



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

February 28, 2016

Larry Nouvel
President
LNouvel, Inc. Name
4657 Courtyard Trail
Plano, TX 75024

Subject: Notification per PRN 98-10 – ABN and adding some non-FIFRA related claims
Product Name: LNouvel, Inc. Fipronil Termicidal Foam Killer
EPA Registration Number: 87093-7
Application Date: 2/5/2016
Decision Number: 513612

Dear Mr. Nouvel:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above referenced product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10.

The label submitted with the application has been stamped “Notification” and will be placed in our records.

The alternate brand name “*Fortress*” has been added to the product record.

Should you wish to add/retain a reference to the company’s website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product’s label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA’s Office of Enforcement and Compliance.

If you have any questions, you may contact Angela Hollis at 703-347-0216 or via email at hollis.angela@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kable Bo Davis", enclosed in a simple oval scribble.

Kable Bo Davis, Product Manager 3
Invertebrate and Vertebrate Branch 1
Registration Division (7505P)
Office of Pesticide Programs

() – Denotes optional label language
[] – Denotes a comment for the reviewer

LNOUVEL, INC. FIPRONIL TERMICIDAL FOAM KILLER

(ABN: Fortress™)

KILLS: Termites* (including subterranean, drywood, dampwood and arboreal), Wood Destroying Insects (Powder Post Beetles, Old House Borer, Wharf Borer), Ants (Including: Argentine, Ghost, White-Footed, foraging Carpenter; Excluding: Fire, Harvester, Leaf cutter and Pharaoh), Asian Lady Beetles, Boxelder Bugs, Cluster Flies, Elm Leaf Beetles, Bean Plataspid (including Kudzu Bug), Brown Marmorated Stink Bug

FOR USE IN AND AROUND STRUCTURES AND LIMITED OUTDOOR SPOT TREATMENTS: Apartments, Homes, Food/Feed Handling Establishments (non-food/feed areas), Restaurants, Hospitals and Nursing Homes (Non-patient Areas), Hotels, Motels, Hobby Greenhouses, Interiorscapes, Office Buildings, Schools**, Transportation Equipment (Buses, Cargo Trucks, Trailers, Trains), Warehouses and Other Commercial and Industrial Buildings

* Not a substitute for mechanical alteration, soil or foundation treatment.

** Do not apply to classrooms when in use.

[Optional Claims]

(Kills the termites that you see and the termites you don't)
(Kills termites where they're hiding)
(Kills those insects that you see and the ones you don't)
(Expands to a 30:1 ratio to cover those tough to reach areas)
(Ready-to-use)
(No Measuring or mixing)
(For indoor & outdoor applications)
(Works in those tough to reach areas)

(Contains fipronil, the active ingredient used in Termidor® Foam Termiticide/Insecticide**)

(Termidor® is registered trademark of BASF)

(****(Brand Name)** is not manufactured, or distributed by Whitmire Micro-Gen Research Laboratories, Inc. or BASF Corporation, seller of Termidor® Foam Termiticide/Insecticide)

NOTIFICATION

87093-7

The applicant has certified that no changes, other than those reported to the Agency have been made to the labeling. The Agency acknowledges this notification by letter dated:

02/28/2016

ACTIVE INGREDIENTS:

Fipronil.....	0.005%
OTHER INGREDIENTS.....	99.995%
TOTAL:	100.000%

**STOP – READ THE LABEL BEFORE USE
KEEP OUT OF REACH OF CHILDREN
CAUTION**

FIRST AID	
If swallowed:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have a person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by a 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 by mouth-to-mouth, if possible. • Call a poison control center or doctor for treatment advice.
If in eyes:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 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
If on skin or clothing:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 – 20 minutes. • Call a poison control center or doctor for treatment advice.
<p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For emergency information on this pesticide product (including health concerns, medical emergencies, or pesticide incidents), call the National Pesticide Information Center at 1-800-858-7378, 6:30 AM to 4:30 PM Pacific Time (PT), seven days a week. During other times, call the poison control center at 1-800-222-1222.</p>	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Harmful if swallowed. Avoid contact with skin or clothing. Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.

