



OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

WASHINGTON, D.C. 20460

November 7, 2023

Anna Crowder
Manager, Regulatory Services
Nisus Corporation
100 Nisus Drive
Rockford TN 37853

Subject: Notification per PRN 98-10 – Addition of optional insect graphics
Product Name: Nibor-D Insecticide Foam + IGR
EPA Registration Number: 64405-37
Application Date: September 7, 2022
Case Number: 475887

Dear Anna Crowder:

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

The label submitted with the application has been stamped “NOTIFICATION” and placed in our records.

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 (FIFRA) 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) lists 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.

If you have any questions, please contact David Gardner at (202) 566-2677 or at gardner.david@epa.gov.

Sincerely,

Tamica Cain, Product Manager 10
Invertebrate & Vertebrate Branch 2
Registration Division (7505T)

NOTIFICATION

64405-37

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:

11/07/2023

2022 NOTIF

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Additions in **YELLOW**, Deletions in **RED****Nibor-D Insecticide Foam + IGR**

[Alternate Brand Names: Nibor-D Drain Foam, Drain Fly Killer, Insecticide Foam, Nibor-D Foam Drain Fly Killer]

For the control and prevention of listed insect pests such as ants (except carpenter, fire, harvester and pharaoh ants), beetles (except wood destroying beetles), cockroaches (by direct contact), drain flies, fruit flies, phorid flies, and fungus gnats.

For interior use.

Use Nibor-D Insecticide Foam + IGR in residential, commercial and institutional facilities and all transportation vehicles.

ACTIVE INGREDIENT:

Disodium Octaborate Tetrahydrate [CAS No. 12280-03-4]5.000%

[2-[1-Methyl-2-(4-phenoxyphenoxy) ethoxy] pyridine] **or**

[Pyriproxyfen] [CAS No. 95737-68-1].....0.018%

OTHER INGREDIENTS:.....94.982%

TOTAL.....100.000%

EPA Reg. 64405-XX

EPA Est. _____

Net Weight: [17-24] ounces [482-680 grams]

Keep Out of Reach of Children

CAUTION

First Aid

If Swallowed	<ul style="list-style-type: none">• Immediately call a poison control center or doctor• Do not induce vomiting unless told to do so by a poison control center or doctor.• Do not give any liquids to the person.• Do not give anything by mouth to an unconscious person.
If in Eyes	<ul style="list-style-type: none">• 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 eye.• Call a poison control center or doctor for further treatment advice.
Note to Physician: Contains petroleum distillate. Vomiting may cause aspiration pneumonia. 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.	

PRECAUTIONARY STATEMENTS**Hazards to Humans & Domestic Animals**

CAUTION: Harmful if swallowed. Causes moderate eye irritation. Avoid contact with eyes or clothing. Thoroughly wash with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.

Environmental Hazards

This pesticide 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.

Physical Hazards

Contents under pressure. Do not use or store near heat or open flame. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting.

Personal Protective Equipment (PPE)

Wear long-sleeved shirt, long pants, socks, shoes, and protective eyewear.

User Safety Requirements

Follow manufacturer's instructions for cleaning/ maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Remove contaminated clothing and wash clothing before reuse.

User Safety Recommendations**Users should:**

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet;
- Remove clothing/PPE immediately if pesticide gets inside, then wash thoroughly and put on clean clothing;
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

NOTICE

Read and understand the entire label before using.

Use only according to label directions.

Before buying or using this product, read the **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 the **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.

APPLICATION INSTRUCTIONS

Nibor-D Insecticide Foam + IGR may be applied to surfaces, drains, cracks and crevices, voids for preventative and remedial control of listed insect pests. When applying, allow foam to remain and dissolve naturally. Do not apply product onto food contact surfaces.

The foam must have direct contact with cockroaches before it dissipates to kill them. There is no residual efficacy for adult cockroaches from the product. The IGR portion of the product does have residual efficacy and will prevent nymphal cockroaches from developing into reproductive adults up to 6 months, unless it is sprayed in a drain that water can wash it away. If sprayed in drains that water is run through, reapply as necessary.

Do not use this product In drinking [potable] water systems.

Do not use this product in or on electrical equipment due to possibility of shock hazard

When Treating Refuse Containers and Trash Chutes: Apply to surface of chute side walls and surfaces of trash containers, recycle bins, and dumpsters.

When Treating Floor and Sink Drains: Apply directly into drain. Allow foam to rise up to the drain surface.

When Applying to Cracks and Crevices: Apply to cracks and crevices to harborages and potential pest harborages or where pest food sources may be found.

When Treating Voids: Apply to void areas.

