

81824-10

03/29/2007

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U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (7505C)
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

EPA Reg. Number:

81824-10

Date of Issuance:

MAR 29 2007

NOTICE OF PESTICIDE:

Registration
 Reregistration
(under FIFRA, as amended)

Term of Issuance:

Conditional

Name of Pesticide Product:

BORATHOR MAX

Name and Address of Registrant (include ZIP Code):

Mr. Michael Kellogg
Ensystem 11, Inc.
c/o Pyxis Regulatory Consulting, Inc.
41 10 136th St. NW
Gia Harbor. WA 98332

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA section 3(c)(7)(A) provided that you:

- 1. Submit and/or cite all data required for registration of your product under FIFRA sec 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of your product under FIFRA section 4.

(continued on page 2)

Signature of Approving Official:

See page 9

Richard J. Gebken, Product Manager (10)
Insecticide Branch, Registration Division (7505P)

Date:

MAR 29 2007

2. Make the following change to the label:

Note: Text marked with a ~~strikeout~~ should be removed, and text marked with *italics* should be inserted

a. Change the product registration number to “*EPA Reg. No. 81824-10*”

b. Page 1:

- Revise the following statement:

“For ~~both interior and exterior~~ use in and around homes, apartments, garages, museums, public and private institutions, schools, hotels, hospitals, kennels, stables, farm buildings, trucks, trailers, warehouses and non-food areas of supermarkets, restaurants and food processing plants.”

- The Net Contents must be expressed as Fluid Ounces, since this is a liquid.

- Directly above the company name Ensystem II, Inc. , insert “Manufactured by:

- Within the Hazards to Humans and Domestic Animals section, revise the statement “~~Thoroughly wash with soap and water after handling.~~” to “*Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.*”

- Immediately below the paragraph entitled Personal Protective Equipment (PPE) and associated text, insert the following new section with the following text.

“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.”

- The Environmental Hazards language proposed is for containers of 5 gallons or less. If you produce, manufacture or distribute in containers larger than 5 gallons, you must propose alternative Environmental Hazards language.

- Within the DIRECTIONS FOR USE, directly below the statement “It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Read and understand the entire label before using. Use only according to label directions.” Insert the following disclaimer statement directly below:

“BORATHOR MAX is not intended as a substitute for mechanical alteration, soil treatment or foundation treatment. BORATHOR MAX is not intended for application to soil. DO NOT USE BORATHOR MAX TO TREAT SOIL. In areas where a soil treatment barrier termiticide treatment is required, BORATHOR MAX may be applied as a supplemental pretreatment to protect wood from subterranean termites that may penetrate chemical gaps occurring in termiticide-treated soil. When active infestations exist, get a professional inspection.”

- Under the disclaimer statement noted above, insert the next two (2) subsections and associated text:

“Use Restrictions

Do not use in edible product areas of food processing plants or on countertops and other surfaces where food is prepared. Do not use in serving areas where food is exposed. Do not contaminate feed, water or food. Do not enter or allow others to enter or occupy treated areas until spray has been absorbed into the wood. Treated areas must not be occupied during application.

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.”

- Move the Storage and Disposal Statement to the end of the label.¹

c. Page 2:

- Within the General Information section, revise the statement as follows: “BORATHOR MAX is a long lasting insecticide/fungicide that can be used preventatively (to prevent future infestations) or remedially (to control existing infestations) against ~~a wide range of listed~~ wood infesting and destroying organisms. The active ingredient in BORATHOR MAX, disodium octaborate tetrahydrate, is an inorganic salt with insecticidal and fungicidal properties that is soluble in water. BORATHOR MAX is mixed with water and applied in solution to the bare surface of wood and other cellulose containing components to protect them against wood infesting and destroying organism attack.”
- Revise the following paragraph:
“Other non wood destroying Organisms Controlled
 BORATHOR MAX also controls ~~general household pests such as~~ cockroaches *that come in contact with the treated surfaces.*”²
- Revise the following paragraph:
“Using BORATHOR MAX against Wood Infesting and Destroying Organisms BORATHOR MAX can be applied to and used to protect ~~all types of~~ wood and cellulose containing components, including ~~but not limited to,~~ lumber, logs, plywood and cellulose insulation, situated within the interior and/or on the exterior of structures, so long as they remain protected from moving moisture and are not in direct contact with the soil. BORATHOR MAX will not adequately protect wood exposed to moving moisture such as liquid water dripping onto or moving across its surface such as rain or plumbing leaks.”
- Revise the following paragraph:
 “In addition to treatment with BORATHOR MAX, effective insect and fungi

¹ Refer to Chapter 13 of the Label Review manual, and the sample labels that accompany the Label Review Manual.

² The term “General household pests” is vague and misleading.

construction may also ~~include~~ require 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 may cause 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 components of the structure. When untreated wooden components of the structure touch the ground and such contact cannot be broken, protect these components of the structure against termite attack using a termiticidal product labeled to provide such protection.”

