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

MAR 2 5 2010

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

Mr. Ross Gilbert Pyxis Regulatory Consulting, Inc. 4110 136<sup>th</sup> Street NW Gig Harbor, WA 98332

Subject: Revising of the Container Disposal Instructions

Dear Mr. Gilbert:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated March 5, 8, 10, 2010 for:

EPA Registration 82957-4 EPA Registration 83923-1 EPA Registration 83923-2

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FNS-010A

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

If you have any questions, call me at 703 305-5409 or electronically at daniel.dani@epa.gov.

Sincerely,

Dani Daniel

Registration Division (7504P)

Insecticide/Rodenticide Branch

NOTIFICALIUM MAR 25 2016 orm Approved. OMB No. 2070-0060.

Please read instructions on reverse before completing form.

	Registration
	Amendmen
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		nited States			-	Registra		OFF Identifier Number
<b>\$EPA</b>	Environmental	<b>Protectio</b> ngton, DC 204			<del></del>	Amendi	ment	
	VV 051H1	ngton, DC 204			<u> </u>	Other		
		Applicatio	n for Pesti	cide - Sec	tion	1		
1. Company/Product Numbe 82957-4	r		2. EP V. E	A Product Mar agle	ager			posed Classification
4. Company/Product (Name) Ensystex III, Inc. / ENS-010A			PM#		1			Nestricted
5. Name and Address of App Ensystex III, Inc. c/o Pyxis Regulatory Consu 4110 136th St. NW Gig Harbor, WA 98332		de)	(b)(i), to: EPA	my product	is sim	nilar or ident	tical in cor	FIFRA Section 3(c)(3) mposition and labeling
			Section				•	
Amendment - Explain  Resubmission in resp  Notification - Explain  Explanation: Use addition  Notification of label change peregulations at 40 CFR 156.10  Formula for this product. I unamended label is not consiste and I may be subject to enforce	below.  nel page(s) if necessary or PR Notice 2007-4. Ti , 156.140, 156.144, 156 derstand that it is a viola nt with the requirements	y. (For section nis notification i .146, and 156. ation of 18 U.S. s of 40 CFR 150	n I and Section II s consistent with 156. No other che C. Sec. 1001 to w 6.10, 156.140, 15	Agency let "Me Too"  Other - Exp  the guidance in anges have bee illifully make an 6.144, 156.146	Applicolatin be	elow.  otice 2007-4 ale to the labelistatement to	and the requing or the C	onfidential Statement of her understand that if the
		<del></del>	Section -	111				
1. Material This Product Will	Be Packaged In:					<del></del>		
Child-Resistant Packaging Yes No	Unit Packaging Yes No If "Yes"	No. per	Water Soluble  Yes  ✓ No  If "Yes"	Packaging No. per		2. Type of	Metal Plastic Glass Paper	
* Certification must be submitted	Unit Packaging wgt.		Package wgt	containe	r	1	Other (S	pecify) lined fibre drum
3. Location of Net Contents    ✓ Label C	Information ontainer	4. Size(s) Ret	ail Container 25 lb		5. Lo		oel Directio gaccompanyir	
6. Manner in Which Label is	Affixed to Product	Lithogr Paper Stencil	raph glued ed	Othe				<del></del>
			Section -	IV				
1. Contact Point /Complete	items directly below fo	or identification	n of individual to	be contacted,	if nec	essary, to pr	ocess this	application.)
Name Ross Gilbert		{	Title Agent				წ <del>მსც</del> ოფი 8(253)85	າ No. (ໄກຕໃນປຣິ Area Code) 53-7369°
I certify that the stater I acknowledge that an both under applicable I	y knowlinglly false or r		all attachments					6. Cate Application Received ິ (Stamped)
2. Signature	Wer_		3. Title Agent					0 0 (00,00 (
4. Typed Name Ross Gilbert	*	Ę	5. Date	3/5/10				

# NOTIFICATION

MAR 25 2010

# PRECAUTIONARY STATEMENTS Hazards to Humans and Domestic Animals

### **WARNING**

May be fatal if swallowed. Wash thoroughly with soap and warm water after handling and before eating, drinking or using tobacco products.

