

AUG 13 2008

Ms. Janelle Kay
Ensystex II, Inc.
c/o Pyxis Regulatory Consulting, Inc.
4110 136th St. NW
Gig Harbor, WA 98332

Subject: Label Amendment and CSF Revision
Borathor, EPA Registration Number 81824-8
Application Date: May 9, 2008
Decision Number: 394087

Dear Ms. Kay:

The basic Confidential Statement of Formula, dated May 9, 2008, referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, is acceptable. This information has been added to our files for the product.

In addition, the labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable subject to the changes listed below:

- Delete the statement “*Only in California” from the Personal Protective Equipment paragraph.
- In the Wood Destroying Organism Control paragraph on the second page of the product label, change the sentence “Borathor can be applied as a preventative (before signs of infestation are found) or remedial (after signs of infestation are found) treatment to existing structures and as a preventative pre-treatment to wood in structures under construction before or during the construction process.” to “Borathor can be applied as a preventative (before signs of infestation are found) or remedial (after signs of infestation are found) treatment of wood in existing structures and as a preventative pre-treatment to wood before or during the construction process.” This change is to avoid any implications of structural protection.
- In the Control of Wood Destroying Organisms section, replace the following advisory sentences:
 - “Avoid spraying electrical components. Treated wood should be protected from rain and moving moisture.” and
 - “End cuts of wood can be protected by dipping them into a Borathor solution for 1 to 5 minutes.”

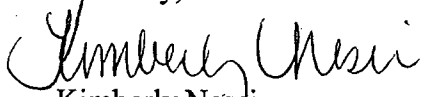
with mandatory language, as follows:

- "Do not spray electrical components. Protect treated wood from rain and moving moisture." and
 - "Protect end cuts of wood by dipping them into a Borathor solution for 1 to 5 minutes."
-
- Also in the Control of Wood Destroying Organisms section, change the header "Preventative Treatment of Wood in Structures Under Construction With a Liquid Solution" to "Preventative Treatment of Wood During Construction With a Liquid Solution." This change is to avoid any implications of structural protection.
 - Also in the Control of Wood Destroying Organisms section, delete the sentence "The treatment of wood is permanent even after cutting and finishing provided the wood is not exposed to moving moisture or in contact with the soil."
 - In the Storage and Disposal section, add the sentence "If recycling is not available, puncture and dispose of rinsed container in a sanitary landfill, or by other procedures approved by state and local authorities" at the end of the "Container Disposal: (Plastic Containers)" paragraph. This provides the user with directions on what to do with the rinsed container if recycling is not available.
 - Also in the Storage and Disposal section, delete the phrase "and drain for 10 seconds after the flow begins to drip" from your "Container Disposal: (Plastic Containers)" paragraph. This phrase is not necessary because your product is a solid [see 40 CFR 156.146(b)(2)].

You must submit five copies of the final, printed labeling prior to releasing the product for shipment.

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

Sincerely,



Kimberly Nesdi
Product Manager 11
Insecticide Branch
Registration Division (7505P)

Enclosure: Borathor label stamped "Accepted with Comments."



AUG 13 2008

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.

81824-8

BORATHOR

For protective and remedial treatment of wood and wood-foam composite structural components against attack by wood-destroying organisms including termites (including drywood), wood infesting beetles, carpenter ants and decay fungi

For the prevention and control of general pests

For the prevention and control of common mildew and fungus

For both interior and exterior use

Active Ingredient:

By Wt.

Disodium Octaborate Tetrahydrate98.0%

Other Ingredients:2.0%

TOTAL:100.0%

EPA Reg. No. 81824-8

EPA Est. 81824-NC-001

STOP – Read the label before use

KEEP OUT OF REACH OF CHILDREN

CAUTION

(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 more information call 1-866-367-8467 or www.for-thor.com.

NET CONTENTS: As marked on container

ENSYSTEX II, Inc.