Revise the following paragraph:

~~“BORATHOR MAX can also be used to prevent the establishment of general household pests such as cockroaches within a structure. Borathor MAX can also be used on the surface of wood in new construction or to wood surfaces inside wall void areas in existing structures to control cockroaches that come in direct contact with these treated areas.”~~³

Strike the following statement:

~~“BORATHOR PLUS may be tank mixed with compatible non-residual pesticides for quicker knockdown of Carpenter ants and other insects, or with an approved fungicide for increased performance against mold.”~~⁴

- Revise the Foam Mixing Directions to add the following additional language within the paragraph:

“Apply foamed Borathor MAX 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.”

- Within the Application Directions section, revise the following sentence: “BORATHOR MAX can be applied to ~~almost any type of~~ cellulose containing building material or component including wood, lumber, logs, plywood, particle board, oriented strand board (OSB), drywall and wood composite structural components to control wood infesting and destroying organisms attack against them. Do not apply BORATHOR MAX to surfaces that are covered by a decorative or protective coating such as paint, stain or sealer. Any decorative or protective coating must be removed before applying.”⁵

- Revise the following sentence:

“BORATHOR MAX can be applied to wood and non-wood (e.g. masonry) surfaces of structures to ~~prevent the establishment in the structure of infestations of general household pests such as~~ control cockroaches that may

³ The cited “me-too” label does not contain Directions to apply as a general pest control product.

⁴ The cited product has not been approved for mold control. In addition, any tank mixing instructions must adhere to all of the requirements listed in PR Notice 82-1.

⁵ This language is consistent with the me-too cited product.

~~connect treated surfaces. Target surfaces include interior masonry walls of crawl spaces and unfinished basements. in addition to wood surfaces, and in wall voids in existing structures. BORATHOR MAX can also be applied into wall voids in existing structures to control such pests.”⁶~~

d. Page 3:

- ~~Remove the following statement: “Differing degrees of completeness of protection against the wood infesting and destroying organisms controlled by BORATHOR MAX can be imparted to structures under construction based on the extent to which the structural components of the structure are treated with BORATHOR MAX with the greatest level of control imparted with a treatment to all component surfaces.”⁷~~
- ~~Revise the following statement: “BORATHOR MAX can be used to as a supplement the use of with other subterranean termite control technologies such as soil applied termiticides or termite baits. BORATHOR MAX can be used to protect structures against termite attack where it is critical that no movement of the active ingredient occur after application, such as termite treatments to structures containing or near cisterns and wells. BORATHOR MAX is not a soil termiticide. Do not use to directly treat soil unless otherwise directed.~~

~~Adult forms of insects (such as beetle adults) may emerge from the wood some period of time after treatment. The BORATHOR PLUS treatment will kill any young that hatch from any eggs they laid.”⁸~~

Revise the following statement: “Spraying water on some wood species can mobilize ~~natural~~⁹ wood extractives, raise the grain and leave behind calcium or other deposits. Prior to treating large areas, treat a small area with BORATHOR MAX solution to ensure satisfaction with the final appearance of the treated surface after it dries.”

- Revise the “Mixing of Borathor Plus as a Foam” to add the following additional language within the paragraph:
 “Apply foamed Borathor plus 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.”
- Revise the text within “Protection of Exposed Treated Wood Component Surfaces” as follows:
 Long term protection of treated wood components exposed to moving water (such as exterior components) is possible only if their treated surfaces are

⁶ This section was revised to consolidate the same use, and clarify that this is intended for cockroaches.

⁷ This statement implies that the product may be used for a partial treatment. Explain how this can control wood infesting and destroying organisms, when application is only partially completed.

⁸ Adult wood boring beetles emerge, and may or may not lay eggs on untreated surfaces. Therefore this statement is not correct, since the eggs can hatch into larvae on untreated surfaces.

⁹ Delete the word natural.

protected. Exterior treated *wood* component surfaces should be topcoated with a water resistant finish no sooner than after the treatment has completely dried (normally 48 hours after treatment) and no longer than 6 weeks after the date of treatment. Coat a small section of the *wood* component with the finish to confirm the compatibility of the finish with the treated *wood* component surface prior to making the complete application. If the treated surface remains tacky after 48 hours and a topcoat will be applied, wash and scrub the *wood* surface to remove any treatment residue and allow it to dry before proceeding with the topcoat.”

- Within the subsection entitled: “Remedial and Preventative Treatment to Existing Structures”

“Applications of BORATHOR MAX to *wood* structural components of existing structures can be made to prevent or remediate infestations of ~~all~~ the wood infesting and destroying organisms that are controlled by BORATHOR MAX.

Apply BORATHOR MAX solution to ~~all~~-exposed surfaces of ~~all~~ accessible wooden and cellulose containing structural components such as sills, plates, joists, girders, sub-floors, trusses, roof decking and general framing in basements, attics and crawl space areas. Do not apply BORATHOR MAX to wood surfaces with decorative or protective coatings such as paint, stain or sealer. Remove any such coatings”¹⁰

e. Page 4:

- Within the section entitled “Preventative Whole Structure Wood Destroying Organism Treatment to Structures Under Construction”

Remove the following statement:

~~“Note: This treatment is applied to structures under construction and serves as a primary treatment for all wood infesting and destroying organisms controlled by BORATHOR PLUS including subterranean termites.”¹¹~~

- This statement is confusing. It should be deleted or clarified. “The second step is the application of a BORATHOR MAX solution to the structural components of the structure to which an application for subterranean termite control will not be made.”¹²

- The following statement is misleading: “Whole Structure Pre-Treatment Step 2. Whole Structure Preventative Pre-Treatment for all Wood Destroying and Infesting Organisms other than Subterranean Termites”¹³

¹⁰ The term “all” is an open ended use, and can lead to misuse of the product.

