

81824-2

4/2/2010

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

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

APR 2 2010

Ross Gilbert  
Ensystem II, Inc.  
c/o Pyxis Regulatory Consulting Inc.  
4110 136<sup>th</sup> St. NW  
Gig Harbor, WA 98332

Subject: Label Notification(s) for Pesticide Registration Notices 2007-4

Dear Ross Gilbert:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice PRN 2007-4 dated March 16, 2010 for the following product(s):

**Maxxthor Golf CG (EPA Reg. No. 81824-2)**  
**Maxxthor SG (EPA Reg. No. 81824-3)**  
**ENS-100 (EPA Reg. No. 81824-4)**

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 98-10. 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 nonrefillable 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 Regina Foushee'-Smith at 703-605-0780.

Sincerely,

A handwritten signature in black ink that reads "Richard J. Gebken".

Richard J. Gebken  
Product Manager  
Insecticide Branch  
Registration Division (7505P)



United States  
**Environmental Protection Agency**  
 Washington, DC 20460

Registration  
 Amendment  
 Other

OPP Identifier Number

**Application for Pesticide - Section I**

1. Company/Product Number 81824-2		2. EPA Product Manager R. Gebken		3. Proposed Classification <input type="checkbox"/> None <input checked="" type="checkbox"/> Restricted	
4. Company/Product (Name) Ensysyex II, Inc / Maxxthor Golf CG		PM# 13			
5. Name and Address of Applicant (Include ZIP Code) Ensysyex II, Inc c/o Pyxis Regulatory Consulting, Inc. 4110 136th St. NW Gig Harbor, WA 98332 <input type="checkbox"/> Check if this is a new address			6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(ii), my product is similar or identical in composition and labeling to: <b>NOTIFICATION</b> EPA Reg. No. _____ <b>APR - 2 2010</b> Product Name _____		

**Section - II**

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

**Explanation:** Use additional page(s) if necessary. (For section I and Section II.)

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, 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. Material This Product Will Be Packaged In:					
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container		If "Yes" Package wgt No. per container	
2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____			3. Location of Net Contents Information <input type="checkbox"/> Label <input checked="" type="checkbox"/> Container		
4. Size(s) Retail Container 25 lb		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 checked="" type="checkbox"/> Lithograph Paper glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other _____					

**Section - IV**

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Ross Gilbert	Title Agent	Telephone No. (Include Area Code) (253) 853-7369
2. Signature 		6. Date Application Received (Stamped)
3. Title Agent		
4. Typed Name Ross Gilbert		
5. Date 3/16/10		

**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, both under applicable law.

PYXIS REGULATORY CONSULTING, INC.

4110 136<sup>th</sup> St. NW  
Gig Harbor, WA 98332

Phone: 253-853-7369  
Fax: 253-853-5516  
www.PyxisRC.com

March 16, 2010

COURIER DELIVERY

Richard Gebken (PM 13)  
Document Processing Desk (NOTIF)  
Office of Pesticide Programs (7504P)  
U.S. Environmental Protection Agency  
Room S-4900, One Potomac Yard  
2777 S. Crystal Drive  
Arlington, VA 22202

RE: Ensystem II, Inc. – Maxthor Golf CG (EPA Reg. No. 81824-2)  
Revision to Container Disposal Instructions per PRN 2007-4

Dear Mr. Gebken,

On behalf of Ensystem II, Inc. please find the enclosed label notification revising the container disposal instructions for Maxthor Golf CG per PRN 2007-4.

In support of this notification submission, we submit the following documents:

1. Completed Application for Registration (EPA Form 8570-1)
2. One (1) copy of the Maxthor Golf CG labeling with changes tracked
3. One (1) copy of the Maxthor Golf CG labeling with changes incorporated
4. Certification with Respect to Label Integrity
5. One (1) copy of the Maxthor Golf CG labeling on CD
6. Letter of Authorization

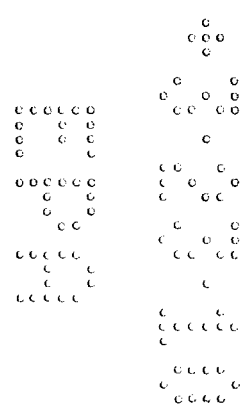
Please feel free to contact me by phone (253) 853-7369 or by email at Ross@PyxisRC.com if you have any questions or need any additional information.

