# EPA REGISTRATION FILE 83923-6
# VOLUME 1

**PYXIS REGULATORY CONSULTING, INC.**

4110 136th St. NW
Gig Harbor, WA 98332

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

April 30, 2012

COURIER DELIVERY

Richard Gebkin (PM 10)
Document Processing Desk (**FNL LBL**)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

RE: Ensystex IV, Inc. – Maxxthor EC (EPA Reg. No. 83923-6)
Submission of Final Printed Label

Dear Mr. Gebkin:

On behalf of Ensystex IV, Inc., please find the enclosed final printed label for Maxxthor EC in response to the Agency letter dated March 5, 2012. In support of this submission, the following documents are enclosed:

1. Application for Registration (EPA Form 8570-1)
2. Two (2) copies of the final printed label

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

Best Regards,

P. Leanne Pruett

P. Leanne Pruett
Pyxis Regulatory Consulting

Enclosures

cc: D. Nimocks, Ensystex IV

*Please read instructions on reverse before completing form.*

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95

EPA

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

- [ ] Registration
- [ ] Amendment
- [x] Other

OPP Identifier Number

## Application for Pesticide - Section I

| | | |
|---|---|---|
| 1. Company/Product Number<br>83923-6 | 2. EPA Product Manager<br>R. Gebkin | 3. Proposed Classification<br>[x] None [ ] Restricted |
| 4. Company/Product (Name)<br>Ensystex IV / Maxxthor EC | PM#<br>10 | |
| 5. Name and Address of Applicant *(Include ZIP Code)*<br>Ensystex IV<br>c/o Pyxis Regulatory Consulting, Inc.<br>4110 136th St. NW<br>Gig Harbor, WA 98332<br>[ ] *Check if this is a new address* | 6. **Expedited Reveiw.** In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to:<br>EPA Reg. No. _____<br>Product Name _____ | |

## Section - II

- [ ] Amendment - Explain below.
- [ ] Resubmission in response to Agency letter dated _____
- [ ] Notification - Explain below.
- [x] Final printed labels in repsonse to Agency letter dated 3/5/12
- [ ] "Me Too" Application.
- [ ] Other - Explain below.

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

Submission of final printed label per the Agency letter dated March 5, 2012

## Section - III

1. Material This Product Will Be Packaged In:

| Child-Resistant Packaging | Unit Packaging | Water Soluble Packaging | 2. Type of Container |
|---|---|---|---|
| [ ] Yes<br>[ ] No | [ ] Yes<br>[ ] No | [ ] Yes<br>[ ] No | [ ] Metal<br>[ ] Plastic<br>[ ] Glass<br>[ ] Paper<br>[ ] Other (Specify) _____ |
| ***Certification must be submitted*** | If "Yes" Unit Packaging wgt. / No. per container | If "Yes" Package wgt / No. per container | |

| 3. Location of Net Contents Information | 4. Size(s) Retail Container | 5. Location of Label Directions |
|---|---|---|
| [ ] Label [ ] Container | | [ ] On Label<br>[ ] On Labeling accompanying product |

6. Manner in Which Label is Affixed to Product [ ] Lithograph [ ] Paper glued [ ] Stenciled [ ] Other _____

## Section - IV

1. Contact Point *(Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)*

| Name | Title | Telephone No. (Include Area Code) |
|---|---|---|
| Leanne Pruett | Agent | (253)-853-7369 |

**Certification**

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

6. Date Application Received (Stamped)

| | |
|---|---|
| 2. Signature R. Leanne Pruett | 3. Title<br>Agent |
| 4. Typed Name<br>Leanne Pruett | 5. Date<br>4-30-2012 |

EPA Form 8570-1 (Rev. 3-94) Previous editions are obsolete. White - EPA File Copy (original) Yellow - Applicant Copy

NOT REVIEWED
In Accordance with PR Notice 82-2
Based on Draft Labeling Dated
3-5-12

03/12

# MAXXTHOR EC

**For use only by individuals/firms licensed or registered by the state to apply termiticide products when applied as a termiticide. States may have more restrictive requirements regarding qualifications of persons using this product. Consult the structural pest control regulatory agency of your state prior to use of this product. For use by pest control operators or commercial operators to control pests on lawns and ornamental plants.**

| **Active Ingredient:** | **By Wt.** |
|---|---|
| Bifenthrin* | 23.4% |
| **Other Ingredients**:** | 76.6% |
| **TOTAL:** | 100.0% |

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

**Contains petroleum distillates

MAXXTHOR EC contains 2 pounds active ingredient per gallon.

**EPA Reg. No. 83923-6 EPA Est. 81824-NC-001**

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

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

**For product use information call 1-866-FOR-THOR (367-8467).**

## KEEP OUT OF REACH OF CHILDREN

# WARNING


***ENSYSTEX IV, Inc.***

2713 Breezewood Ave.
Fayetteville, NC 28303


**Net Contents: As marked on container**

| FIRST AID | |
|---|---|
| **If swallowed** | • Immediately call a poison control center or doctor.<br>• Do not induce vomiting unless told to do so by a poison control center or doctor.<br>• Do not give any liquid to the person.<br>• Do not give anything by mouth to an unconscious person. |
| **If inhaled** | • Move person to fresh air.<br>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.<br>• Call a poison control center or doctor for further treatment advice. |
| **If on skin or clothing** | • Take off contaminated clothing.<br>• Rinse skin immediately with plenty of water for 15 to 20 minutes.<br>• 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.<br>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.<br>• Call a poison control center or doctor for treatment advice. |

## HOTLINE NUMBER

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

## NOTE TO PHYSICIAN

This product is a pyrethroid. This product also contains aromatic hydrocarbons. Because of the risk of hydrocarbon pneumonitis if even tiny amounts are aspirated into the lung during emesis, consideration should be given to gastric lavage with endotracheal tube in place. Treatment is symptomatic and supportive. Animal and vegetable fats, milk, cream and alcohol may increase absorption and should not be administered.

## PRECAUTIONARY STATEMENTS

### Hazards to Humans and Domestic Animals

May be fatal if swallowed. Causes skin irritation and moderate eye irritation. Do not get on skin or on clothing. Avoid breathing vapors or spray mist, and contact with eyes. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking, using tobacco or using the toilet. Remove contaminated clothing and wash contaminated clothing before reuse.