¹¹ This statement has not been approved by the Agency for any borate products. In addition, it is not in agreement with the Agency required disclaimer section that must be added to the label as discussed directly under the Directions for Use.

¹² If Ensysyex II, Inc. intends to clarify the language, it must be submitted as an amendment for approval, with sufficient explanation as to the intent of these Directions for Use.

¹³ There are insects within the list that are not found on masonry surfaces or exterior sheathing or exterior structural components. In addition, if this is Step 2 of a Whole Structure Pretreatment, why does it exclude Subterranean termites?

Apply BORATHOR MAX solution at the rate of 1 gallon of solution per 500 square feet of component surface to all exposed surfaces of all accessible interior structural cellulose containing component surfaces that will not be treated according to Step 1 . Surfaces to be treated include the surfaces of sills, plates, joists, girders, sub-flooring, interior and exterior wall studs, trusses, rafters, roof decking and exterior sheathing. Concentrate treatment to structural components in high moisture areas such as bathrooms, kitchens and laundry rooms. Also treat, at the same 1 gallon of BORATHOR MAX solution per 500 square feet of component surface rate, all exposed surfaces of all accessible exterior structural components including exterior walls, exterior sheathing, siding, facias, soffits, eaves, porches, decks and railings. The completeness of the protection imparted to the structure will be directly related to the extent to which all of the structural components are treated. Avoid spraying live electrical components.”¹⁴

- Within the section entitled “Subterranean Termite Only Preventative Treatment to Structures Under Construction (Subterranean Termite Pretreatment)

Remove the following statement:

~~“Note: This treatment is applied to structures under construction and serves as a primary treatment for the control of subterranean termites.”~~

- Within the section entitled “Subterranean Termite Only Treatment to Structures Containing Slabs” remove the following statement:

~~“Evenly treat the surface of dirt filled bath traps at a rate of sixteen ounces of solution per square foot of trap.”¹⁵~~

- Within the section entitled “Subterranean Termite Only Treatment to Structures Containing Slabs” remove the following statement:

~~“Supplement the use of BORATHOR MAX in structures where such circumstances exist with the application of other forms of subterranean termite protection to protect the sections of the structure not adequately protected by BORATHOR MAX. Do not rely upon treatment with BORATHOR MAX as a primary treatment for the control of termites in any new structure in which less than 60% of the total linear footage of baseplates (include the baseplates for exterior and interior walls in the calculation) are made from wood or a cellulosic containing material.”~~

- Within the subsection entitled “Subterranean Termite Only Treatment to Structures Containing Slabs” delete the following sentence:

~~“Evenly treat the surface of dirt filled bath traps at a rate of sixteen ounces of solution per square foot of trap.”¹⁶~~

- Delete the following section:

~~**“General Pest Application During Subterranean Termite PreTreatment Application**~~

~~BORATHOR PLUS can also be applied to the exposed surface of accessible~~

¹⁴ This section must be revised to be clear and concise.

¹⁵ This application is advocating use as a soil applied termiticide, and borate products are not approved for use as soil applied termiticides.

¹⁶ This statement contradicts the Agency’s decision that borates are not approved as soil applied termiticides.

~~wood and non-wood (e.g. masonry) structural components to help control the establishment of general pest infestations such as cockroaches within the structure. This treatment can conveniently be applied at the same time as an application for the prevention of subterranean termites is being applied to the sub-structure. Refer to the Remedial and Preventative Application for General Pests section for more information.~~¹⁷

- Revise the following section:

~~“Remedial and Preventative Application for General Pests Control~~

~~Applications~~

~~BORATHOR PLUS can be applied to the exposed surface of accessible wood and non-wood (e.g. masonry) structural components of structures under construction to prevent the establishment in the structure of infestations of general household pests such as cockroaches. The application of Bora-Care to the surface of wood in new construction or to wood surfaces inside wall void areas in existing structures helps to prevent the establishment of cockroaches that may come in direct contact with these treated areas. Mix and apply a 1 part Water: 1 part BORATHOR PLUS dilution and apply to the point of wetness. Apply one (1) gallon of BORATHOR PLUS solution per 400 square feet of surface area. to the exposed surface of wooden and non-wood (e.g. masonry) components of the structure such as interior crawlspace foundation and basement masonry walls by brushing, rolling and spraying. BORATHOR PLUS can also be applied into wall void in existing structures to control such pests.~~

f. Page 5:

- Delete the entire subsection entitled “Remedial and Preventative Treatment of single Wooden Components or Groups Of Similar Wooden Components”¹⁸

- Revise the following label subsection as follows:

~~“Remedial and Preventative Application for Controlling General Pests~~

~~Cockroaches~~

~~BORATHOR MAX can be applied to the exposed surface of accessible wood and non-wood (e.g. masonry) structural components of structures under construction to prevent the establishment in the structure of infestations of general household pests such as control cockroaches that may contact the treated surfaces. Apply BORATHOR MAX solution at the rate of 1 gallon of solution per 500 square feet of component surface to the exposed surface of wooden and non-wood (e.g. masonry) components of the structure such as interior crawl space foundation and basement masonry walls by brushing, rolling and spraying. BORATHOR MAX can also be applied into wall voids in existing structures to control such pests.~~

- Warranty and Disclaimer:

Ensystex II should refer to the Agency’s policy with regards to Warranties and Disclaimers which can be found at the following internet site:

¹⁷ The nomenclature “General Pest Application” is false and misleading. Separate instructions are needed for application of this product to control cockroaches that may come in contact with the treated surfaces only. In addition, this is redundant, since it back references the “Remedial and Preventative Application for General Pests section for more information.