Sincerely,

Ross Gilbert

Enclosures

cc: D. Nimocks; Ensystem II, Inc



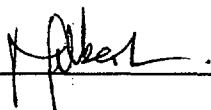
# Certification with Respect to Label Integrity

version: 9/11/02

I certify that the information (including, but not limited to, text, tables, and graphics) contained in the electronic file identified below by file name and submitted with this certification is the same information as that on the paper copies of these documents included with this submission.

PROPOSED LABEL		
EPA Registration #	Date Submitted to EPA	Electronic file name
81824-2	March 16, 2010	081824-00002.20100316.PRN 2007-4 lbl notification.pdf

I certify that the statements that I have made on this form are true, accurate, and complete. I acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

Signature 

Date 3/16/10

Ross Gilbert

Name (typed)

Agent

Title

**RESTRICTED USE PESTICIDE**  
**Toxic to Fish and Aquatic Organisms**  
 For retail sale to and use only by certified applicators or persons under their direct supervision and only for those uses covered by the certified applicator's certification.

**Maxxthor Golf CG**

To control insect pests on lawns and other ornamental turf areas, landscapes, bedding areas, flowerbeds, ground covers, grounds, athletic fields, parks, recreational areas and golf courses and around the perimeters of residential, commercial and institutional buildings. Pests controlled include Imported Fire Ants (including mounds) and Mole Crickets.

Active Ingredient:	By Wt.
Bifenthrin* .....	0.2%
Other Ingredients: .....	99.8%
TOTAL: .....	100.0%

\*Cis isomers 97% minimum, trans isomers 3% maximum.

EPA Reg. No. 81824-2 EPA Est. 68850-NC-001

**STOP – Read the label before use**  
**KEEP OUT OF REACH OF CHILDREN**  
**CAUTION**

**DO NOT USE THIS PRODUCT ON GOLF COURSES IN NASSAU COUNTY OR SUFFOLK COUNTY, NEW YORK**

(PRECAUCION AL USUARIO: Si usted no puede leer o entender ingles, no use este producto hasta que la etiqueta le haya sido explicada ampliamente.)

(TO THE USER: If you cannot read and understand English, do not use this product until the label has been fully explained to you.)

For product use information call 1-888-398-3772 or visit [www.bifenthor.com](http://www.bifenthor.com)

Manufactured For:  
**ENSYSTEX II, Inc.**  
 Fayetteville, NC 28303

**NOTIFICATION**

Net Weight:

**APR - 2 2010**

<b>FIRST AID</b>	
<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 to 20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>HOTLINE NUMBER</b>	
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-(888)-398-3772 for emergency medical treatment information.	
<b>NOTE TO PHYSICIAN</b>	
This product is a pyrethroid. If large amounts have been ingested, milk, cream and other digestible fats and oils may increase absorption and so should be avoided.	

**PRECAUTIONARY STATEMENTS**

**Hazards to Humans and Domestic Animals**

**CAUTION**

Harmful if absorbed through skin. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

**Environmental Hazards**

This pesticide is extremely toxic to fish and aquatic invertebrates. 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 apply when weather conditions favor drift from treated areas. Drift and run-off from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment washwaters or rinsate.

**DIRECTIONS FOR USE**

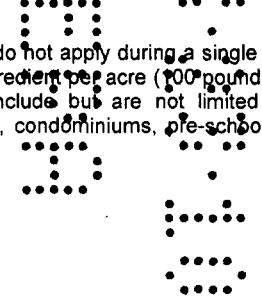
It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

Not for use on plants being grown for sale or other commercial use or for commercial seed production or for research purposes. Not for use on sod farms, nurseries, inside commercial greenhouses or on grass grown for seed.