**Personal Protective Equipment:** All pesticide handlers (mixers, loaders and applicators) must wear long-sleeved coveralls worn over a minimum of short-sleeved shirt and short pants, socks, chemical-resistant footwear, chemical-resistant gloves and protective eyewear. After the product is diluted in accordance with label directions for use (or if an in-line injector system is used) shirts, pants, socks, shoes and waterproof gloves are sufficient. All pesticide handlers must wear a respiratory protection device when handling the concentrate or when working in a non-ventilated space (such as a NIOSH approved respirator with any R, P or HE filter or a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any R, P or HE pre-filter). All pesticide handlers must wear protective eyewear, such as goggles, faceshield or safety glasses, when working in a non-ventilated space or when applying as a termiticide by rodding or sub-slab injection.

### Environmental Hazards

This pesticide is extremely toxic to fish and aquatic invertebrates. Do not apply when weather conditions favor drift from treated areas. Care should be used when spraying to avoid fish and reptile pets in/around ornamental ponds.

Do not apply this product or allow it to drift to crops or weeds on which bees are actively foraging. Additional information may be obtained from your Cooperative Extension Service.

To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies and drainage systems.

### Physical and Chemical Hazards

Do not use or store near heat or open flame.

Do not apply this product in or on electrical equipment 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.

Do not water the treated area to the point of run-off.

Do not make applications during rain.

Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during application.

**Additional Application Restrictions for Pre-Construction Termiticide Applications:**

The treatment site must be covered prior to a rain event in order to prevent run-off of the pesticide into non-target areas.

The applicator must either cover the soil him/herself or provide written notification of the above requirement to the contractor on site and to the person commissioning the application (if different from the contractor). If notice is provided to the contractor or the person commissioning the application, then they are responsible under FIFRA to ensure that: 1) if the concrete slab cannot be poured over the treated soil within 24 hours of application the treated soil is covered with a waterproof covering (such as polyethylene sheeting), and 2) the treated soil is covered if precipitation is predicted to occur before the concrete slab is scheduled to be poured.

Do not treat soil that is water-saturated or frozen.

Do not treat when raining.

Do not allow treatment to run off from the target area.

Do not apply within 10 feet of storm drains. Do not apply within 25 feet of aquatic habitats (such as, but not limited to, lakes; reservoirs; rivers; permanent streams; marshes or ponds; estuaries; and commercial fish farm ponds).

Do not make on-grade applications when sustained wind sweeps are above 10 mph (at application site) at nozzle end height.

**Termite Control Treatment:** When treating adjacent to an existing structure, the applicator must check the area to be treated and immediately adjacent areas of the structure for visible and accessible cracks and holes to prevent any leaks or significant exposures to persons occupying the structure. People present or residing in the structure during application must be advised to remove their pets and themselves from the structure if they see any signs of leakage. After application, the applicator is required to check for leaks. All leaks resulting in the deposition of termiticide in locations other than those prescribed on this label must be cleaned up prior to leaving the application site. Do not allow people or pets to contact contaminated areas or to reoccupy contaminated areas of the structure until the clean-up is completed.

**Additional Application Restrictions for Residential Outdoor Surface and Space Sprays:**

All outdoor applications must be limited to spot or crack-and-crevice treatments only, except for the following permitted uses:

(1) Treatment to soil or vegetation around structures.

(2) Applications to lawns, turf and other vegetation;

(3) Applications to building foundations, up to a maximum height of 3 feet.

Other than applications to building foundations, all outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches and structural surfaces (such as windows, doors and eaves) are limited to spot and crack-and-crevice applications only.

## STORAGE AND DISPOSAL

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

**Pesticide Storage:** If crystals are observed, warm material to above 60°F by placing container in warm location. Shake or roll container periodically to redissolve solids. Do not use external source of heat for warming container.

Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use, replace lids and close tightly. Do not put concentrate or dilute material into food or drink containers. Do not contaminate other pesticides, fertilizers, water, food, or feed by storage or disposal.

**In Case of Spill:** Confine it, avoid contact, isolate area and keep animals and unprotected persons away. If spill is liquid, form dike around spill area and/or absorb spill with absorbent materials, such as sand, cat litter or clay. If spill is dry material, cover to prevent dispersal. Place damaged package in a holding container and identify contents. Contact Ensystex at 1-866-367-8467 or Chemtrec at 1-800-424-9300 for any assistance

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

**Container Disposal:** Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) 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. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

## APPLICATION FOR CONTROL OF SUBTERRANEAN TERMITES

### General

MAXXTHOR EC, in the form of a dilute insecticidal solution, prevents and controls subterranean termite infestations in and around structures and other items by creating a continuous chemically treated zone (horizontal and/or vertical as needed) between the wood and other cellulose material in the structure and termite colonies in the soil. In order to establish a barrier between the wood in the structure and the termites in the soil, adequately disperse the solution of this product in the soil.

To effectively control termites with this product, the service technician should be familiar with current termite control practices including trenching, rodding, sub-slab and void injection, soil surface fan spraying, excavated soil treatment and brush, spray and injection applications to wood. Correct use of these techniques is necessary to effectively control infestations by subterranean termites such as *Coptotermes, Heterotermes, Reticulitermes* and *Zootermopsis*. The service technician should consider the biology and behavior of the termite specie(s) to be controlled to determine which control practices to use.

Treatment standards and procedures for subterranean termite control may vary due to regulations, water table level, structure design, soil types, construction practices and other factors. For advice concerning current control practices with respect to specific local conditions, consult resources in structural pest control and state cooperative extension and regulatory agencies. Follow all federal, state and local regulations and treatment standards for protection of a structure from subterranean termites.

Effective termite control may also include mechanical alteration 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 is advised. Removal of non-essential cellulose containing materials that are in contact with the ground under or around the structure can reduce termite foraging in the area. When untreated wooden parts of the structure touch the ground and such contact cannot be broken, creating a barrier between the soil and such components using a solution of the product may protect the components and the structure against termite attack.

MAXXTHOR EC is labeled for use against subterranean termites as a 0.06% or 0.12% solution in water, however the 0.06% finished solution should be used for typical control situations. When difficult or problem soils or construction types are encountered, it may be necessary to use 0.12% MAXXTHOR EC mixed in reduced volumes of water.

Avoid contamination of water supplies due to backflow under reduced water system pressure by using anti-backflow equipment or procedures to prevent siphoning of any solution back into a water supply. Do not contaminate cisterns or wells. Do not treat soil that is water saturated or frozen. Do not treat while precipitation is occurring. Do not apply solution to an area or site if the soil at the area or site is in such a state or condition that runoff or movement of the solution from the treated area or site is likely to occur. Consult state and local specifications for recommended distances of wells from treated areas, or if such regulations do not exist, refer to Federal Housing Administration Specifications (H.U.D.) for guidance.