¹⁸ This section does not identify any pests that are controlled by this remedial and preventative treatment method. Ensystex II, Inc. may resubmit this section when appropriate pests and directions for use are provided for approval.

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<http://www.epa.gov/pesticides/regulating/labels/warranty.pdf>

Resubmission should include one of the sample statements provided within the document entitled "Guidance on Warranty Statements dated October 17, 2006.

3. Subsequent submissions of label amendments for this product must include clear concise directions for controlling wood destroying beetles, and carpenter ants. The current label is vague and potentially misleading with regards to these pests.
4. Acceptable Storage Stability and Corrosion characteristics data must be provided to the Agency within 1 year of this stamped approved label.
5. Submit two copies of the revised final printed label for the record before the product is released for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records.



Richard J. Gebken
Product Manager (10)
Insecticide Branch
Registration Division (7505P)

Enclosure: Label stamped "Accepted with Comments"

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ACCEPTED
with COMMENTS
In EPA Letter Dated
MAR 29 2007
Under the Federal Insecticide
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No
81824-10

BORATHOR MAX

Termiticide, insecticide and fungicide for the prevention and control of subterranean termites (including Formosan), drywood termites, Carpenter ants, wood infesting beetles, fungi (rot) and cockroaches.

For both interior and exterior use in and around homes, apartments, garages, museums, public and private institutions, schools, hotels, hospitals, kennels, stables, farm buildings, trucks, trailers, warehouses and non-food areas of supermarkets, restaurants and food processing plants.

Active Ingredient:	By Wt.
Disodium Octaborate Tetrahydrate	40%
Other Ingredients:	60%
TOTAL:	100.0%

EPA Reg. No. 81824-X EPA Est.

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-FOR-THOR (367-8467) or www.for-thor.com.

NET CONTENTS: As marked on container

ENSYSTEX II, Inc.
Fayetteville, NC 28303

FIRST AID	
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.
If on skin or clothing	<ul style="list-style-type: none"> • Take off contaminated clothing. • Immediately rinse skin with plenty of water for 15-20 minutes.
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.
Call a poison control center or doctor for further 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 inhaled or absorbed through skin. Avoid breathing vapors or spray mist. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Thoroughly wash with soap and water after handling. Remove contaminated clothing and wash clothing before reuse. Avoid contamination of food or feed. Do not leave container where children or animals may gain access.

Personal Protective Equipment (PPE): Applicators and other handlers must wear long-sleeved shirt and long pants, socks, shoes, chemical resistant gloves and protective eyewear. When applying BORATHOR MAX in confined spaces, it is recommended that ventilation or an exhaust system be provided. If this is impractical the use of a NIOSH-approved respirator with an organic-vapor removing cartridge with a prefilter approved for pesticides (MSHA/NIOSH approval prefix TC-23C), or a canister approved for pesticides (MSHA/NIOSH approval prefix TC-14G) or a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any N, R, P or HE prefilter is recommended.

Environmental Hazards

This pesticide is toxic to fish and wildlife. Do not apply directly to water, to intertidal 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 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. Read and understand the entire label before using. Use only according to label directions.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.
Pesticide Storage: Store in a cool, dry (preferably locked) storage area inaccessible to children and pets. Do not freeze.
Disposal: If empty: Do not reuse this container. 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.

GENERAL INFORMATION

BORATHOR MAX is a longlasting insecticide / fungicide that can be used preventatively (to prevent future infestations) or remedially (to control existing infestations) against a wide range of wood infesting and destroying organisms. The active ingredient in BORATHOR MAX, disodium octaborate tetrahydrate, is an inorganic salt with insecticidal and fungicidal properties that is soluble in water. BORATHOR MAX is mixed with water and applied in solution to the bare surface of wood and other cellulose containing components to protect them against wood infesting and destroying organism attack.

Wood Infesting and Destroying Organism Control

BORATHOR MAX can be applied to wood and cellulose containing structural components to protect them against wood infesting and destroying organisms (insects and fungi). BORATHOR MAX can be applied as a preventative (before signs of infestation are found) or remedial (after signs of infestation are found) treatment to existing structures or as a preventative treatment to structures under construction (pre-treatment).

Immediately after application, BORATHOR MAX begins to penetrate the component. The depth to which the active ingredient penetrates is dependent on several factors such as the moisture content of the component and the wood species in the case of wooden components. Once the active ingredient is in place, it will not decompose or volatilize out of the component as long as it is kept protected from moving water.