Fayetteville, NC 28303

FIRST AID

If swallowed	<ul style="list-style-type: none"> • Call poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If inhaled	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
If in eyes	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-800-369-4352 for emergency medical treatment information.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION

Harmful if swallowed or inhaled. Causes moderate eye irritation. Avoid contact with eyes or clothing. Avoid breathing dust. Thoroughly wash with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

used to control a wide range of general household pests and to kill and control common mildew and fungus.

Phytotoxicity

This product may be phytotoxic to plants. When treating around the exterior of structures, cover and protect shrubbery and plants that may be potentially exposed to this product, when applied in accordance with the label directions.

Wood Destroying Organism Control

Borathor can be applied to wood and wood-foam composite structural components to protect them against wood destroying organisms (insects and fungi). Borathor can be applied as a preventative (before signs of infestation are found) or remedial (after signs of infestation are found) treatment to existing structures and as a preventative pre-treatment to wood in structures under construction before or during the construction process

Wood Destroying Insects Controlled

Borathor is effective in preventing and remediating infestations of the following wood destroying insects:

Subterranean Termites (*Reticulitermes, Heterotermes, Coptotermes*)

Drywood Termites (*Kaloterms, Incisitermes*)

Dampwood Termites (*Zootermopsis*)

Powderpost Beetles (*Lyctidae*)

False Powderpost Beetles (*Bostrichidae*)

Deathwatch and Furniture Beetles (*Anobiidae*)

Old House Borers, Longhorn Beetles (*Cerambycidae*)

Carpenter Ants (*Camponotus*)

Bark and Timber Beetles (*Scolytidae*)

Borathor is a stomach poison that kills insects only after they have consumed it. Before Borathor kills the attacking insect, some etching of Borathor treated wood may occur due to the insect's attack.

Personal Protective Equipment (PPE)*:

Applicators and handlers must wear waterproof gloves, eye protection, protective clothing (e.g., long sleeve shirt, long pants, shoes plus socks) and NIOSH/MSHA-approved dust/mist respirator (in confined spaces) when utilizing powder or solution. *Only in California.

Environmental Hazards (less than 50 lb. package)

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.

Environmental Hazards (50 lb. package or larger)

This pesticide is toxic to fish and wildlife. Do not contaminate water when cleaning equipment or disposing of equipment washwaters. Do not discharge effluent containing this product into lake, streams, ponds, estuaries, oceans or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) 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.

Physical and Chemical Hazards

Do not apply solutions of this product around electrical equipment, such as electrical conduits, motor housings, junction boxes, switch boxes, etc. due to the possibility of shock hazard.

DIRECTIONS FOR USE

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

Borathor is a water soluble, inorganic borate salt with insecticidal and fungicidal properties. It is effective against a wide range of insects and fungi. Borathor can be used to protect wood against attack from a wide range of wood destroying organisms. Borathor can also be

Wood Decay Fungi Controlled

Borathor is effective at preventing and remediating infestations of wood decay fungi (White Rot, Brown Rot (*Poria*) and wet rots).

Using Borathor against Listed Wood Destroying Organisms

Borathor can be used to treat and protect lumber, logs, plywood and wood-foam composite structural components. Borathor can be applied to and will protect interior and exterior wood and cellulose containing components (including cellulose insulation) so long as they remain protected from moving moisture and are not in direct contact with the soil. Borathor will not protect wood exposed to moving moisture such as water dripping onto or moving across its surface such as rain or plumbing leaks.

Borathor can be applied as a dilute liquid solution, dilute foam or undiluted powder. Borathor solutions can be sprayed or brushed onto wood surfaces. Best results are obtained when Borathor is applied to bare wood. Do not apply Borathor to painted, varnished or sealed surfaces of wood. Successive applications of Borathor solutions incrementally increase the loading and depth of penetration of borate into the wood, increasing the level of protection against insect and fungi attack.

In addition to treatment with Borathor, effective insect and fungi control may also include mechanical alteration of the structure to stop moisture accumulation on or within the confines of the structure. Elimination of leaks or points of moisture accumulation within or on the exterior of the structure that result in an increase in the moisture content of wooden structural components of the structure is advised. If possible, break contact between the ground and untreated wooden parts of the structure. When untreated wooden parts of the structure touch the ground and such contact cannot be broken, protect these parts of the structure against termite attack using a termiticidal product labeled to provide such protection.