For use on plants intended for decorative or climate modification purposes.

Permitted use sites include but are not limited to lawns and other ornamental turf areas, landscapes, bedding areas, flowerbeds, ground covers, grounds, athletic fields, parks, recreational areas and golf courses and around the perimeters of residential, commercial and institutional buildings.

At and around residential sites, do not apply during a single application more than 0.2 pounds active ingredient per acre (200 pounds Maxxthor Golf CG). Residential sites include but are not limited to private residences, apartment buildings, condominiums, pre-schools and day care facilities.



At and around non-residential sites, do not apply during a single application more than 0.4 pounds active ingredient per acre (200 pounds Maxxthor Golf CG).

During any year, do not broadcast apply more than 0.4 pounds active ingredient (200 lbs. Maxxthor Golf CG) per acre at any type of site.

### STORAGE AND DISPOSAL

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

**Pesticide Storage:** Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Handle and open container in a manner so as to prevent spillage.

**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:** ~~(Paper and plastic bags) Completely empty bag into application equipment. Then 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. Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Then offer for recycling if available or 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.~~

**In Case of Spill:** Confine it, avoid contact, isolate area and keep animals and unprotected persons away. Cover to prevent dispersal. Place damaged package in a holding container and identify contents. Contact Ensystex II at 1-888-398-3772 for any assistance.

## APPLICATION FOR LAWN AND NUISANCE PESTS

### Application Sites

Permitted sites include but are not limited to lawns and other ornamental turf areas, landscapes, bedding areas, flowerbeds, ground covers, grounds, athletic fields, parks, recreational areas and golf courses. **New York State only: Do not apply Maxxthor Golf CG containing solutions to grass or turf within 100 feet of a body of water (lake, pond, river, stream, wetland or drainage ditch).**

### Application Amount Restrictions According to Site Type

On and around residential sites, do not apply during a single application more than 0.2 pounds active ingredient per acre (100 pounds Maxxthor Golf CG). Residential sites include but are not limited to private residences, apartment buildings, condominiums, pre-schools and day care facilities.

On and around non-residential sites, do not apply during a single application more than 0.4 pounds active ingredient per acre (200 pounds Maxxthor Golf CG).

### Application Methods and Equipment

Broadcast apply Maxxthor Golf CG uniformly to the areas to be treated. Use application equipment suitable for that purpose such as hand or power operated gravity (drop) or rotary type spreaders designed for the application of granular materials.

Apply Maxxthor Golf CG evenly over lawns, ground covers, flower beds and around trees and shrubs. To ensure the lawn area is covered uniformly, first treat around the border of the lawn. Then, treat in the center. Walk at a steady pace to ensure even distribution and walk parallel to reduce overlapping of treatment. The uniformity of the distribution of Maxxthor Golf CG may be increased by applying one-half of the required amount in one direction and the other half at a right angle. The condition of the spreader, the speed walked and uneven terrain may affect the rate of application. If necessary, calibrate spreader according to the manufacturer's directions or see the *Application Equipment Calibration* section of this label.

It may be necessary to irrigate lawn areas after application to move the granules down deeper into the grass or to release the active ingredient from the granule. If watering of the granules is necessary, do not allow persons or pets on treated areas until they are dry. Do not touch treated surface until it is dry.

### Reapplication

Reapplications may be necessary, particularly in the event of high pest pressure. However, during any one year, do not broadcast apply at any site more than 0.4 pounds active ingredient (200 lbs. Maxxthor Golf CG) per acre. **New York State only: Do make a single reapplication of Maxxthor Golf CG if there is renewed insect activity, but not sooner than two weeks after the first application.**

### Application Use Rates

Select Use Rate based on the type of site. For some pests, maximum application rates differ based upon whether the site is a residential site or non-residential site.