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

Wood Destroying Insects Controlled

BORATHOR MAX 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*, *Neotermes*)

Powderpost Beetles (*Lyctidae*)

False Powderpost Beetles (*Bostrichidae*)

Deathwatch and Furniture Beetles (*Anobiidae*)

Old House Borers, Longhorn Beetles (*Cerambycidae*, *Hylotrupes*)

Carpenter Ants (*Camponotus*)

Bark and Timber Beetles (*Scolytidae*)

Wood Decay Fungi Controlled

BORATHOR MAX is effective at preventing and remediating infestations of wood decay fungi including White Rot, Brown Rot (*Poria*) and wet rots. BORATHOR MAX kills fungi on contact.

Other Organisms Controlled

BORATHOR MAX also controls general household pests such as cockroaches.

Using BORATHOR MAX against Wood Infesting and Destroying Organisms

BORATHOR MAX can be applied to and used to protect all types of wood and cellulose containing components, including but not limited to, lumber, logs, and plywood, situated within the interior and/or on the exterior of structures, so long as they remain protected from moving moisture and are not in direct contact with the soil. BORATHOR MAX will not adequately protect wood exposed to moving moisture such as liquid water dripping onto or moving across its surface such as rain or plumbing leaks.

BORATHOR MAX is applied as a dilute liquid solution mixed with water. Successive applications of BORATHOR MAX solutions incrementally increase the loading and depth of penetration of the active ingredient into the wood, increasing the level of protection against insect and fungi attack.

In addition to treatment with BORATHOR MAX, 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 may cause an increase in the moisture

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content of wooden structural components of the structure is advised. If possible, break contact between the ground and untreated wooden components of the structure. When untreated wooden components of the structure touch the ground and such contact cannot be broken, protect these components of the structure against termite attack using a termiticidal product labeled to provide such protection.

Using BORATHOR MAX to Control General Household Pests

BORATHOR MAX can also be used to prevent the establishment of general household pests such as cockroaches within a structure.

DILUTION AND MIXING DIRECTIONS

BORATHOR MAX is always diluted with water before use. Do not apply BORATHOR MAX undiluted. BORATHOR MAX and water are mixed in the same proportions for all applications.

To dilute BORATHOR MAX for use, mix 1 part of BORATHOR MAX with 2/3 part water. For example, mix one gallon (128 ounces) of BORATHOR MAX with 2/3 gallons (85 ounces) of water to form 1 2/3 gallons of diluted BORATHOR MAX solution.

Alternately, mix each 1.5 parts of BORATHOR MAX with 1 part of water or mix 3 parts of BORATHOR MAX with 2 parts of water. All of these dilution ratios are equivalent and using any of them give a BORATHOR MAX solution of the same dilution.

After diluting BORATHOR MAX with water, mix the BORATHOR MAX and water vigorously and thoroughly until a uniform, clear solution is obtained. Using warm or hot water and an impeller type mixer can speed the dilution process and can result in a more uniform solution. If the tank of the application equipment to be used to apply BORATHOR MAX does not contain a powered recirculation system, BORATHOR MAX should be mixed in a separate mixing tank and transferred to the application equipment tank before use. Mixing BORATHOR MAX directly in the application tank can clog hoses and nozzles. Diluted BORATHOR MAX should be used within 24 hours after mixing. Do not leave unused solution in a tank overnight. Clean and/or flush application tank, lines and nozzles with water after each use.

BORATHOR MAX may be tank-mixed with compatible non-residual pesticides for quicker knockdown of Carpenter ants and other insects, or with an approved fungicide for increased performance against mold.

Foam Mixing Directions

BORATHOR MAX can be applied as a foam by mixing 3 to 8 fluid ounces of foaming agent with each gallon of BORATHOR MAX solution. Expand each gallon of BORATHOR MAX solution to 20 to 30 gallons of foam before application. Foam will take approximately one hour to return to liquid form after application.

APPLICATION DIRECTIONS

BORATHOR MAX can be applied to almost any type of cellulose containing building material or component including wood, lumber, logs, plywood, particle board, oriented strand board (OSB), drywall and wood composite structural components to control wood infesting and destroying organisms attack against them. Do not apply BORATHOR MAX to surfaces that are covered by a decorative or protective coating such as paint, stain or sealer. Any decorative or protective coating must be removed before applying BORATHOR MAX.

BORATHOR MAX is applied to the bare surface of all components at the rate of 1 gallon of dilute BORATHOR MAX solution per 500 square feet of component surface. At this rate of application, each 1 2/3 gallons of BORATHOR MAX solution (the amount of solution mixed from 1 gallon of BORATHOR MAX) covers 800 square feet.

Each application should consist of at least one coating of BORATHOR MAX solution at this rate. A second coat should be applied to components to which, because of their location or orientation in the structure, treatment can be applied to only one or two sides of the component. Wait at least twenty minutes between applications.

BORATHOR MAX can be applied to a component surface by brushing, rolling or spraying. Subsurface application can be made by injection into infested and sound wood (40 psi recommended). Applications can also be made by foaming or misting into void areas. Use soap and water to clean up tools.

BORATHOR MAX can be applied to wood and non-wood (e.g. masonry) surfaces of structures to prevent the establishment in the structure of infestations of general household pests such as cockroaches. Target surfaces include interior masonry walls of crawl

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spaces and unfinished basements in accordance to wood surfaces. BORATHOR MAX can also be applied into wall voids in existing structures to control such pests.