ENVIRONMENTAL HAZARDS

Do not apply within 15 ft of bodies of fresh water: lakes, reservoirs, rivers, permanent streams, marshes, natural ponds and commercial fishponds. A 15 ft buffer of uniform groundcover must exist between the application area and bodies of fresh water (uniform ground cover is defined as land which supports vegetation of > 2" throughout).

Do not apply within 60 ft of estuarine bodies of water. Estuarine water bodies are brackish, tidal water such as bays, mouths of rivers, salt marshes and lagoons.

This product is toxic to birds, fish and aquatic invertebrates. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Care must be taken to avoid runoff. Do not contaminate water by disposal of wastes.

PHYSICAL/CHEMICAL HAZARDS

CONTENTS UNDER PRESSURE. Do not use or store near heat or open flame. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting. Avoid drilling areas near electrical wiring, plumbing, communication lines, etc. Do not apply product directly into any electronic equipment (i.e., radios, televisions, computers, etc.), or where an electrical short circuit might result, such as in wall outlets, conduits, motors, switches, etc. Product should only be used when can temperature is above 60°F. If can temperature is below 60°F, store at room temperature until a temperature above 60°F is reached.

DIRECTIONS FOR USE

It is a violation of federal law to use this product in a manner inconsistent with its labeling. Read entire label. Use strictly in accordance with label precautionary statements and directions.

IMPORTANT: Read entire DIRECTIONS FOR USE before using LNOUVEL, INC. FIPRONIL TERMICIDAL FOAM KILLER. Shake well before using.

This product is a ready-to-use termiticide/insecticide formulation. When LNOUVEL, INC. FIPRONIL TERMICIDAL FOAM KILLER is sprayed, the product rapidly expands generating a dry foam with an expansion ratio of approximately 30:1, with 1 oz (28 g) of product being dispensed in approximately 5 sec producing approximately 1 qt (946 ml) of foam. LNOUVEL, INC. FIPRONIL TERMICIDAL FOAM KILLER can be used to control insects where they are found or suspected; including: in nests, galleries, harborages and voids. LNOUVEL, INC. FIPRONIL TERMICIDAL FOAM KILLER can be applied in and around commercial and residential structures as well as structural and non-structural elements that can potentially be attacked by, or provide harborage to, insects. Applications of LNOUVEL, INC. FIPRONIL TERMICIDAL FOAM KILLER can be made from the interior and/or exterior. Drilling of hole(s) may be necessary to access galleries or harborages. Treatment of insect harborages associated with utility poles, fences, bridges, landscape timbers, under slabs or other non-structural elements is permitted with LNOUVEL, INC. FIPRONIL TERMICIDAL FOAM KILLER.

TREATMENT OF INSECT GALLERIES, HARBORAGES OR VOIDS: Use sufficient foam to treat the known or suspected insect harborages. After applying LNOUVEL, INC. FIPRONIL TERMICIDAL FOAM KILLER, hold the injector tip in place for approximately 8 sec to allow the product within the injector tube to dispense into the treatment area. Drilling hole(s) may be required to access the known or suspected gallery, harborage or void. Drill hole(s) at 1 or more locations along the gallery, harborage or void for proper treatment. Use of a moisture meter may help to determine the spread of a treatment. LNOUVEL, INC. FIPRONIL TERMICIDAL FOAM KILLER can be used as a localized treatment for the control of existing infestations of subterranean termites and other wood destroying insects, or as a supplemental treatment in a structural protection program. LNOUVEL, INC. FIPRONIL TERMICIDAL FOAM KILLER is intended for use on localized wood destroying insect infestations only.

The purpose of localized applications is to kill wood destroying insects which may be present in the treated channels at the time of treatment. Localized applications are intended as supplemental treatments and not a substitute for: mechanical alteration, soil treatment, or foundation treatment. LNOUVEL, INC. FIPRONIL TERMICIDAL FOAM KILLER should not be used as a stand-alone treatment for structural protection. **Reapplication Interval for LNOUVEL, INC. FIPRONIL TERMICIDAL FOAM KILLER:** This product may be applied to previously treated sites if activity is found 30 days after previous application.