For the purposes of this label and its directions, crawl spaces are to be considered to be inside of the structure. Critical areas include areas where the foundation is penetrated by utility services, cracks and expansion joints, bath tr[illegible]d areas where construction elements such as stairs, patios and slab additions abut the four[illegible].

### Mixing Directions For MAXXTHOR EC For Use As A Termiticide

Mix MAXXTHOR EC for use as a termiticide in the following manner:

1. Fill tank 1/4 to 1/3 full.
2. Start pump to begin by-pass agitation and place end of treating tool in tank to allow circulation through hose.
3. Add appropriate amount of MAXXTHOR EC.
4. Add remaining amount of water.
5. Let pump run and allow recirculation through the hose for 2 to 3 minutes.

MAXXTHOR EC may also be mixed into full tanks of water, but substantial agitation is required to ensure uniformity of the solution.

### Dilution of MAXXTHOR EC for Use as a Termiticide

For termite control, use rates for MAXXTHOR EC are expressed and the solution is mixed according to the percentage (%) concentration it forms when mixed in water. Use the mixing table or alternately the formulas below to determine the amount of MAXXTHOR EC to add to any quantity of water.

To prepare a 0.06% water solution, ready to use, dilute 1 quart of MAXXTHOR EC with 99.75 gallons of water. To prepare a 0.12% water solution, ready to use, dilute 2 quarts of MAXXTHOR EC with 99.5 gallons of water.

**Mixing Table for MAXXTHOR EC for Use as a Termiticide**

| Solution Percentage Concentration Desired | Gallons of Finished Solution Desired | Amount of MAXXTHOR EC to add | Water to mix with MAXXTHOR EC |
|---|---|---|---|
| 0.06% | 1 | 0.32 oz | 127.68 oz |
| | 5 | 1.60 oz | 4.99 gallons |
| | 10 | 3.2 oz | 9.975 gallons |
| | 25 | 8.0 oz. | 24.94 gallons |
| | 50 | 0.50 quart | 49.875 gallons |
| | 75 | 0.75 quart | 74.8125 gallons |
| | 100 | 1.00 quart | 99.75 gallons |
| | 150 | 1.50 quart | 149.62 gallons |
| | 200 | 2.00 quart | 199.5 gallons |
| 0.12%* | 1 | 0.64 oz | 127.36 oz |
| | 5 | 3.2 oz | 4.975 gallons |
| | 10 | 6.4 oz. | 9.95 gallons |
| | 25 | 0.5 quart | 24.875 gallons |
| | 50 | 1.0 quart | 49.75 gallons |
| | 75 | 1.5 quart | 74.625 gallons |
| | 100 | 2.0 quart | 99.5 gallons |
| | 150 | 3.0 quart | 149.25 gallons |
| | 200 | 1 gallon | 199.0 gallons |

*Only use the 0.12% rate in accordance with the *Adjustments to Application Volume* section. May also be used in accordance with the *FOAM APPLICATION* and *APPLICATIONS TO PROTECT UNDERGROUND ITEMS FROM TERMITE ATTACK* sections.

### Calculating an Amount of MAXXTHOR EC to Mix

To mix any amount of MAXXTHOR EC for termite control, determine:

A = Units of water into which the MAXXTHOR EC will be mixed. Express any partial units as decimal fractions (1/2 = .5). Any unit of measure, such as gallons or quarts, can be used for A. Answers to equations below are in same units as A.

MAXXTHOR EC to add to A for 0.06% = A / 399

MAXXTHOR EC to add to A for 0.12% = A / 199.5

To convert gallons to fluid ounces, multiply number of gallons X 128

128 fluid ounces = 16 cups = 8 pints = 4 quarts = 1 gallon

32 fluid ounces = 1 quart

### Application Volume

To provide maximum control and protection against termite infestation, apply the specified volume of the finished water solution containing the specified amount of MAXXTHOR EC as set out below or as otherwise directed in this label.

**Prescribed Horizontal Barrier Rate:** Unless otherwise directed, horizontal barriers are created by applying a 0.06% solution at a rate of one gallon of solution per 10 square feet. (One gallon of 0.06% solution contains 0.32 fluid ounce of MAXXTHOR EC.)

**Prescribed Vertical Barrier Rate:** Unless otherwise directed, vertical barriers are created by applying a 0.06% solution at a rate of four gallons of solution per 10 linear feet per foot of depth. (Four gallons of 0.06% solution contains 1.28 fluid ounces of MAXXTHOR EC.)

### Adjustments to Application Volume

If soil will not accept the labeled application volumes, the volume may be reduced provided there is a corresponding increase in concentration so that the amount of active ingredient applied to the soil remains the same.

Note: Large reductions of application volume reduce the likelihood of obtaining a continuous barrier. Variance is allowed when volume and concentration are consistent with label directed rates and a continuous barrier can still be achieved. When volume is reduced, the spacing of holes created for sub slab injection and soil rodding may need to be reduced to account for decreased dispersion of the solution in the soil.

For example, adjust the amount of solution applied to deliver a horizontal barrier of 10 square feet from 1 gallon to as low as 0.5 gallons and as high as 2 gallons while maintaining the amount of MAXXTHOR EC (.32 fluid ounce) applied per 10 square feet.

For example, adjust the amount of solution applied to deliver a vertical barrier 10 feet long by one foot deep from 4 gallons to as low as 2 gallons and as high as 8 gallons while maintaining the amount of MAXXTHOR EC (1.28 fluid ounces) applied per 10 linear feet.

## PRE-CONSTRUCTION TREATMENT

### All Structures

**Pre-construction treatment: Do not apply at a lower dosage and/or concentration than specified on this label for applications prior to the installation of the finished grade.**

Prior to each application, applicators must notify the general contractor, construction superintendent, or similar responsible party, of the intended termiticide application and intended sites of application and instruct the responsible person to notify construction workers and other individuals to leave the area to be treated during application and until the termiticide is absorbed into the soil.

Effective control of subterranean termites can be accomplished during construction by using a 0.06% solution of MAXXTHOR EC to establish vertical and/or horizontal barriers between the structure and the soil as directed. Applications should be made as a coarse low pressure spray (less than 50 psi). To meet current termite proofing requirements, follow the procedures in the latest edition of the Housing and Urban Development Minimum Property Standards.

