: Notification to Make Label Changes  
EPA Registration Number: 64405-9  
Date of Submission: September 20, 2010

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated September 20, 2010 for the product Ant-Fix. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The Confidential Statement of Formula (CSF) and/or label submitted with the application has (have been stamped "Notification" and will be placed in our records.

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)

United States <b>Environmental Protection Agency</b> 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  <b>Notification</b>
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**Application for Pesticide – Section I**

1. Company/Product Number <b>EPA Reg. No. 64405-9</b>	2. EPA Product Manager <b>Mark Suarez</b>	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/ Product (Name) <b>Ant-Fix</b>	PM # <b>11</b>	
5. Name and Address of Applicant (Include ZIP Code) <b>Nisus Corporation</b> <b>c/o RegWest Company, LLC</b> <b>8203 West 20<sup>th</sup> St., Suite A</b> <b>Greeley, CO 80634-4696</b>  <input type="checkbox"/> Check if this is a new address		6. <b>Expedited Review.</b> 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**

<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 <b>NOTIFICATION</b> <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.)

**Submit Notification of additional container sizes (1.5 through 6 ounces).**

*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. <b>Material This Product Will Be Packaged In:</b>				2. Type of Container	
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	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input 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.    No. Per Container	If "Yes" Packaging Wt.    No. Per Container		
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container <b>1.5 through 6 ounces</b>		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 checked="" type="checkbox"/> Other <b>Printed; Self-adhesive</b>					

**Section - IV**

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

**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.

2. Signature 	3. Title  <b>Consultant/Agent</b>	6. Date Application Received <b>(Stamped)</b>  _____
4. Typed Name  <b>Kim Davis</b>	5. Date  <b>September 20, 2010</b>	

# Label Revision Notification



September 20, 2010

Product Manager 11  
Document Processing Desk - **NOTIF**  
Office of Pesticide Programs – **7504P**  
**U.S. Environmental Protection Agency**  
2777 South Crystal Drive  
One Potomac Yard, Room S-4900  
Arlington, VA 22202

Dear Product Manager 11:

**Subject:** Nisus Corporation  
Ant-Fix  
EPA Reg. No. 64405-9

On behalf of **Nisus Corporation**, RegWest Company, LLC is submitting the attached documents to notify the EPA of additional container sizes. RegWest will act as sole agent in this endeavor.

Per the attached application form, we are providing for container sizes ranging from 1.5 through 6 ounces inclusive.

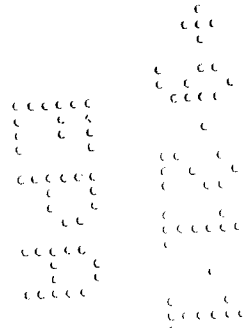
Please contact me at 970.353.0611 or kim@regwest.com if you have any questions or require additional information.

Regards,  
**RegWest Company, LLC**

Kim Davis,  
Consultant/Agent

Attachment

cc: NIS – Early-Kintz, J.



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# Ant-Fix®

{ABN: Persuade}

The Trail Ends Here™

The Slow-Drying, Long-Lasting, No-Drip Sweet Ant and Cockroach Bait Gel

**Active Ingredient:**

Boric Acid .....	5.8%
<b>Other Ingredients</b> .....	<b>94.2%</b>
Total .....	100.0%

**Keep Out of Reach of Children**

### CAUTION

See back panel for First Aid and additional Precautionary Statements.

Net Contents: \_\_\_\_\_ oz. (\_\_\_\_\_ g) {syringe}  
 {Net Contents: \_\_\_\_\_ oz. (\_\_\_\_\_ g) {pre-filled bait station}  
 {1.5 ounces through 6 ounces}

**NOTIFICATION**  
FEB 14 2011

EPA Reg. No. 64405-9

EPA Est. \_\_\_\_\_

U.S. Patent No[s]. \_\_\_\_\_ [Pending]

{Back Panel}

### First Aid

<b>If Swallowed:</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately 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>
<b>If in Eyes:</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If on Skin or Clothing:</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment. In case of emergency call 1-800-424-9300.</p>	

*{Note: The grid format will be used if market label space allows; if not, a paragraph format will be used.}*

### PRECAUTIONARY STATEMENTS

#### Hazards to Humans & Domestic Animals

Harmful if swallowed. Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

### DIRECTIONS FOR USE

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

For use in: residential, industrial and commercial buildings including garages, apartments, homes, food storage areas, hospitals, nursing homes, hotels, motels, office buildings, schools, supermarkets, transportation equipment (ships, trains, boats, aircraft, buses), warehouses, utilities, restaurants and other food-handling establishments.