#### **Environmental Hazards**

This pesticide is highly toxic to aquatic invertebrates. Keep out of lakes, streams and ponds. Do not discharge effluent containing this product into lakes, 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 into sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

#### **DIRECTIONS FOR USE**

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. ENS-010A is for formulation into an insecticide/termiticide for:

- (1) The following uses:
  - Ornamental plants, trees (including nonbearing fruit and nut trees), shrubs, vines, flowers, and groundcovers
  - Turfgrass (including golf courses)
  - Food Handling Establishments: places other than private residences in which food is held, processed, prepared or served
  - Indoor areas including residential, commercial, industrial, institutional, and public structures and buildings
  - Terrestrial outdoor areas including landscapes, lawns, playgrounds, parks, athletic fields and around residential, commercial, industrial, institutional, and public structures and buildings.
- (2) Uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and
- Uses for experimental purposes that are in compliance with USEPA requirements.

This product cannot be used to formulate end-use products for use on sod farms, grass grown for seed, in nurseries, or in greenhouses. Formulators using this product are responsible for obtaining USEPA registration for their formulated product which may be labeled for the use patterns as found listed on this label.

#### STORAGE AND DISPOSAL

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

Pesticide Storage: Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food and feed. Store in original container and out of the reach of children, preferably in a locked storage area.

In Case of Spill: Handle and open container in a manner as to prevent spillage. If the container is leaking or material is spilled for any reason or cause, carefully sweep material into a pile and dispose of as directed for pesticides below. Refer to Precautionary Statements on label for hazards associated with the handling of this material. In spill or leak incidents, keep unauthorized people away. You may contact Ensystex III at 1-866-367-8467 for decontamination procedures or any other assistance that may be necessary. You may also contact Chemtrec at 1-800-424-9300 for assistance.

Posticide Disposal: Pesticide wastes are toxic. Improper disposal of excess pesticide or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Protection Agency or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

Container Disposal: Completely-empty-liner by-shaking and-lapping-sides-and-bettom to-loosen clinging particles. Empty-residue into manufacturing aguipment. Then dispose of liner in a canitary landfill or by-incineration if allowed by-state and local-autherities. If drum is containated and cannot be roused, dispose of it in the manner required for its liner. Do not out or weld metal containers. Nonrefillable container. Do not reuse or refill this container. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. Then offer for recycling if available or dispose of liner in a sanitary landfill or by incineration or, if allowed by state and local authorities, by burning. If burned, stay out of smoke. If drum is contaminated and cannot be reused, dispose of it in the manner required for its liner.

#### IMPORTANT READ BEFORE USE

CONDITIONS OF SALE: Seller warrants that the product in this container conforms to its chemical description contained hereon and is reasonably fit for it intended purpose when used in accordance with proper manufacturing practices and procedures and under normal conditions of use. To the extent consistent with applicable law, neither this warranty nor any other warranty of merchantability or fitness for a particular purpose, express or implied, extends to use or handling of this product contrary to proper manufacturing practices and procedures, or under abnormal conditions or conditions not reasonably foreseeable to Seller, or to use by mixture/c chemical reaction or formulation with other substances not specifically tocomended in writing by Selfar, and Buyer assumes all risk of any such use. To the extent consistent critic-toplicable law, any damages arising from breach of warranty or negligence shall be [mitted\*to Qirect damages one caseding the purchase price paid for this product by Buyer, and shall not include incidental or consequential damages such as, but not limited to, loss of profits oxicitives.

Revised 03/07EPA 20100305

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# ENS-010A

## Technical product for use in the manufacture of insecticides/termiticides

Active Ingredient:	By Wt.
Imidacloprid, 1-[(6-Chloro-3-pyridinyl)r imidazolidinimine	
Other Ingredients:	<u>1.0%</u>
TOTAL:	100.0%
EPA Reg. No. 82957-4	EPA Est. XXXX-XXX-X

KEEP OUT OF REACH OF CHILDREN

## WARNING

**NET CONTENTS: Pounds as marked on container** 

Manufactured for:

## ENSYSTEX III, Inc.

Fayetteville, NC 28303

	FIRST AID				
If swallowed	Call a 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 to an unconscious person.				
If inhaled	Move person to fresh air.				
	<ul> <li>If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li> </ul>				
	Call a poison control center or doctor for further treatment advice.				
lf on skin or	Take off contaminated clothing.				
clothing	Rinse skin immediately with plenty of water for 15 to 20 minutes.				
	Call a poison control center or doctor for treatment advice.				
If in eyes	Hold eye open and rinse slowly and gently with water for 15 to 20 minutes.				
	<ul> <li>Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> </ul>				
	Call a poison control center or doctor for treatment advice.				
	HOTLINE NUMBER				
or going for treatme	ntainer or label with you when calling a poison control center or doctor int. You may also contact Ensystex III at 1-866-FOR-THOR (367- medical treatment information.				
	NOTE TO PHYSICIAN				
No specific antidote i	s available. Treat the patient symptomatically.				