WOOD DESTROYING PEST TREATMENTS – INDOORS

TERMITES [SUBTERRANEAN (*Coptotermes*, *Reticulitermes*, and *Heterotermes*), ARBOREAL, DAMPWOOD (*Zootermopsis*), AND DRYWOOD]: Use this product in areas where termites are known or suspected. Apply LNOUVEL, INC. FIPRONIL TERMICIDAL FOAM KILLER to termite galleries, channels, damaged wood, harborages between structural elements or within construction voids. Indoor termiticide treatment locations may include areas associated with unexposed wooden elements inside wall voids, in and around bath traps, shower voids, pipe chases, utility penetrations and other probable sites of termite entry or haborage.

OTHER WOOD DESTROYING PESTS (POWDER POST BEETLES, OLD HOUSE BORER AND WHARF BORER): Treatment locations may include areas associated with exposed non-sealed wooden elements in areas such as crawl spaces, attics, unexposed wooden elements inside walls, galleries or other harborages.

WOOD DESTROYING PEST TREATMENTS – OUTDOORS

Outdoor treatment locations may include exterior wooden elements associated with bridges, decks, fencing, landscape timbers, wooden retaining walls, siding, channels in damaged wood, spaces between wooden elements of a structure, junctions between wood and foundations and voids associated with buildings. Do not apply LNOUVEL, INC. FIPRONIL TERMICIDAL FOAM KILLER in or on boats, or to areas of non-structural piers, bridges, or any other structures that may contact surface water bodies. Do not allow LNOUVEL, INC. FIPRONIL TERMICIDAL FOAM KILLER come into contact with or contaminate surface waters through application or drift. Applications to exposed subterranean termite tunnels (i.e. shelter tubes) may be made to both residential and commercial outdoor areas. Break open a section of the shelter tube and apply directly over the exposed area. Apply enough LNOUVEL, INC. FIPRONIL TERMICIDAL FOAM KILLER foam to cover the exposed area and a distance of approximately 2” in each direction over the shelter tube itself.

Outdoor applications of this product must be limited to small spot treatments only. Do not apply this product to any impervious surfaces. Do not make direct applications, nor any applications of this product to the ground within the drip line of any trees or shrubs used for growing fruits, nuts, vegetables or other foods.

TERMITES AND CARPENTER ANTS HARBORING IN STUMPS, UTILITY POLES, SLABS AND FENCES: Drill 1 or more holes into areas of suspected termite or carpenter ant activity. It may be necessary to drill several holes around the circumference of the stump or utility pole, including at varying heights, to properly treat the nest or gallery system. When treating below slabs, drill 1 or more holes through the slab where termites or carpenter ants are active, or suspected, and inject this product. For fences, treat exposed surfaces with this product where termites or ants are active (**Please note:** the foam must dissipate or excess foam must be removed before the applicator leaves the area) and/or drill wooden members where termites or ants are active, or suspected, and inject this product.

FORAGING CARPENTER ANTS: This product is intended for outdoor treatments for carpenter ant harborages or trails associated with decks, fences or other non-structural elements. Inject this product into galleries, cavities, harborages or structural voids. Apply the foam up to a 6" length of the carpenter ant trail. **Please note:** the foam must dissipate or excess foam must be removed before the applicator leaves the area.

EXTERIOR PERIMETER/LOCALIZED INTERIOR

TERMITES [SUBTERRANEAN (*Coptotermes*, *Reticulitermes*, *Heterotermes* and *Zootermopsis*), AND ARBOREAL]: LNOUVEL, INC. FIPRONIL TERMICIDAL FOAM KILLER can be used as a preventative or curative interior structural void treatment for subterranean termites when applied in conjunction with an Exterior Perimeter/Localized Interior (EP/LI) termiticide labeled for EP/LI application. Targeted interior application(s) of this product may be made to vulnerable areas such as voids associated with plumbing/utility lines penetrating floors, bath and/or shower voids, expansion joints and/or settlement cracks, wall voids and other voids of probable, potential, or known termite entry.