Use rates for Maxxthor Golf CG for lawn pests are stated in three different ways:

Pounds active ingredient per acre

Pounds of Maxxthor Golf CG per acre

Pounds of Maxxthor Golf CG per 1000 square feet.

### Application Use Rate Conversion

Use the following formulas to convert between the three Maxxthor Golf CG use rates.

*If you know pounds active ingredient you want to apply and you want to calculate the pounds Maxxthor Golf CG that contains this amount of active ingredient:*

$$\text{Pounds Maxxthor Golf CG} = \text{Pounds active ingredient} \times 500$$

*If you want to know the pounds active ingredient in any amount of Maxxthor Golf CG:*

$$\text{Pounds active ingredient} = \text{Pounds Maxxthor Golf CG} / 500$$

*If you want to convert between pounds per 1000 square feet and pounds per acre (or vice versa):*

$$\text{Pounds Maxxthor Golf CG per 1000 square feet} = \text{Pounds Maxxthor Golf CG per acre} / 43.56$$

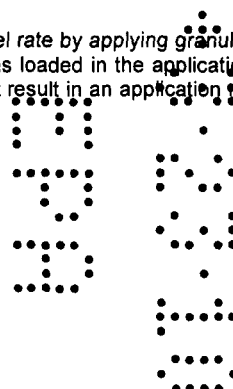
$$\text{Pounds Maxxthor Golf CG per acre} = \text{Pounds Maxxthor Golf CG per 1000 square feet} \times 43.56$$

Recommended Maxxthor Golf CG lawn application use rates, based on the target pest, range between 0.1 and 0.2 pounds of active ingredient per acre for residential sites and between 0.1 and 0.4 for non-residential sites. Recommended rates for specific pests within this range, based on the type site, are given below.

However, for residential sites, applications of up to 0.2 pounds of active ingredient per acre are permitted at the discretion of the applicator to control any pest.

For non-residential sites, applications of up to 0.4 pounds of active ingredient per acre are permitted at the discretion of the applicator to control any pest.

Do not exceed the maximum label rate by applying granules to an area smaller than intended when it was loaded in the application equipment unless such under dosing will not result in an application rate in excess of the maximum label rate.



Maxxthor Golf CG Residential Applications Use Rate Table			
Use Rate	Pounds active ingredient per acre	Pounds Maxxthor Golf CG per acre	Pounds Maxxthor Golf CG per 1000 sq. feet
A	0.1	50	1.15
B	0.1⇒0.2	50⇒100	1.15⇒2.3
C, D	0.2	100	2.3

Maxxthor Golf CG Non-Residential Applications Use Rate Table			
Use Rate	Pounds active ingredient per acre	Pounds Maxxthor Golf CG per acre	Pounds Maxxthor Golf CG per 1000 sq. feet
A	0.1	50	1.15
B	0.1⇒0.2	50⇒100	1.15⇒2.3
C	0.2⇒0.4	100⇒200	2.3⇒4.6
D	0.4	200	4.6

### Pests Grouped by Use Rates

Use Rate A: Armyworms, Cutworms, Sod Webworms

Use Rate B: Annual Bluegrass or Hyperodes Weevil (Adult), Billbugs (Adult), Black Turfgrass Ataenius (Adult), Leafhoppers, Mealybugs

Use Rate C: Ants, Centipedes, Chinch Bug, Fleas (Larvae and Adult), Imported Fire Ant including mounds (Adult), Millipedes, Mole Cricket (Nymph and Adult), Ticks

Use Rate D: Pillbugs, Sowbugs, European Crane Flies

### Application Recommendations Against Specific Pests

**Annual Bluegrass or Hyperodes Weevil (Adult):** Consult your Cooperative Extension Service for advice on application timing in your area.

**Armyworms, Cutworms, Sod Webworms:** Water treated area immediately with up to 0.1 inches of water immediately after application to release active ingredient from the granules.

**Billbug Adults:** Make application when adults first appear in the spring or when chewed or brown grass indicates damage. Consult your Cooperative Extension Service for advice on more exact application timing in your area.