### Horizontal Barriers Under Slabs on Ground Including Basem

Create a horizontal barrier on the entire surface of soil or substrate that will be covered by a slab, including, but not limited to, slab floors, footing trenches, garages, carports, basements, porches and entrance platforms by treating the soil or substrate with the solution at the Prescribed Horizontal Barrier Rate.

If the fill under the slab is a coarse material such as washed gravel, apply at 1.5 times the Prescribed Horizontal Barrier Rate to make sure that a sufficient enough amount of dilution is applied that the solution reaches the soil beneath the fill.

Apply solution using a coarse spray nozzle. If the slab over the treated area will not be poured on the same day as the application (and there are no foundation walls in place around the treated soil) cover treated soil with a water-proof barrier such as polyethylene sheeting.

### Vertical Barriers

Create a vertical barrier along the inside and outside of foundation walls, around piers, plumbing and utility service entrances and other points of possible future termite access and entry by treating the soil at these points at the Prescribed Vertical Barrier Rate. When trenching and rodding into the trench, or trenching alone, it is important that the solution reaches the top of the footing. Rod holes must be spaced so as to achieve a continuous termiticidal barrier, but they should in no case be more than 12 inches apart. Trenches need not be wider than 6 inches. Mix the solution into the soil as it is being replaced in the trench. Care should be taken to avoid washing soil out from around footings thereby undermining the stability of the structure. An inside vertical barrier may not be required for a monolithic slab.

When treating foundations deeper than 4 feet, apply the termiticide as the backfill is being replaced, or if the construction contractor fails to notify the applicator in time to permit this, treat the foundation to a minimum depth of 4 feet after the backfill has been installed. The applicator must trench and rod into the trench or trench along the foundation walls and around pillars and other foundation elements, at the rate prescribed from grade to a minimum depth of 4 feet. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. However, in no case should a structure be treated below the footing.

### Hollow Block Foundations and Voids

Hollow block foundations and voids may be treated at a rate of 2 gallons of solution per 10 linear feet to create a continuous treated zone within the voids at the footing.

## POST CONSTRUCTION TREATMENT

### All Structures

Post construction soil applications shall be made by injection, rodding, trenching or coarse fan spray with pressures not exceeding 25 p. s. i. at the nozzle. Care should be taken to avoid washing soil out from around footings thereby undermining the stability of the structure.

Do not apply treatment until the identity and location of all wells, radiant heat pipes, water and sewer lines, electrical conduits and sub-slab heating and air conditioning ducts is established. Caution must be taken to avoid puncturing these elements and/or injecting solution into them. All holes in commonly occupied areas into which material has been applied must be plugged. Plugs must be of a non-cellulose material or covered by an impervious, non-cellulose material.

**Vertical Barrier Depth:** For applications made after the final grade is installed, the applicator must trench and rod into the trench or trench along the foundation walls and around pillars and other foundation elements and treat at the rate prescribed from grade to the top of the footing. When the footing is more than four (4) feet below grade, the applicator must trench and rod into the trench or trench along the foundation walls and treat at the rate prescribed to a minimum depth of four feet. The actual depth of treatment will vary depending on the soil type, degree of compaction, and location of termite activity. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. However, in no case should a structure be treated below the footing.

### Structures Containing Concrete Slabs on Ground (Monolithic/Floating/Supported) including Basements

To make an application beneath existing slabs, it may be necessary to drill holes in the slab or adjacent foundation and to apply solution. Holes should be spaced such that when treatment is applied through them, a continuous treated zone is applied beneath the slab.

**Vertical Barriers Along Exterior of Foundation Walls:** Trench and rod into the trench or trench along the outside of foundation walls and treat at the Prescribed Vertical Barrier Rate to the depth specified under Vertical Barrier Depth. Where physical obstructions such as concrete walkways adjacent to foundation elements or soil type and/or conditions make trenching prohibitive, treatment may be made by rodding alone.

**Vertical Barriers Along Interior of Foundation Walls:** Vertical barriers may be established on the interior side of foundation walls by sub-slab injection of the solution at the Prescribed Vertical Barrier Rate. Injection openings can be drilled either vertically through the slab along the interior of the foundation wall or horizontally from the exterior through the foundation wall low enough on the wall to allow for the deposition of the solution beneath the slab along the interior side of the foundation wall. Drill holes should be spaced so as to achieve a continuous chemical barrier but in no case farther apart than 12 inches. Special care must be taken to distribute the solution evenly. Vertical barriers may also be established beneath the slab along both sides of interior footing-supported walls, one side of interior partitions and along all cracks and expansion joints and utility service entrances and bath traps.

**Horizontal Barriers Beneath Slabs on Ground:** Create a horizontal barrier by treating at the Prescribed Horizontal Barrier Rate beneath slabs by either drilling and long rodding from the exterior or by grid pattern drilling and injection vertically through the slab. Long rodding should be used only when grid pattern drilling and injection and horizontal short rodding and injection cannot be used to deliver the sub slab treatment.

**Bath Traps:** Exposed soil beneath and around areas where plumbing and utility services penetrate the slab should be treated at the rate of 1 gallon of solution per square foot of soil.

### Structures Containing Accessible Crawl Spaces

For crawl spaces, apply vertical termiticide barriers at the rate of 4 gallons of solution per 10 linear feet per foot of depth from grade to the top of the footing, or if the footing is more than 4 feet below grade, to a minimum depth of 4 feet. Apply by trenching and rodding into the trench, or trenching. Treat both sides of foundation and around all piers and pipes. Where physical obstructions such as concrete walkways adjacent to foundation elements prevent trenching, treatment may be made by rodding alone. When soil type and/or conditions make trenching prohibitive, rodding may be used. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. Read and follow the mixing and use direction section of the label if situations are encountered where the soil will not accept the full application volume.

1. Rod holes and trenches must not extend below the bottom of the footing.

2. Rod holes must be spaced so as to achieve a continuous termiticide barrier but in no case more than 12 inches apart.

3. Trenches must be a minimum of 6 inches deep or to the bottom of the footing, whichever is less, and need not be wider than 6 inches. When trenching in sloping (tiered) soil, the trench must be stepped to ensure adequate distribution and to prevent termiticide from running off. The solution must be mixed with the soil as it is replaced in the trench.

4. When treating plenums or crawl spaces, turn off the air circulation system of the structure until application has been completed and all solution has been absorbed by the soil.