Spraying water on some wood species can mobilize natural wood extractives, raise the grain and leave behind calcium or other

deposits. Prior to treating large areas, treat a small area with Borathor solution to ensure that you are satisfied with the final appearance of the treated surface after it dries.

When applying Borathor as a liquid solution, a dye may be added to the solution to facilitate marking and tracking of the areas to which Borathor has been applied. Mix and use dye according to the dye manufacturer's recommendations.

When applying Borathor overhead above finished surfaces, protect the finished surfaces below the areas to be treated with a covering material such as plastic sheeting.

General Household Pest Control

To control existing infestations or as a preventative treatment against future infestations of general pests such as, but not limited to, roaches, silverfish, earwigs, crickets (including House, Field and Camel), Boxelder Bugs, Cluster Flies, centipedes, millipedes and ants (except Pharaoh Ants, Fire Ants and Harvester Ants) that may come in contact with the treated surfaces, mix Borathor according to the dilution and mixing directions and apply according to the specific treatment methods described herein.

Mildew Control

Borathor can also be used to control common mildew.

DILUTION AND MIXING DIRECTIONS

Use rates for Borathor are expressed and the solution is mixed according to the percentage (%) concentration it forms when mixed in water.

Percent Solution Desired	Pounds of Borathor to add per gallon
5.0%	0.5
10.0%	1.0
15.0%	1.5

Liquid Solution Mixing Directions

Mix Borathor as a ready to use solution in the following manner:

1. Fill tank with 80% of the volume of water required for treatment.

2. While stirring, gradually add the required amount of Borathor needed to form the desired concentration solution.
3. Add remaining amount of water.
4. Continue to stir until the Borathor is completely dissolved in the water.

Foam Mixing and Application Directions

Prepare a solution as explained in the *Liquid Solution Mixing Directions* section while also adding a foaming agent according to the foaming agent manufacturer's recommendations. The foam should be of a dry consistency that adheres to wood surfaces and minimizes runoff. Avoid generating a wet foam as it may damage building components. Apply foamed Borathor to void spaces at a 1:20 to 1:30 foam ratio (one (1) gallon of mixed solution expanded with foaming agent to produce 20 to 30 gallons of foam). Apply enough foam to fill void and contact all wood surfaces in the void space.

CONTROL OF WOOD DESTROYING ORGANISMS

Borathor Application to Wood as a Liquid Solution

Borathor applied as a liquid to the surface of wood penetrates the wood to varying degrees based on wood density and wood moisture content.

Treatment of Wood in Existing Structures with a Liquid Solution

Preventative Surface Treatment for Wood Destroying Insects and Fungi

For wood of normal moisture, a single application of a 15% solution can be made. For wood of below normal moisture content, two successive applications of a 10% solution are recommended. Brush or spray solution onto wood at a rate of 5 gallons of solution per 1000 square feet, thoroughly wetting wood surfaces.

Remedial Surface Treatment for Wood Destroying Insects and Fungi

Two successive applications of a 10% solution are recommended however one application of a 15% solution may be used. Brush or spray solution onto wood at a rate of 5 gallons of solution per 1000 square feet, thoroughly wetting wood surfaces.

Remedial or Preventative Subsurface (Injection) Treatment for Wood Destroying Insects

Application may also be made by drilling and injecting the solution under pressure into sound or infested wood.

For infested wood, drill into insect galleries and inject solution until run-off is observed coming from insect entry/exit holes.

Preventative Treatment of Wood in Structures Under Construction With A Liquid Solution

Preventative Surface Treatment for Wood Destroying Insects and Fungi

Liquid applications of Borathor to exposed surfaces of structural wooden components of structures under construction can be made to prevent infestations of and damage to treated wooden components by all the wood destroying organisms that are controlled by Borathor.

For wood of normal moisture content, a single application of a 15% solution can be made. For wood of below normal moisture content, two successive applications of a 10% solution are recommended. Brush or spray solution onto all accessible wood surfaces at a rate of 5 gallons of solution per 1000 square feet, thoroughly wetting wood surfaces. Apply after framing and roofing are in place and before insulation and drywall are installed.