**Black Turfgrass Ataenius:** Treat in the spring to control overwintering adults. Consult your Cooperative Extension Service for advice on more exact application timing in your area.

**Chinch Bugs:** Water treated area immediately with up to 0.25 inches of water immediately after application to help move active ingredient deeper into the grass thatch where these insects live. The highest application rate may be necessary to achieve control during the summer.

**Flea larvae:** Water treated area immediately after application with up to 0.5 inches of water to release active ingredient from granule. Concentrate treatment in shaded soil areas.

**Imported Fire Ants:** Combine broadcast treatments to control newly invading ants and mound treatments to control existing ant colonies. Irrigate before broadcast application if soil is not moist. Treat mounds by pouring ½ cup of Maxxthor Golf CG into the mound opening and wetting it with 1 to 2 gallons of water. Also treat the area within a 2 foot radius of the center of the mound. For best results, make application during cool weather (65 to 80 degrees F) or in the early morning or late evening.

**Mole Crickets:** Make application late in the day. Water treated area immediately after application with up to 0.5 inches of water to move granules down into the grass where these insects live. If soil is not moist, water before treatment also to bring crickets closer to surface before application. Treating at the time of peak egg hatch increases control of hatching nymphs. Frequent applications may be necessary to control larger nymphs later in the year.

**Ticks** (including ticks that may transmit Lyme Disease and Rocky Mountain Spotted Fever): Treat the entire area where ticks could be present. Begin treatments in the spring. Ticks may be re-introduced by host animals in the surrounding area. Retreats may be necessary to achieve and maintain control during periods of high pest pressure.

### Structure Perimeter Application

Broadcast apply Maxxthor Golf CG around the exterior perimeter of a structure in a 5 to 10 foot wide band beginning at the base of the structure and extending outward. Determine the amount of Maxxthor Golf CG to apply based on the following formulas.

#### Perimeter Application Amount Calculation

Compute the amount of Maxxthor Golf CG to apply in a perimeter band application as follows:

A = Distance around structure measured 5 feet from structure X width of perimeter band to be applied (distances in feet)

B = Use rate from the applicable Use Rate Table in Pounds Maxxthor Golf CG per 1000 square feet based on target pest and type of application site (residential or non-residential)

Pounds of Maxxthor Golf CG to apply around perimeter = (A X B) / 1000

### Application Equipment Calibration

Calibrate spreading equipment before use. Accurately weigh a few pounds into your spreader and apply to a measured area. Then adjust the spreader setting, if necessary, in order to assure correct rate of application.

## IMPORTANT - READ BEFORE USE

**NOTICE:** Read the entire Directions for Use, Conditions of Sale, Disclaimer of Warranties and Limitations of Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

**CONDITIONS OF SALE:** The Directions for Use of this product are believed to be adequate and should be followed carefully. However, because of manner of use and other factors beyond the control of Ensystem II, Inc., it is impossible for Ensystem II to eliminate all risks associated with the use of this product such as ineffectiveness or unintended consequences. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Ensystem II harmless for any claims relating to such factors.

**DISCLAIMER OF WARRANTIES:** Seller warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use when used in accordance with the Directions for Use under normal conditions of use. ENSYSTEM II MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE, NOR ANY OTHER EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE SELECTION, PURCHASE, OR USE OF THIS PRODUCT THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. Any warranties, express or implied, having been made are inapplicable if this product has been used contrary to label instructions, under abnormal conditions or under conditions not reasonably foreseeable by (or beyond the control of) seller or Ensystem II, Inc., and buyer assumes the risk of any such use.

**LIMITATIONS OF LIABILITY:** To the extent permitted by law, Ensystem II shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product. THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF ENSYSTEM II AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF ENSYSTEM II, THE REPLACEMENT OF THE PRODUCT.

This Conditions of Sale and Limitation of Warranty and Liability may not be amended by any oral or written agreement.