A marker dye or pigment can be added to BORATHOR MAX dilutions to facilitate marking and tracking of the progress of the application. Mix and use the dye or pigment according to the manufacturer's directions for use.

When spraying overhead interior finished areas of structures, cover or protect all surfaces below the area being sprayed with plastic sheeting or other material that can be disposed of if contamination from dripping occurs. Do not apply in food serving areas while food is exposed.

For the purposes of treatments applied according to the instructions of this label to structures under construction, structural components are defined as the "skeletal" parts of the structure made of wood and other cellulose containing substances that help give the structure its basic shape and rigidity. Structural components include parts of the structure constructed of wood and other cellulose containing substances such as sills, plates, joists, girders, sub-flooring, wall studs, trusses, rafters, decking and exterior sheathing. Differing degrees of completeness of protection against the wood infesting and destroying organisms controlled by BORATHOR MAX can be imparted to structures under construction based on the extent to which the structural components of the structure are treated with BORATHOR MAX with the greatest level of control imparted with a treatment to all component surfaces.

BORATHOR MAX can be used to supplement the use of other subterranean termite control technologies such as soil applied termiticides or termite baits. BORATHOR MAX can be used to protect structures against termite attack where it is critical that no movement of the active ingredient occur after application, such as termite treatments to structures containing or near cisterns and wells. BORATHOR MAX is not a soil termiticide. Do not use to directly treat soil unless otherwise directed.

Adult forms of insects (such as beetle adults) may emerge from the wood some period of time after treatment. The BORATHOR MAX treatment will kill any young that hatch from any eggs they laid.

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 MAX solution to ensure satisfaction with the final appearance of the treated surface after it dries.

Mixing of BORATHOR MAX as a Foam

BORATHOR MAX can be applied as a foam by mixing 3 to 8 fluid ounces of foaming agent with each gallon of BORATHOR MAX solution. Expand each gallon of BORATHOR MAX solution to 20 to 30 gallons of foam before application. Foam will take approximately one hour to return to liquid form after application.

Protection of Exposed Treated Component Surfaces

Long term protection of treated components exposed to moving water (such as exterior components) is possible only if their treated surfaces are protected. Exterior treated component surfaces should be topcoated with a water resistant finish no sooner than after the treatment has completely dried (normally 48 hours after treatment) and no longer than 6 weeks after the date of treatment. Coat a small section of the component with the finish to confirm the compatibility of the finish with the treated component surface prior to making the complete application. If the treated surface remains tacky after 48 hours and a topcoat will be applied, wash and scrub the surface to remove any treatment residue and allow it to dry before proceeding with the topcoat.

Remedial and Preventative Treatment to Existing Structures

Applications of BORATHOR MAX to structural components of existing structures can be made to prevent or remediate infestations of all the wood infesting and destroying organisms that are controlled by BORATHOR MAX.

Apply BORATHOR MAX solution to all exposed surfaces of all accessible wooden and cellulose containing structural components such as sills, plates, joists, girders, sub-floors, trusses, roof decking and general framing in basements, attics and crawl space areas. Do not apply BORATHOR MAX to wood surfaces with decorative or protective coatings such as paint, stain or sealer. Remove any such coatings

before application. Apply at least one coating of BORATHOR MAX solution at the rate of 1 gallon per 500 square feet to the bare surface of components by brushing, rolling or spraying. A second coat should be applied to components to which, because of their location or orientation in the structure, treatment can be applied to only one or two sides of the component. Wood to which access is normally limited to one or two sides (and to which two treatments should be applied) include sills and plates on foundation walls. Application of a second coat to infested components can also speed control. Wait at least twenty minutes between applications.

BORATHOR MAX solutions can be injected into insect galleries and decay pockets within structural components, if present, until runoff is observed. If the infestation is not accessible from the surface of the structural component (exit holes are not present), drill small holes at eight to ten inch intervals and inject solution into the holes to flood galleries and voids. Inject BORATHOR MAX for 4 to 6 seconds per hole under 40 psi pressure. Injections can also be made into sound wood by drilling and treating under pressure. Injection treatments can be applied to structural components without removing any decorative or protective coating from their surface.

Structural components inside of walls resting on slabs can be treated by drilling access holes through the wall covering and applying BORATHOR MAX solution into the wall voids. Using a wall stud locating device, drill holes immediately adjacent to the sides of wall studs and apply 1/3 fluid ounce of BORATHOR MAX solution per hole. Additionally, drill within each stud bay at least one hole near the floor and above the base plate and apply solution above the top surface of the base plate. Alternately, inject void areas with a BORATHOR MAX foam mixed according to the foaming directions contained in the *Mixing BORATHOR MAX as a Foam* section. Apply enough foam to fill void areas. The most complete protection is created by treating entire walls as opposed to single stud bays. It may be necessary to move or shift insulation within wall voids to keep it from interfering with the application.