### Structures Containing Inaccessible Crawl Spaces

For inaccessible interior areas, such as areas where there is insufficient clearance between floor joists and ground surfaces to allow operator access, excavate, if possible, and treat according to the instructions for accessible crawl spac herwise, apply one, or a combination of the following two methods.

1. To establish a horizontal barrier, apply to the soil surface, 1 gallon of solution per 10 square feet overall using a nozzle pressure of less than 25 p.s.i. and a coarse application nozzle (e.g., Delavan Type RD Raindrop, RD-7 or larger, or Spraying Systems Co. 8010LP TeeJet or comparable nozzle). For an area that cannot be reached with the application wand, use one or more extension rods to make the application to the soil. Do not broadcast or power spray with higher pressures.

2. To establish a horizontal barrier, drill through the foundation wall or through the floor above and treat the soil perimeter at a rate of 1 gallon of solution per 10 square feet. Drill spacing must be at intervals not to exceed 16 inches. Many states have smaller intervals, so check state regulations which may apply.

When treating plenums or crawl spaces, turn off the air circulation system of the structure until application has been completed and all termiticide has been absorbed by the soil.

### Masonry Voids

Drill and treat voids in multiple masonry elements of the structure extending from the structure to the soil in order to create a continuous treatment barrier in the area to be treated. Apply at the rate of 2 gallons of solution per 10 linear feet of footing using a nozzle pressure of less than 25 p.s.i. When using this treatment access holes must be drilled below the sill plate and should be as close as possible to the footing as is practical. Treatment of voids in block or rubble foundation walls must be closely monitored: Applicators must inspect areas of possible runoff as a precaution against application leakage in the treated areas. Some areas may not be treatable or may require mechanical alteration prior to treatment.

All leaks resulting in the deposition of termiticide in locations other than those prescribed on this label must be cleaned up prior to leaving the application site. Do not allow people or pets to contact contaminated areas or to reoccupy the contaminated areas of the structure until the clean-up is completed.

Note: When drilling veneer walls, care should be taken to not drill beyond the depth of the void behind the veneer into another construction layer behind the veneer. It is however permissible to drill through the veneer and into concrete blocks behind the veneer and to treat the veneer and the concrete blocks at the same time.

Note: Not for use in voids insulated with rigid foam.

## TREATMENT OF STRUCTURES WITH WELLS AND CISTERNS

Do not contaminate wells or cisterns.

### Structures with Wells/Cisterns Inside Foundations

Structures that contain wells or cisterns within the foundation of a structure can only be treated using the following techniques:

1. Do not treat soil while it is beneath or within the foundation or along the exterior perimeter of a structure that contains a well or cistern. The treated backfill method must be used if soil is removed and treated outside/away from the foundation. The treated backfill technique is described as follows:

a. Trench and remove soil to be treated onto heavy plastic sheeting or similar material or into a wheelbarrow.

b. Treat the soil at the rate of 4 gallons of dilute solution per 10 linear feet per foot of depth of the trench, or 1 gallon per 1.0 cubic feet of soil. See *Mixing Directions for MAXXTHOR EC for Use as a Termiticide* section of the label. Mix thoroughly into the soil taking care to contain the liquid and prevent runoff or spillage.

c. After the treated soil has absorbed the solution, replace the soil into the trench.

2. Treat infested and/or damaged wood in place using an injection technique such as described in the *APPLICATION TO WOOD INDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS* or *APPLICATION TO WOOD OUTDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS* sections of this label.

### Structures with Adjacent Wells/Cisterns and/or Other Water Bodies

Applicators must inspect all structures with nearby water sources including wells, cisterns, surface ponds, streams, and other bodies of water and evaluate, at a minimum, the treatment recommendations listed below prior to making an application.

1. Prior to treatment, if feasible, expose the water pipe(s) coming from a well to the structure, if the pipe(s) enter the structure within 3 feet of grade.

2. Prior to treatment, applicators are advised to take precautions to limit the risk of applying the termiticide into subsurface drains that could empty into any bodies of water. These precautions include evaluating whether application of the termiticide to the top of the footer may result in contamination of the subsurface drain. Factors such as depth to the drain system and soil type and degree of compaction should be taken into account in determining the depth of treatment.

3. When appropriate (for example, on the water side of the structure), the treated backfill technique (described above) can also be used to minimize offsite movement of termiticide.

## FOAM APPLICATION

MAXXTHOR EC, in the form of a foam, can be used to deliver MAXXTHOR EC as a termiticide any time it appears likely this form of delivery will improve the dispersal of MAXXTHOR EC into and within the intended target area. Foam can be particularly useful to deliver MAXXTHOR EC where it either cannot be depended upon to be delivered as just a solution or due to a need to reduce the amount of water used in order to avoid water damage to the target or adjacent areas. In some situations, for example under some slabs, a solution cannot be depended upon to disperse as completely as a foam because of deflection of the liquid stream or some other structural obstacle or defect.

Depending on the circumstances, foam applications of MAXXTHOR EC may be used alone or in combination with liquid solution applications, provided that the cumulative amount of active ingredient per unit of area applied is equivalent to that which would be contained in a 0.06% solution-only application applied to the same area. Mix and apply foam and or foam/liquid emulsion in combination such that at least 1.28 ounces of MAXXTHOR EC concentrate is applied per 10 linear feet when creating vertical barriers or 0.32 ounces of MAXXTHOR EC concentrate is applied per 10 square feet when creating horizontal barriers. Typically, at least 75% of the labeled liquid emulsion volume of product should be applied as a liquid, with the remaining percent delivered as a foam. Foam may be used alone in difficult situations.

Using foam generating equipment, a solution of MAXXTHOR EC, ranging in concentration from 0.06% to 0.12%, may be converted into a foam 2 to 40 times the volume of its liquid equivalent according to the foaming agent and foaming equipment manufacturer's recommendations.

First, form a solution of MAXXTHOR EC of the appropriate percentage concentration and volume. Then add the recommended volume of a foaming agent. Verify that the foaming agent is compatible with MAXXTHOR EC.

Applications may be made behind veneers, piers, chimney bases, into rubble foundations, into block voids, structural voids or other similar voids, under slabs, stoops, porches or to the soil in crawlspaces.

## RETREATMENT

Retreatments for subterranean termites can only be performed if there is clear evidence of reinfestation or disruption of the barrier due to construction, excavation or landscaping and/or evidence of the breakdown of the termiticide barrier in the soil. These vulnerable or reinfested areas may be retreated in accordance with application techniques described in this product's labeling. The timing and type of these retreatments will vary, depending on factors such as termite pressure, soil types, soil conditions and other factors which may reduce the effectiveness of the barrier.

