

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

December 12, 2014

Janet Kintz-Early, Ph.D. Entomologist and Regulatory Affairs Manager Nisus Corporation 100 Nisus Drive Rockford, TN 37853

Subject: Label Notification per PRN 98-10 & 2007-4; Minor label changes Product Name: Bora Bait 1% Liquid Ant Bait EPA Registration Number: 64405-24 Application Date: November 25, 2014 Decision Number: 497916

Dear Dr. Kintz-Early:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notices (PRN) 98-10 and 2007-4 for the above referenced product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and 2007-4 and finds that the action requested falls within the scope of PRN 98-10 and 2007-4.

The label submitted with the application has been stamped "Notification" and will be placed in our records.

Please be 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 <u>non-refillable</u> containers. The code may appear either on the label (and can be added by non-notification via PR Notice 98-10) or durably marked on the container itself.

The alternate brand name "DominAnt 1% Liquid Ant Bait" has been added to the product record.

If you have any questions, you may contact Elizabeth Fertich at 703-347-8560 or via email at <u>fertich.elizabeth@epa.gov</u>.

Sincerely,

Kable Bo Davis, Product Manager 3 Invertebrate and Vertebrate Branch 1 (IVB1) Registration Division (7505P) Office of Pesticide Programs

NOTIFICATION

64405-24

The applicant has certified that no changes, other than those reported to the Agency have been made to the labeling. The Agency acknowledges this notification by letter dated:

12/12/2014

Bora Bait[™] 1% Liquid Ant Bait

[ABN: DominAnt 1% Liquid Ant Bait]

Active Ingredient:

| Sodium Tetraborate Decahydrate (Borax) | 1.0% |
|--|---------|
| Other Ingredients: | |
| Total | 100.00% |

EPA Reg. No. 64405-24 EPA Est. 64405-TN-1

Net Contents: <u>1 ounce through 250 gallons</u> Lot No.

{Note to reviewer: this product is sold in commercial and retail markets, all pack sizes greater than 1 gallon will not be sold in retail markets}

Keep Out of Reach of Children

FOR USE IN AND AROUND: Apartments, Boats, Cafeterias, Commercial and Cruise Ships, Food Processing Plants, Garages, Grocery Stores, Homes, Hospitals, Hotels, Institutional Buildings, Kennels, Military Bases, Military Ships, Mills, Mobile Homes, Motels, Nursing Homes, Pet Stores, Public and Private Institutions, Restaurants, Schools, Storage Areas, Supermarkets, Theaters, Vending Machines, Warehouses and Zoos.

APPLY NEAR, ON OR INTO: Appliances, Bathrooms, Baseboards, Corners, Cracks, Crawl Spaces, Crevices, Decks, Dining Rooms, Edible Waste Storage Areas, Fences, Floors, Food Storage Areas, Foundations, Garages, Kitchens, Janitorial Closets, Loading Docks, Liquid Baits Stations, Locker Rooms, Maintenance Rooms, Mechanical Rooms, Offices, Packing Areas, Pallets, Piers, Processing Areas, Receiving Areas, Storage Areas, Trash Rooms, Trees, Utility Rooms, Vending Machines, Walls and Other Areas Ants May Forage.

ATTRACTS AND KILLS ALL COMMON HOUSEHOLD ANTS INCLUDING (except pharaoh, carpenter, fire and harvester ants): Acrobat Ants, Argentine Ants, Big-Headed Ants, Cornfield Ants, Crazy Ants, Ghost Ants, Little Black Ants, Odorous House Ants, Pavement Ants, White-Footed Ants and other Sweet-Eating Ants.

Precautionary Statements

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.

Physical/Chemical Hazards: Do not mix or allow contact with an oxidizing agent. Hazardous chemical reaction may occur.

DIRECTIONS FOR USE

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

Place bait in areas inaccessible to children and pets.

BORA BAIT 1% Liquid Ant Bait is a ready-to-use solution for control of very large, multi-queen or multi-colony ant infestations.

BAIT STATIONS: Add Bora Bait 1% Liquid Ant Bait solution into bait stations designed to hold liquid bait. Follow directions included with the bait stations to obtain best results.

