

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

MAY 6 2011

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

M s. Kim Davis American Borate Company 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 PR Notice 2007-4 & PR Notice 98-10

Dear Ms. Davis:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 and 2008-1 dated April 29, 2011 for:

EPA Registration Number: 73605-2 Boric Acid® FG

The Registration Division (RD) has conducted a review of this request for applicability Under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-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 non-refillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact Melody Banks on 703 305-5413.

Sincerely,

Mark Suarez

Product Manager 11

Insecticide Branch

Registration Division (7504P)

Please read instructions on reverse before completing form.		Form A	pproved. OMB No. 2070-0060.	
United States		Registration OPP Identifier Number		
Environmental Protection Agency		☐ Amendment		
1200 Pennsylvania Avenue, N.W.		_ /	Notification	
Washington, DC 20460-0001		Other		
Application for Pesticide – Section I				
Company/Product Number	2. EPA Prod	luct Manager 3.	Proposed Classification	
EPA Reg. No. 73605-2	Ric	Richard Gebken		
4. Company/ Product (Name)	PM#	None Restricted		
Boric Acid® FG		10		
5. Name and Address of Applicant (Include ZIP Code)		6. Expedited Review. In accordance with FIFRA Section		
American Borate Company		3(c)(3)(b)(i) my product is similar or identical in composition and labeling to:		
c/o RegWest Company, LLC	labeling to.	labeling to.		
8203 West 20th St., Suite A	EPA Reg. N	EPA Reg. No		
Greeley, CO 80634-4696				
Check if this is a new address	Product Na	Product Name		
	Section - II			
Amendment – Explain below.	☐ Final pri	Final printed labels in response to Agency letter dated		
Resubmission in response to Agency letter dated		" Application	TICATION —	
		MAY C 2044		
Notification – Explain below.		Explain below. MAT	0 2011	
Explanation: Use additional page(s) if necessary. (For Section I and Section II.)				
Submit Label Revision N				
Refer to Reference Lab	oel for an illustratio	on of all label revisi	ons.	
Notification of label change per PR Notices 98-10 and 2007-4. This no				
regulations at 40 CFR § § 152.46, 156.10, 156.140, 156.144, 156.146 a for this product. I understand that it is a violation of 18 U.S.C. Sec.				
consistent with the 40 CFR § § 152.46, 156.10, 156.140, 156.144, 156.	146 and 156.156, this product ma	y be in violation of FIFRA and I ma	ay be subject to enforcement action	
and penalties under sections 12 and 14 of FIFRA.	0 4 111			
4. Material This Duadret Will De Deskayed Inc.	Section – III			
Material This Product Will Be Packaged In:     Child Resistant Packaging	Water Soluble Packa	aging 2. Type of	Container	
Yes*	Yes	☐ Metal		
		■ Plasti	C	
- No - No - No				
Linit Backgaing W/t Cont	ainer Packaging Wt.	No. Per Glass Container Paper		
submitted One Packaging Wt. Cont		Other (Specify):		
Location of Net Contents Information     4. Size(s)	s) Retail Container	5. Location of La		
On Label				
■ Label ☐ Container 55 p	oounds through 2205 pou	inds On Labeling	Accompanying Product	
6 Manner in Which Label is Affived to Dradust	Lithograph	Stenciled	, , ,	
			Landa de la companya	
Paper glued Other Printed; Self-adhesive				
	Section - IV			
Contact Point (Complete items directly below for identification)     Name     Title	entification of individual to b		o process this application).	
Title			770.353.0611	
Kim Davis	Consultant/Agent		@regwest.com	
		NO.	8. Date Application	
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			
A. A		cc cc	C C C C C C	
Consultant/Agent				
4. Typed Name 5. Date				
		00.0044		
Kim Davis	April	29, 2011		

## **Label Revision Notification**



April 29, 2011

Mr. Richard Gebken, Product Manager 10
Document Processing Desk - *NOTIF*Office of Pesticide Programs – *7504P*U.S. Environmental Protection Agency
One Potomac Yard (South Building), Room S-4900
2777 South Crystal Drive
Arlington, VA 22202

Dear Mr. Gebken:

Subject: American Borate Company

Boric Acid® FG

EPA Reg. No. 73605-2

On behalf of *American Borate Company*, RegWest Company, LLC is submitting the attached documents per PR Notices 98-10 and 2007-4. RegWest will act as sole agent in this endeavor.

Attached are the following documents:

- 1. Application for Pesticide: Notification
- 2. Agent Authorization Letter
- 3. One Reference Label (illustrating the label revisions)
- 4. Two **New Labels** (incorporating the revisions)

In addition to the PR Notices changes, we are deleting "73605-VA-01" and replacing it with a blank line, amongst other minor changes. Please refer to the *Reference Label* for an illustration of all revisions.

Please contact me or Dean Moser at 970.353.0611 or dean@regwest.com if you have any questions or comments concerning this submission.

Regards,

RegWest Company, LLC

Kim Davis, Consultant/Agent

Attachments

cc: ABCo - Reid, B.

73605-2 New Label: 1 of 2 pages 01/16/2003 SAL + 04/29/2011 Notification

# **Boric Acid® FG**

# Formulator Grade For manufacture of algaecides/insecticides/fungicides

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	····NOTIFICATIO
uivalent: 56.3%]	WUIFICATIO
h <b>of Children</b> <b>DN</b> Iditional Precautionary Statemer	MAY - 6 2011
EPA Est	· <del>-</del>
	n of Children  ON Iditional Precautionary Statemen  EPA Est.

Firet Aid

	1 119t Alu		
If Swallowed:	<ul> <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>		
If in Eyes:	<ul> <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>		

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact xxx-xxxx for emergency medical treatment information

{Note: The First Aid statements' grid format will be used if label allows, otherwise a paragraph format will be used.}

### PRECAUTIONARY STATEMENTS

#### **Hazards to Humans and 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**

Boric acid or boric acid solutions carelessly spilled or applied to cropland or growing plants, including trees and shrubs, may kill or seriously retard plant growth. Do not contaminate water by cleaning of equipment or disposal of wastes. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other waters unless in accordance with the requirements of the National Pollutant Discharge Elimination System (NFDES) permit and the permitting authority has been notified in writing prior to discharge, Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

#### **DIRECTIONS FOR USE**

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

73605-2 New Label: 2 of 2 pages 01/16/2003 SAL + 04/29/2011 Notification

Boric Acid FG is a soluble inorganic powder for formulating into certain end-use products; insecticides/fungicides for wood treatment; insecticides for mop, spot, or crack and crevice treatment in residential, industrial, commercial and institutional buildings.

Formulators and repackagers are responsible for obtaining their own registrations.

Not for food or drug use.

### 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 Disposal:** Non-refillable container; do not reuse or refill this bag. Completely empty bag into application equipment. Offer for recycling, if available; otherwise dispose of empty bag in a sanitary landfill or by incineration or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

{Per PR Notice 2007-4 the batch code/lot number will appear on the label or container.}

**Notice:** To the extent permitted by applicable law, neither manufacturer nor seller shall be liable in respect to any injury or damages suffered by reason of the use of this product for a purpose not indicated by the label, or when used contrary to the directions or instructions hereon, nor with respect to breach of any warranty not expressly specified herein. To the extent permitted by applicable law, buyer accepts this material subject to these terms, and assumes full risk of usage and handling except when used or handled in accordance with this label.

Manufactured by:

American Borate Co. 5700 Cleveland Street, Suite 420 Virginia Beach, VA 23462 Emergency phone number 800-424-9300

[] Denotes optional/alternative language

{} Denotes language that does not appear on the market label