Annual retreatment of the structure is prohibited unless there is clear evidence that reinfestation or barrier disruption has occurred.

## APPLICATION IN CONJUNCTION WITH TERMITE BAI

Spot only applications of MAXXTHOR EC can be used as a supplement to termite baiting systems. For the purposes of this section, spot only applications are defined as the use of MAXXTHOR EC according to any of the permitted and applicable post-treatment application techniques contained in this label, alone or in combination, to the extent needed or deemed necessary or useful as an adjunct to a termite bait product labeled as a stand alone protection against termite attack. Stand alone termite bait product is defined as a termite bait product that provides sufficient structural protection when applied without other termite control products.

## APPLICATION TO PROTECT UNDERGROUND ITEMS FROM SUBTERRANEAN TERMITE ATTACK

To protect components installed underground such as wires, conduits, cables and pipes buried in soil against termite attack, create an envelope of MAXXTHOR EC treated soil around the components along the entire underground length of the component. First, treat soil through which components will be run with 0.06% to 0.12% solution of MAXXTHOR EC at a rate of 2 gallons of solution per 10 linear feet. Install components, laying them on the treated soil. Cover components with untreated soil and then treat this covering soil using the same percent solution at 2 gallons of solution per 10 linear feet.

Underground components to be protected may be located within the foundation of a structure or outside of a structure such as within a utility right of way, for example. Do not treat items that are electrically energized at the time of application. If the soil will not absorb the indicated amount of solution, as little as 1 gallon of 0.12% solution per 10 linear feet can be used. Treat points where services emerge from the ground at a rate of 1 to 2 gallons of solution at the point of emergence.

## APPLICATIONS TO PROTECT POLES, POSTS AND OTHER WOODEN ITEMS FROM SUBTERRANEAN TERMITE ATTACK

MAXXTHOR EC can be used to protect the below ground portions of wooden structural components from termites. Form a treated zone around components below ground by vertically rodding the soil around their perimeter to a depth of six inches below their maximum depth of placement in the soil and applying a 0.06% solution of MAXXTHOR EC at a rate of 0.4 gallons of solution per linear foot of perimeter around the component per foot of treated depth. Measure the perimeter of the component six inches from the outside of the component.

# APPLICATIONS TO CONTROL WOOD INFESTING INSECTS

Mix and dilute MAXXTHOR EC according to the instructions contained in the *APPLICATION FOR CONTROL OF SUBTERRANEAN TERMITES* section.

## APPLICATIONS TO CONTROL EXPOSED WOOD INFESTING INSECTS LOCATED ABOVE GROUND

MAXXTHOR EC can be applied above ground as a non-soil treatment to control and kill exposed worker and winged reproductive (swarmer) termites and Carpenter ants. This type of application is only supplementary to and should not be considered as a replacement for soil treatment in the case of termite infestation.

Apply a 0.06% solution as a general fan spray within attics, crawl spaces, unfinished basements and other void areas where termites have been found. Apply treatment directly to swarming termites and areas where they congregate.

## APPLICATIONS TO TERMITE CARTON NESTS LOCATED IN ABOVE GROUND WALL VOIDS

Apply a 0.06% solution of MAXXTHOR EC directly into above ground termite carton nests including nests located in wall voids using a directional injector. Apply as a solution or foam under pressure to distribute solution thoroughly throughout the nest. It may be necessary to inject solution at one or more points and at varying depths within the nest to adequately distribute solution within the interior of the nest.

## APPLICATION TO WOOD INDOORS TO PROTECT AGAINST WOOD INFESTING INSECTS

A 0.06% solution of MAXXTHOR EC applied as a liquid or foam to wooden structural components within structures can be used to protect them against attack from wood infesting insects such as termites, Carpenter ants and wood boring beetles or borers. This type of application is only supplementary to and should not be considered a replacement for soil treatment in the case of termite infestation.

Apply solution as a general fan spray onto the surface of the wood or inject solution under pressure into the wood as a liquid or foam. Inject by either injecting solution through a directional injector directly into existing voids and galleries or by drilling wood to form treatment channels through which the solution can be injected into the insect galleries. Multiple treatment channels of varying depth may need to be drilled to adequately distribute the solution within the wood interior. Application can also be made with a paintbrush.

Before application, locate heat pipes, ducts, water and sewer lines and electrical conduits. Take precautions to avoid puncturing and/or injecting solution into these items. Do not apply solution inside of electrified enclosures, switches or sockets.

Plastic sheeting must be placed below any indoor overhead surfaces being treated that are located anywhere except within a soil-based crawl space. Wear protective clothing, unvented goggles, gloves and respirator when making an overhead application or when applying in poorly ventilated indoor areas. Do not touch surfaces until spray has dried.

When treating in home food preparation and storage areas, cover all food preparation surfaces and utensils prior to beginning treatment. Surfaces or items that cannot be covered or removed should be thoroughly washed after treatment and before use. Food that cannot be covered should be removed. Before application, remove pets, birds and cover and disconnect aquariums. Do not allow humans and pets to touch treated surfaces until they have dried.

## APPLICATION TO WOOD OUTDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS

### On and around structures

A 0.06% solution of MAXXTHOR EC applied as a liquid or foam to exterior structural components can be used to protect them from the attack of wood infesting insects including termites, Carpenter ants and wood boring beetles or borers. Apply solution by general fan spray to the point of runoff onto the surface of the wood or inject solution under pressure into the wood as a liquid or foam. Inject by either injecting solution directly into existing voids and galleries or drilling wood to form treatment channels through which the solution can be injected into the insect galleries. Multiple treatment channels of varying depth may need to be drilled to adequately distribute the solution within the wood interior. Application can also be made with a paintbrush.

To control Carpenter ants, also apply solution around doors and windows and other areas Carpenter ants have been observed or can be expected to forage.

### Within wooden components and trees

Locate the cavity that the insects (including Carpenter ants) are inhabiting, drilling to find the interior infested cavity if necessary. Inject a 0.06% solution of MAXXTHOR EC into the cavity as a solution or foam. Apply a sufficient volume of solution to completely flood or fill the cavity. Drill injection channels if necessary.

## APPLICATIO CONTROL LAWN PESTS

MAXXTHOR EC controls the listed turfgrass insect and mite pests. MAXXTHOR EC is not for use on turfgrass being grown for sale, for commercial seed production, for other commercial use or for research.