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

[Choose locations where ant traffic is visible. Open bait station by holding the station with one hand and grabbing the snap tab with the other hand. Bend the snap tab back and forth while gently pulling until it breaks free from the main unit. While continuing to hold the station in place with one hand, gently pull the snap tab to activate. *{may number each step if desired}*]

SPRAY APPLICATIONS: Outdoors: Apply **diluted** bait as a spot or spray application to areas such as foundations, walls, fence posts, piers and other stationary structural components. **Indoors:** Apply **diluted** bait into cracks and crevices in kitchens, bathrooms, utility rooms and other areas. Do not over-apply and do not let liquid seep out onto non-target surfaces.

APPLICATION FOR FOOD PROCESSING AND HANDLING ESTABLISHMENTS, INCLUDING FEDERALLY INSPECTED POULTRY AND MEAT PLANTS: In food areas, only apply product into cracks, crevices and other inaccessible areas. Avoid contamination of food and feed stuffs. Cover or remove any food during application. Do not apply product directly onto a surface where food is prepared, served or stored. Any product left visible on a food surface after treatment should be removed and surface washed. In food handling and other areas, record the number and location of bait stations. This product is designed to be used as a residual treatment in an Integrated Pest Management program incorporating good sanitation practices.

Food Areas Include: Serving Areas, such as dining rooms, food storage areas, receiving areas, processing areas, including enclosed systems such as oil and syrup plants, mills; Packing Areas, including canning, bottling, wrapping and boxing; and Edible Waste Storage Areas. In these areas, direct product applications into cracks and crevices, such as along baseboards and between elements of construction. Do not allow product on any surfaces that may be contacted by food. Do not apply when facility is in operation or when food is exposed.

Non-Food areas include: bathrooms, locker rooms, offices, maintenance rooms, mechanical rooms, trash rooms, garages, janitorial closets, storage areas after bottling or canning and floor drains leading to sewer entries. In these areas, apply product as labeled for other non-food areas.

{S&D to be used for all household/residential products}

Storage and Disposal

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

STORAGE: Store in a cool dry place. Do not store where children or animals may gain access. **PESTICIDE DISPOSAL AND CONTAINER HANDLING:** Nonrefillable 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.

{S&D to be used for rigid, nonrefillable containers of ≤ 5 gallons}

Storage and Disposal

Do not contaminate water, food, or feed by storage and disposal. **STORAGE:** Store in a cool dry place. Do not store where children or animals may gain access. **PESTICIDE DISPOSAL:** Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility. **CONTAINER HANDLING:** Nonrefillable container. Do not reuse or refill this container. Triple rinse (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. 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.

{S&D to be used for rigid, nonrefillable containers of ≥ 5 gallons}

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[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) 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.]

{Optional Marketing Claims to Choose From :} [Kills and Controls [Sugar] [Sweet Eating] Ants [in] [on] [into] [near] [around] [{insert application sites listed on the label}] **Contains Borax** No Offensive Odors Use Indoors and Outdoors [in] [on] [into] [near] [around] [{insert application sites listed on the label}] Rapidly [Attracts] [Kills] [finsert pests listed on the label]] Ants (except pharaoh, carpenter, fire and harvester ants) Kills the [entire] colony Kills the queen Kills the queen and the colony Contains [3] [4] [X] Bait Trays [Stations] Attracts and kills common household ants [including (insert pests listed on the label)] (except pharaoh, carpenter, fire and harvester ants) Place and Peel Snap/Peel/Kill Peel and Kill No Scissors No Scissors [Required] [Needed] Easy to Open [Use] Easy to Use Ready to Use [Made] With Over 50% US Parts Use for trailing [sugar] [sweet eating] [{insert pests listed on the label]] ants]



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

Made in the U.S.A

Bora Bait is a trademark of Nisus Corporation, Nisus is a registered trademark of Nisus Corporation. Bora Bait, DominAnt 1% and Nisus Corporation are trademarks or registered trademarks of Nisus Corporatio ©20xx Nisus Corporation. (insert Marketing label code)]

{...} Master Label Instructions that will not appear on the market labeling [...] Optional/Alternate Label Language