When LNOUVEL, INC. FIPRONIL TERMICIDAL FOAM KILLER is used to treat known or suspected localized interior termite infestation(s), this product can be used in lieu of other localized interior treatment(s). Targeted interior application(s) of LNOUVEL, INC. FIPRONIL TERMICIDAL FOAM KILLER may be made to vulnerable areas such as voids associated with plumbing/utility lines penetrating floors, bath and/or shower voids, expansion joints and/or settlement cracks, wall voids and other voids of probable or potential termite entry.

This application is intended for localized areas of existing or potential termite activity and must not be applied to indoor surfaces for the purposes of general pest control. LNOUVEL, INC. FIPRONIL TERMICIDAL FOAM KILLER is not a substitute for soil-applied termiticide treatment(s) beneath slabs or foundations.

NON-WOOD DESTROYING PEST TREATMENTS CRAWLING PESTS – Ants (Excluding Fire, Harvester, Leaf Cutter and Pharaoh): Treat voids with this product, where these pests enter, hide or harbor. Immediately wipe up any excess product on exposed surfaces.

FOOD/FEED HANDLING ESTABLISHMENTS

Applications of this product are permitted in non-food and feed areas of food/feed handling establishments as an exterior or void spot treatment. **DO NOT** apply LNOUVEL, INC. FIPRONIL TERMICIDAL FOAM KILLER to any voids in the equipment or machinery used in the storage, processing or preparation of food.

For Wood Destroying Pests: Treat voids with this product, from the exterior or interior, where these pests enter, hide or harbor. Immediately wipe up any excess product on an exposed surface. Food/feed handling establishments are defined as places other than private residences in which exposed food/feed is held, processed, prepared or served. Food/feed areas also include areas for receiving, storing, packing (canning, bottling, wrapping, boxing), preparing, edible waste storage and enclosed processing systems (mills, dairies, edible oils, syrups) of food. Serving areas where food is exposed and the facility where there is food in the operation are also considered food areas. Non-food/feed areas include areas such as garbage rooms, lavatories, floor drains (to sewers), entries and vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, mop closets and storage areas (after packaging, canning or bottling).

STORAGE AND DISPOSAL

DO NOT contaminate water, food, or feed by storage or disposal.

PESTICIDE STORAGE: Store in original container. Keep away from open flame, sparks, heated surfaces, and avoid excessive heat (>130°F). Store in a cool, dry place inaccessible to children and pets.

CONTAINER DISPOSAL: DO NOT puncture or incinerate! Empty container by using the product according to the label directions. Non-refillable container. **If empty:** Offer container for recycling, if available, or place in trash if allowed by state and local regulations. **If partly filled:** Call your local solid waste agency for disposal instructions.

(WARRANTY

Read the entire Directions for Use and Warranty before using this product. By using this product, user or buyer accepts the following warranty. The directions for use of this product are believed to adequate and must be followed carefully. It is impossible to eliminate all risks associated with the use of this product. Unintended consequences may result because of unknown factors. All such risks shall be assumed by the user or buyer. The seller is committed to providing high quality products. To the extent consistent with applicable law, the seller makes no warranties, express or implied, of merchantability or of fitness for a particular purpose or otherwise, that extend beyond statements on this label. To the extent consistent with applicable law, the manufacturer or the seller shall not be liable for indirect, special, incidental or consequential damages. To the extent consistent with applicable law, the exclusive remedy of the user or buyer shall not exceed the purchase price paid.)

In Case of Emergency, call: [1-xxx-xxx-xxxx] (Made in USA)
Non-Emergency call: [1-xxx-xxx-xxxx]

Distributed by:
LNouvel's, Inc.
4657 Courtyard Trail
Plano, TX 75024
EPA Reg. No. 87093-NEW

[BAR CODE AREA]

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