### Application Sites

For use on any type of landscape or recreational turfgrass in any type of setting or at any type of site except as otherwise prohibited. Permitted sites include lawns, grounds, recreational areas, parks, landscapes and athletic fields. **New York State only: Do not apply MAXXTHOR EC containing solutions to grass or turf within 100 feet of a body of water (lake, pond, river, stream, wetland or drainage ditch).**

### Application Precautions and Preparations

Keep children and pets off treated areas until spray has dried.

If necessary, test the effects of applications of different rates and volumes of mixed solution on a small patch of a type of grass (with observations over one week to detect the occurrence of negative effects) before application of solutions to large areas of that type of grass.

MAXXTHOR EC can be mixed with other pesticides, including insect growth regulators. Follow the label directions of all the products mixed, making sure not to exceed the labeled application rate of any individual product in the mixture. Any tank mixture that has not been tested before should be tested before full scale use by first mixing a small quantity of the mixture to ensure there is no physical or chemical incompatibility.

Do not apply when wind conditions favor downwind drift to nearby water bodies or when wind velocity exceeds 10 miles per hour.

### Application Methods

Apply solution as a broadcast treatment in a quantity sufficient to wet all foliage. Apply using nozzles that provide the largest droplet size compatible with adequate coverage.

To maximize efficacy against sub-surface pests including mole crickets or chinch bugs, MAXXTHOR EC should be applied with a non-ionic or silicone based surfactant (0.25% v/v) in sufficient water to ensure good penetration of spray into the soil-thatch matrix. Treated areas should then be irrigated with 0.25 to 0.5 inches of water immediately afterwards paying special attention so that run-off or puddling does not occur.

If necessary, consult resources in horticulture in your area (such as your Cooperative Extension Service) to determine appropriate application timing and cultural practices to control different types of pests.

### Reapplication

Reapplications may be necessary particularly in the event of high pest pressure. Do not apply more often than every 7 days. **New York State only: Do make a single reapplication of MAXXTHOR EC if there is renewed insect activity, but not sooner than two weeks after first application.**

### Lawn Application Use Rates and Volumes

Use rates for MAXXTHOR EC for lawn pests are stated in fluid ounces of MAXXTHOR EC per 1000 square feet.

Apply MAXXTHOR EC at 0.07 to 0.30 fluid ounces per 1000 square feet depending on the target pest. Specific rates for listed pests within this range are given below.

Depending on the length and/or density of grass being treated, application volumes of up to 10 gallons per 1000 square feet can be made in order to obtain uniform coverage. If a minimal volume application is made (2 gallons per 1000 square feet) and the target pest, such as mole crickets or chinch bugs for example, are located in the thatch or below the surface, irrigate the treated area with at least 0.25 to 0.50 inches of water immediately after the application. Add a non-ionic or silicone based surfactant (0.25% v/v) when making a minimal volume application.

The calculated amount of MAXXTHOR EC can be applied in any volume of water as long as the maximum label rate per 1000 feet is not exceeded. Do not exceed the maximum label rate by applying solution to an area smaller than intended when it was mixed and diluted unless such under dosing will not result in an application rate per 1000 square feet in excess of the maximum label rate.

### Lawn Pest Application Use Rates

The application rates listed below provide control of the listed pests under normal conditions. -Use the higher application rates when maximum residual control is needed.

**Use Rate Table for MAXXTHOR EC for Lawn Applications**

| Use Rate | Fluid ounces MAXXTHOR EC per 1,000 square feet (Range) |
|---|---|
| A | 0.07⇒0.15 |
| B | 0.07⇒0.30 |
| C | 0.15 |

### Lawn Pests Grouped by Use Rates

**Use Rate A:** Ants, Armyworms, Billbugs, Chinch Bugs, Crane Flies, Crickets, Cutworms, Earwigs, Fall Webworms, Fleas (adults, larvae), Grasshoppers, Mites, Mole Crickets, Sod Webworms, Spittlebugs

**Use Rate B:** Japanese Beetles (adult)

**Use Rate C:** Crane Flies

**Mixing Table for MAXXTHOR EC for Lawn Applications**

| Application Volume: Gallons/1000 sq. ft. | Use Rate: Fluid oz. / 1000 sq. ft. (select from Use Rate Table) | Add these amounts of MAXXTHOR EC to the indicated volumes of water | | |
|---|---|---|---|---|
| | | 5 gal. | 10 gal. | 25 gal. |
| 2 | .07 | .175 | .35 | 0.875 |
| | .15 | .375 | .75 | 1.875 |
| | .22 | .550 | 1.10 | 2.750 |
| | .30 | .75 | 1.50 | 3.750 |
| 5 | .07 | .07 | .14 | 0.350 |
| | .15 | .15 | .30 | 0.750 |
| | .22 | .22 | .44 | 1.100 |
| | .30 | .30 | .60 | 1.500 |
| 10 | .07 | - | .07 | .175 |
| | .15 | - | .15 | .375 |
| | .22 | - | .22 | .550 |
| | .30 | - | .30 | .750 |

### Calculating Amounts of MAXXTHOR EC to Mix for Lawn Pests

To mix and apply any amount of MAXXTHOR EC for lawn pests, determine:

A = Square feet of area to be treated / 1000

B = Use Rate per 1000 square feet for the target pest(s) in fluid ounces MAXXTHOR EC taken from the Use Rate Table. If treating for more than one type of pest, select the highest rate.

Calculate the amount of MAXXTHOR EC to mix for lawn pests as follows:

Fluid Ounces MAXXTHOR EC to use = A X B

Mix this amount of MAXXTHOR EC in the amount of water needed to make the application.

### Application Instructions Against Specific Lawn Pests

**Armyworms, Cutworms, Sod Webworms:** Do not water or mow grass within 24 hours of application for optimum control of these surface feeding insects.

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

**Mole Crickets:** For control of overwintering Mole Crickets, apply the lower rate in early Spring. For the control of adult Mole Crickets in late-Summer or early Fall, apply the higher rate.

**Crane Flies:** Treatments can be made to control early to midseason larvae (approximately August - February) as they feed on plant crowns. Treatments made to late-season larvae (approximately March, April) may only provide suppression.

## APPLICATION TO CONTROL ORNAMENTAL PESTS

MAXXTHOR EC controls a wide range of insects and mites on trees, shrubs, foliage plants, non-bearing fruit and nut trees and flowers. Non-bearing trees are perennial plants that will not produce a harvestable agricultural commodity within the next 12 months. MAXXTHOR EC is not for use on plants being grown for sale, for commercial seed production or for research.