Avoid spraying electrical components. Treated wood should be protected from rain and moving moisture.

End cuts of wood can be protected by dipping them into a Borathor solution for 1 to 5 minutes. The treatment of wood is permanent even after cutting and finishing provided the wood is not exposed to moving moisture or in contact with the soil.

Borathor Application to Wood as a Powder Remedial or Preventative Treatment for Termites and Carpenter Ants

Drill into insect galleries and inject undiluted Borathor in powder form into galleries. Borathor can also be injected and/or dusted into wall voids, block voids and voids in eaves, attics, soffits and other areas at a rate of ½ ounce per square foot. Borathor can also be dusted onto wood surfaces.

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to voids and hollow spaces in walls, inside equipment legs and bases and other areas where insect may hide.

In unoccupied parts of structures such as crawl spaces and unfinished basements, Borathor can be applied to masonry surfaces such as crawl space and basement walls and basement floors as a general surface spray.

Outdoors, apply a 15% Borathor solution as a spot treatment around windows, doorframes and other areas where insects may enter. A visible residue may be left on dark surfaces as the result of applications onto those surfaces. The effective life of any treatment will be decreased by exposure to the weather and rain.

Borathor Application for General Insect Control as a Powder

Apply undiluted Borathor powder into cracks and crevices, void areas, between elements of construction, into openings around pipes and sinks, inside equipment legs and bases, under appliances, behind baseboards and under and behind storage shelves. No powder should be visible after application. Remove any powder visible after application or brush it into cracks and crevices.

MILDEW AND FUNGUS CONTROL (except in California)

Borathor applied as a 5.0% liquid solution can be used to kill and control common mildew. Apply solution to areas affected by mildew such as wall surfaces and baseboards as a spot treatment. Application should be in conjunction with conventional moisture control/reduction practices such as structural leak repair, humidity reduction (dehumidification) and ventilation improvements.

Borathor Application to Wood as a Foam Remedial or Preventative Treatment for Termite and Carpenter Ants

Inject a sufficient amount of dry foam made from a 15% Borathor solution into wall voids so as to contact wood surfaces of the wall studs lining the wall void with the foam. Direct foam between visible wood joints and abutting wood surfaces.

GENERAL INSECT CONTROL

Borathor applied as a liquid solution or undiluted powder can be used to control or prevent infestations of general household pests including but not limited to, roaches, silverfish, earwigs, crickets (including House, Field and Camel), ants (except Pharaoh Ants, Fire Ants and Harvester Ants), Boxelder Bugs, Cluster Flies, centipedes and millipedes that may come in contact with treated surfaces. **Not for use for flea control.**

Borathor can be used in homes, restaurants, markets, schools, warehouses, factories, offices, hotels, hospitals, nursing homes, garages, grocery stores, apartment buildings, new construction, industrial plants, theaters, ships, trains, trucks, yachts, mobile homes, buses, zoos, kennels, military bases, libraries, utilities and on railroad ties.

Do not apply in areas that are accessible to children and pets. Do not apply Borathor to carpets. **Use only as a crack and crevice and crevice treatment in food areas of food handling establishments, restaurants or other places where food is commercially prepared or processed. Do not use in edible product areas of these food handling establishments. Do not use in serving or other food areas where food is exposed. Do not contaminate feed and foodstuffs.**

Applications of this product in the foods areas of food handling establishments other than as a crack and crevice treatment are not permitted. **Borathor Application for General Insect Control as a Liquid**

Indoors, apply a 15% Borathor solution into insect harborages such as cracks and crevices, void areas, between elements of construction, between equipment and floors, into openings around pipes and sinks, into openings leading

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 use of his product may be disposed of on site or at an approved water disposal facility.

Container Disposal: (Paper and Plastic Bags) Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. Completely empty bag into application equipment. 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.

Container Disposal: (Plastic Containers) Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. Clean container 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.

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. 8/8

DISCLAIMER OF WARRANTIES: Seller warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on 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.

Borathor is a registered trademark of Ensystem II, Inc.

Revised 01/08