This bait is most successful when competing sources of food are unavailable. This product is designed to kill Ghost ants, Odorous house ants and other sweet-feeding ants; and German cockroaches within 42 days [6 weeks].

**Ant-Fix [This product]** is a very thick, no-drip, high grip formulation that allows its use on walls, under counters and on flat surfaces. Depress the plunger to dispense approximately ¼ to 1 inch of bait in each location. If the tip of the syringe gets clogged due to the formation of solids, clear by inserting one end of a paper clip.

Bait may be placed on ant trails and near points of entry into structures, such as windows, doors and cracks. Apply only in areas inaccessible to children and pets. Bait may be placed in refillable stations [sold separately] designed to house and protect bait. Avoid contamination of food and feedstuffs. Reapply bait, and/or monitor bait stations and refill, as needed.

Extreme temperatures and moisture may affect the effectiveness of the bait. Do not place bait onto surfaces where the temperature exceeds 120°F. Do not apply bait onto areas that are regularly washed or cleaned. Do not apply other pesticides or other chemicals onto the bait placements.

**Ants** (except carpenter, fire, harvester and pharaoh ants): Apply bait in areas where ants are noticed; this may include areas in kitchens (behind stoves, refrigerators, splash plates and around plumbing), pantries, cracks and crevices around window and door sills, in bathroom areas (around sinks, tubs and showers) and other areas where ants are seen.

**German Cockroaches:** For best results apply bait in multiple spot applications of approximately 1/4" to 1/2" in diameter. Apply bait in a thin layer, if desired, in areas where cockroaches may congregate such as cracks, crevices, cracks in and around plumbing, equipment and appliances (such as refrigerators, freezers, dishwashers, ovens and stoves) and other areas such as cracks in walls or construction units, electrical boxes, sinks, toilets and warm, moist areas that offer roaches harborage and/or a food source. Kills cockroaches within 42 days [6 weeks].

**Ants** (except carpenter, fire, harvester and pharaoh ants) **and German Cockroaches:** Applications in food/feed handling and processing establishments, including Federally-inspected food plants: In food areas, apply bait only in cracks, crevices and inaccessible areas or in tamper-resistant bait stations. Apply in food areas, including serving areas, when the establishment is not in operation. Apply small bait placements in cracks and crevices where ants or roaches may travel or congregate, openings into voids, between elements of construction, around plumbing, cabinets, sinks and stoves and other areas. Remove bait if bait contacts an exposed surface, other than the listed areas, and clean the surface prior to reuse. Kills cockroaches within 42 days [6 weeks].

*{For product packaged in pre-filled bait stations:}*

Hold the pre-filled bait station level and peel back clear {or other descriptive term} seal to expose entry point to bait. Monitor bait station and replace station when bait is depleted or every three months. To prevent reinfestation and where infestation is great, maintain an uninterrupted supply of bait.

#### **For Ants**

(Except carpenter, fire, harvester and pharaoh ants)

Place bait stations near ant activity (for example, along baseboards in closets, behind or in cabinets, etc.).

#### **For German Cockroaches**

Place bait stations where cockroaches or their signs have been seen or observed (for example, in attics, in cabinets, behind bookshelves, etc.). Kills cockroaches within 42 days [6 weeks].

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*(For product labeled only for household/residential uses:)*

### Storage and Disposal

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

**Pesticide Storage:** Store product in original container in a cool, dry place out of reach of children and pets.  
**Product/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.

*(For product labeled for household/residential/industrial/commercial uses:)*

### Storage and Disposal

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

**Pesticide Storage:** Store product in original container in a cool, dry place out of reach of children and pets. **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. Clean container promptly after emptying, then offer for recycling, if available, or place in trash.

*(Per PR Notice 2007-4 the batch code/lot number will appear on the label or container.)*

### 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.**

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



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**Nisus Corporation**  
100 Nisus Drive  
Rockford, TN 37853  
800-264-0780

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