For Food Processing and Handling Establishments, including Federally Inspected Poultry and Meat Plants: In food areas, defined as areas where exposed food is present, only apply product into cracks, crevices, drains, and other inaccessible areas. Do not contaminate food and feed stuffs. Do not apply product onto food contact surfaces.

This product may be used in Schools and Day Care Facilities. Unless it is an emergency situation, applications should be performed when only maintenance staff are present, and the building is otherwise unoccupied. Do not apply to classrooms while in use. Vacate rooms prior to treatment. If application is a surface spray, spot or crack and crevice application, re-entry may occur once the spray has dried.

In hospitals, nursing homes or in any rooms occupied by the elderly or infirm, remove patients before treating rooms. If application is done as a surface spray, or crack and crevice application, patients may re-enter once the spray has dried.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in a cool, dry area away from heat or open flame. Do not transport or store below 32°F. Protect from freezing. **Pesticide Disposal and Container Handling:** Do Not Puncture or Incinerate! *If empty:* Place in trash or offer for recycling if available. *If partly filled:* Call your local solid waste agency for disposal instructions.

{Nisus will determine which of the following warranties will be used, based on available space of an aerosol can}

[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 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. 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.

The disclaimer and limits 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 alter these provisions.

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.]

[WARRANTY DISCLAIMER, LIMITED REMEDIES AND LIMITED DAMAGES

Manufacturer warrants this product conforms to the chemical description on the label. **EXCEPT AS EXPRESSLY STATED HEREIN, MANUFACTURER MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY AND EXPRESSLY DISCLAIMS ALL OTHER WARRANTIES, INCLUDING ANY WARRANTY OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.**

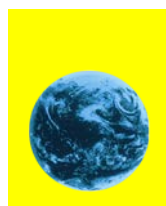
The sole and exclusive remedy for losses or damages resulting from this product (whether based on contract, negligence, strict liability or other legal theories) shall be limited to, at Manufacturer's election, one of the following:

1. Refund of purchase price paid by buyer or user for product bought, or
2. Replacement of amount of product used.

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 **IN NO CASE SHALL MANUFACTURER BE LIABLE FOR DIRECT, CONSEQUENTIAL OR INCIDENTAL DAMAGES OR LOSSES, INCLUDING WITHOUT LIMIT, HEALTH RELATED DAMAGES OR INJURIES.**

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.

The disclaimer and limits 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 alter these provisions.]



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

Nibor-D and Nisus are registered trademarks of Nisus Corporation

Made in the U.S.A.

[Optional Marketing Claims

- For residential and commercial use.
- Kills roaches when they come in direct contact with the foam.
- Kills [[drain flies] [fruit flies] [phorid flies] [fungus gnats] [ants (except carpenter, fire, harvester and pharaoh ants)] that live in drains
- Kills and prevents [drain flies] [fruit flies] [phorid flies] [fungus gnats] [ants (except carpenter, fire, harvester and pharaoh ants)] that live in drains.

- Fill voids with foam to kill and prevent [drain flies] [fruit flies] [phorid flies] [fungus gnats] [ants (except carpenter, fire, harvester and pharaoh ants)]
- Kills [drain flies] [fruit flies] [phorid flies] [fungus gnats] [ants (except carpenter, fire, harvester and pharaoh ants)] that live in inaccessible areas.
- For the control and prevention of [drain flies] [fruit flies] [phorid flies] [fungus gnats] [ants (except carpenter, fire, harvester and pharaoh ants)] that live in commercial kitchens.
- For the control and prevention of [drain flies] [fruit flies] [phorid flies] [fungus gnats] [ants (except carpenter, fire, harvester and pharaoh ants)] in soda drains.
- Kills and prevents [drain flies] [fruit flies] [phorid flies] [fungus gnats] [ants (except carpenter, fire, harvester and pharaoh ants)] in commercial kitchens.
- Dual action pesticide.
- Dual-Action active ingredients
- Dual active ingredients.
- Easy to use foam for the control and prevention of [drain flies] [fruit flies] [phorid flies] [fungus gnats] [ants (except carpenter, fire, harvester and pharaoh ants)].
- Use as a crack & crevice foam in food preparation and processing areas.
- Fill drains with foam [daily] [or] as needed.
- Kills [roaches][cockroaches] [American and German cockroaches] that live in drains by direct contact.
- Fill voids with foam to kill by direct contact [roaches][cockroaches] [American and German cockroaches].
- Kills by direct contact [roaches][cockroaches] [American and German cockroaches] that live in inaccessible areas.
- Kills by direct contact [roaches][cockroaches] [American and German cockroaches] in commercial kitchens.