Preventative and Remedial Treatment to Wood Flooring

BORATHOR MAX can be applied to wood flooring. Make preventative or remedial treatments by brushing, rolling or spraying a BORATHOR MAX solution onto the bare floor surface. Any finish on the floor must be removed by sanding or stripping before application of BORATHOR MAX. Apply BORATHOR MAX solution at a rate of 1 gallon of dilute BORATHOR solution per 600 square feet of floor surface. Treatments to control termites may require two applications. Wait one hour between applications. Allow floor to dry for 72 hours. If at that time the surface is tacky or a residue remains, mop or sponge the area, rinsing frequently until tackiness and residue are removed. It may be necessary to sand the floor to remove any spots where the solution may have raised the grain of the wood. The floor surface must be dry and the wood moisture content of the floor must be reduced to 10% before any finish is applied to the floor. Before applying finish, always test a small section of the floor with the new finish to make sure the finish will adhere properly to the newly treated floor.

Preventative Treatment of Structures Under Construction (Pretreatment or Pretreat)

Applications of BORATHOR MAX to exposed surfaces of cellulose containing structural components of structures under construction can be made to prevent infestations of and damage to these structural components by all the wood infesting and destroying organisms that are controlled by BORATHOR MAX. Structural components are defined as the "skeletal" parts of the structure made of wood and other cellulose containing substances that help give the structure its basic shape and rigidity. Structural components include sills, plates, joists, girders, sub-flooring, wall studs, trusses, rafters, decking and exterior sheathing.

Time applications of BORATHOR MAX to structures under construction to occur at the point during their construction when the bare surfaces of a maximum number of structural components of the structure are exposed. This is normally after structural framing is completed and exterior sheathing and roof decking are in place (often referred to as the "dried-in" stage of construction), but before installation of insulation, mechanical components, electrical wiring or drywall has begun. Application is best performed when greatest access to all structural components is available and when no further framing modifications will be made, such as after final framing inspection. If treatment is carried out prior to the final framing inspection and approval, additional visit(s) are required to ensure full treatment is still intact.

Preventative Whole Structure Wood Destroying Organism Treatment to Structures Under Construction

Note: This treatment is applied to structures under construction and serves as a primary treatment for all wood infesting and destroying organisms controlled by BORATHOR MAX including subterranean termites.

Whole structure protection against the wood infesting and destroying organisms controlled by BORATHOR MAX is created when all of the exposed surfaces of all the accessible structural cellulose containing components of the structure are treated at the time of construction with BORATHOR MAX. Whole structure treatments to structures under construction are applied in two steps. Each step involves a separate application of BORATHOR MAX to a separate part of the structure.

The first step of whole structure protection is the application of BORATHOR MAX solution to the portions of the structure touching or near the foundation according to the directions contained in the *Subterranean Termite Only Preventative Treatment to Structures Under Construction (Subterranean Termite Pretreatment)* section below. The second step is the application of a BORATHOR MAX solution to the structural components of the structure to which an application for subterranean termite control will not be made. For treatment of new log structures refer to the *Remedial and Preventative Treatment of Log Structures, Beams and Pilings Two or More Inches Thick* section of this label.

Whole Structure Pre-Treatment Step 1. Subterranean Termite Only Preventative Pre-Treatment

Apply BORATHOR MAX according to the *Subterranean Termite Only Preventative Treatment to Structures Under Construction (Subterranean Termite Pretreatment)* section below.

Whole Structure Pre-Treatment Step 2. Whole Structure Preventative Pre-Treatment for all Wood Destroying and Infesting Organisms other than Subterranean Termites

Apply BORATHOR MAX solution at the rate of 1 gallon of solution per 500 square feet of component surface to all exposed surfaces of all accessible interior structural cellulose containing component surfaces that will not be treated according to Step 1. Surfaces to be treated include the surfaces of sills, plates, joists, girders, sub-flooring, interior and exterior wall studs, trusses, rafters, roof decking and exterior sheathing. Concentrate treatment to structural components in high moisture areas such as bathrooms, kitchens and laundry rooms. Also treat, at the same 1 gallon of BORATHOR MAX solution per 500 square feet of component surface rate, all exposed surfaces of all accessible exterior structural components including exterior walls, exterior sheathing, siding, facias, soffits, eaves, porches, decks and railings. The completeness of the protection imparted to the structure will be directly related to the extent to which all of the structural components are treated. Avoid spraying live electrical components.

Subterranean Termite Only Preventative Treatment to Structures Under Construction (Subterranean Termite Pretreatment)

Note: This treatment is applied to structures under construction and serves as a primary treatment for the control of subterranean termites.

Preventative BORATHOR MAX treatments intended to protect the structure against subterranean termite attack are designed to stop termites that enter the structure from proceeding any further than the first BORATHOR MAX treated surface they encounter. This involves the application of BORATHOR MAX to the exposed surfaces of all cellulose containing structural components that are adjacent or close to possible points of subterranean termite entry into the structure. Generally this is accomplished by applying a BORATHOR MAX solution to the exposed surfaces of all cellulose containing structural components that rest on or are adjacent to the foundation (masonry walls and/or slab floors) of the structure.

BORATHOR MAX may not protect parts of structures where there are no BORATHOR MAX treated cellulose containing structural components between points of potential termite entry into the structure and points of potential termite attack. This circumstance may exist, for example, in areas where wooden baseplates resting on slabs and the stud walls resting upon these baseplates are made of a material other than wood. Supplement the use of BORATHOR MAX in structures where such circumstances exist with the application of other forms of subterranean termite protection to protect the sections of the structure not adequately protected by BORATHOR MAX. Do not rely upon

treatment with BORATHOR MAX as a primary treatment for the control of termites in any new structure in which less than 60% of the total linear footage of baseplates (include the baseplates for exterior and interior walls in the calculation) are made from wood or a cellulosic containing material.

Subterranean Termite Only Exterior Treatment to All Structures

Apply BORATHOR MAX solution at the rate of 1 gallon of solution per 500 square feet of component surface to all exposed surfaces of all accessible cellulose containing structural components around the exterior of the structure that are within two feet (twenty four inches) of the top of the foundation. This treatment can take the form of a continuous band treatment around the exterior of the structure to the first two feet of accessible cellulose containing structural components above the foundation. Two treatments may normally be required to most of the structural components covered by this treatment because access will normally be limited to only one or two sides of the components. Wait at least 20 minutes between treatments.

Subterranean Termite Only Treatment to Structures Containing Crawl Spaces

Apply BORATHOR MAX solution at the rate of 1 gallon of solution per 500 square feet of component surface to all exposed surfaces of all crawl space accessible cellulose containing structural components that are within two feet (twenty four inches) of the top of the foundation. This treatment can take the form of a continuous band treatment running along the foundation wall to the parts of cellulose containing structural components touching and/or adjacent to foundation walls and pillars such as sills, plates, joists, girders and sub-floors that are within two feet of the foundation. Also treat adjacent to where plumbing, electrical conduits and heating ducts penetrate the sub-structure.

Subterranean Termite Only Treatment to Structures Containing Slabs

Apply BORATHOR MAX solution at the rate of 1 gallon of solution per 500 square feet of component surface to all exposed surfaces of all accessible cellulose containing structural components that are within two feet of the slab floor surface and foundation such as stud wall baseplates and the first two feet of stud walls resting on the baseplates. Evenly treat the surface of dirt filled bath traps at a rate of sixteen ounces of solution per square foot of trap.

Subterranean Termite Only Treatment to Structures Containing Basements

Depending on their configuration, the upper portion (ceilings) of basements should be treated according to the directions found in the *Subterranean Termite Only Treatment to Structures Containing Crawl Spaces* section above and the lower portion of basements (floor area) should be treated according to the directions found in the *Subterranean Termite Only Treatment to Structures Containing Slabs* section above. Additionally, apply BORATHOR MAX to the complete length of all cellulose containing structural components touching or adjacent to masonry walls such as vertical stud walls close to or touching the basement masonry foundation walls.

General Pest Application During Subterranean Termite Pre-Treatment Application

BORATHOR MAX can also be applied to the exposed surface of accessible wooden and non-wooden (e.g. masonry) structural components to help control the establishment of general pest infestations such as cockroaches within the structure. This treatment can conveniently be applied at the same time as an application for the prevention of subterranean termites is being applied to the sub-structure. Refer to the *Remedial and Preventative Application for General Pests* section for more information.

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.

Remedial and Preventative Treatment of Single Wooden Components or Groups Of Similar Wooden Components

Remedial and Preventative Treatment of Decks, Fences and Siding Constructed of Wooden Components Two or Less Inches Thick

This treatment is applied to wooden components two or less inches thick including decks, fences and siding. Apply BORATHOR MAX solution at the rate of 1 gallon of solution per 500 square feet of component surface. Make applications by brushing, rolling or spraying. Apply only to bare wood surfaces without any type of decorative or protective coating or finish. If necessary, remove any such coating or finish before application. Apply a second coat to components to which access is limited to only one or two sides of the component and to heavily infested components. Wait at least 20 minutes between treatments. Do not apply during periods of precipitation. Protect treated surfaces from moving water for at least 48 hours after treatment. Refer to the *Protection of Exposed Treated Component Surfaces* section for directions concerning long term protection of treated components.

Remedial and Preventative Treatment of Log Structures, Beams and Pilings More Than Two Inches Thick

This treatment is applied to wooden components more than two inches thick including timbers, beams, pilings and logs. Apply BORATHOR MAX solution at the rate of 1 gallon of solution per 500 square feet of component surface. Make applications by brushing, rolling or spraying. Apply only to bare wood surfaces without any type of decorative or protective coating or finish. If necessary, remove any such coating or finish before application. Apply a second coat to components to which access is limited to only one or two sides of the component and to heavily infested components. Wait at least 20 minutes between treatments. Two coats of BORATHOR MAX solution are also needed to adequately treat wood six or more inches thick. When treating logs, also apply two coats of BORATHOR MAX solution to log ends, notches, corners and sill logs. Do not apply during periods of precipitation. Protect treated surfaces from moving water for at least 48 hours after treatment. Refer to the *Protection of Exposed Treated Component Surfaces* section for directions concerning long term protection of treated components.

Remedial and Preventative Application for General Pests

BORATHOR MAX can be applied to the exposed surface of accessible wood and non-wood (e.g. masonry) structural components of structures under construction to prevent the establishment in the structure of infestations of general household pests such as cockroaches. Apply BORATHOR MAX solution at the rate of 1 gallon of solution per 500 square feet of component surface to the exposed surface of wooden and non-wood (e.g. masonry) components of the structure such as interior crawl space foundation and basement masonry walls by brushing, rolling and spraying. BORATHOR MAX can also be applied into wall voids in existing structures to control such pests.

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