### Application Sites

For use on ornamental plants including trees, shrubs, ground covers, bedding plants and foliage plants being used for decorative or climate modification purposes. Plants on which use is permitted include those being grown in any type of setting or at any type of site not otherwise prohibited. Permitted sites include but are not limited to ornamental gardens, parks, landscapes, lawns, grounds and interior plantscapes.

### Application Preparation

If necessary, test the effects of applications of different rates and volumes of mixed solution on a small number of a type of plant (with observations over one week to detect the occurrence of negative effects) before application of solution to large numbers of that type of plant.

MAXXTHOR EC can be mixed with other pesticides, including insect growth regulators. Follow the label directions of all the products mixed, making sure not to exceed the label rate of any individual product in the mixture. Any tank mixture that has not been tested before should be tested before full scale use by first mixing a small quantity of the mixture to ensure there is no physical or chemical incompatibility.

### Application Methods

Apply solution in a quantity sufficient to wet all foliage. It may also be necessary to treat non-foliage parts of plants such as trunks and bark to control some pests based on where the pest may be located on the plant at a particular life stage.

For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

### Reapplication

Reapplications may be necessary as plant growth occurs and new foliage appears or in the event of high pest pressure. Do not apply more often than every 7 days.

### Ornamental Application Use Rates and Volumes

Use rates for MAXXTHOR EC for ornamental pests are stated in fluid ounces of MAXXTHOR EC per 4,356 square feet. Specific ornamental application use rates, based on the target pest, range between 0.26 to 1.28 fluid ounce of MAXXTHOR EC per 4,356 square feet. Rates for specific pests within this range are given below.

The calculated amount of MAXXTHOR EC can be applied in any volume of water as long as the applicable label rate per 4,356 feet is not exceeded. Do not exceed the maximum label rate by applying solution to an area smaller than intended when it was mixed and diluted unless such underdosing will not result in an application rate per 4,356 square feet in excess of the maximum label rate.

### Ornamental Pest Dilution Rates

The dilution rates listed below provide control of the listed pests under normal conditions. Use the higher dilution rate when maximum residual control is needed.

**Dilution Rate Table for MAXXTHOR EC for Ornamental Applications**

| Dilution Rate | Lbs. a. i. per 10 gallons<br>Lbs. a. i. per 4,356 sq. ft. | Fl. oz. per 10 gallons<br>Fl. oz. per 4,356 sq. ft. |
|---|---|---|
| A | 0.004 ⇒ 0.02 | 0.26 ⇒ 1.28 |
| B | 0.006 ⇒ 0.02 | 0.38 ⇒ 1.28 |
| C | 0.01 ⇒ 0.02 | 0.64 ⇒ 1.28 |

### Ornamental Pests Grouped by Dilution Rates

**Dilution Rate A:** Ants, Aphids, Bagworms, Black Vine Weevil (adults), Brown Soft Scales, Broad Mites, Budworms, California Red Scales (crawlers), Centipedes, Clover Mites, Crickets, Cutworms, Earwigs, Elm Leaf Beetles, Fall Webworms, Flea Beetles, Fungus Gnats (adults), Grasshoppers, Lace Bugs, Leafhoppers, Leaf feeding Caterpillars, Mealybugs, Millipedes, Mole Crickets, Orchid Weevil, Pillbugs, Pine Needle Scales (crawlers), Plant Bugs (incl. Lygus spp.), San Jose scales (crawlers), Sowbugs, Spiders, Spittlebugs, Tent Caterpillars, Tip Moths, Weevils, Whiteflies

**Dilution Rate B:** Citrus Thrips, Beet Armyworm, Diaprepes (larvae, adult), European Red Mite, Leafrollers, Spider Mites, Thrips, Twig Borers

**Dilution Rate C:** Japanese Beetles (adult), Leafminers, Pecan Leaf Scorch Mite, Black Vine Weevil (larvae), Fungus Gnats (larvae)

**Mixing Table for MAXXTHOR EC for Ornamental Applications**

| Application Volume: Gallons/4356 sq. ft. | Use Rate: Fluid ounces / 4356 sq. ft. | Add these amounts of MAXXTHOR EC to the indicated volumes of water | | |
|---|---|---|---|---|
| | | 5 gal. | 10 gal. | 25 gal. |
| 2 | 0.26 | 0.650 | 1.30 | 3.25 |
| | 0.38 | 0.950 | 1.90 | 4.75 |
| | 0.64 | 1.600 | 3.20 | 8.0 |
| | 1.28 | 3.200 | 6.40 | 16.00 |
| 5 | 0.26 | 0.260 | 0.52 | 1.30 |
| | 0.38 | 0.380 | 0.76 | 1.90 |
| | 0.64 | 0.640 | 1.28 | 3.20 |
| | 1.28 | 1.280 | 2.56 | 6.40 |
| 10 | 0.26 | -- | 0.26 | 0.65 |
| | 0.38 | -- | 0.38 | 0.95 |
| | 0.64 | -- | 0.64 | 1.60 |
| | 1.28 | -- | 1.28 | 3.20 |

### Calculating Amounts of MAXXTHOR EC to Mix for Ornamental Pests

To mix and apply any amount of MAXXTHOR EC for ornamental pests, determine:

A = Square feet of area to be treated /4,356

B = Use Rate per 4,356 square feet for the target pest(s) in fluid ounces MAXXTHOR EC taken from the Dilution Rate Table. If treating for more than one pest, select the highest rate.

Calculate the amount of MAXXTHOR to mix for ornamental pests as follows:

Fluid Ounces MAXXTHOR EC to use = A X B

Mix this amount of MAXXTHOR EC in the amount of water needed to make the application.

### Application Against Specific Ornamental Pests

**Bagworms:** Spray when bagworms first begin to hatch. Apply directly to the larvae. Treatment is most effective against young larvae.

**Scale crawlers and twig borers**: Treat trunks, stems and twigs in addition to plant foliage.

**Black Vine Weevil and Fungus Gnat larvae:** Apply as a drench at the rate of approximately 8 ounces of finished spray per 6 inch pot.

## ORNAMENTAL TREE TRUNK SPRAY TO CONTROL BARK BEETLES

### Control of Dendroctonus bark beetles including mountain pine beetle, southern pine beetle, western pine beetle, Black turpentine beetle, and engraver beetles (Ips spp.)

**Preventative treatment:** Spray an aqueous solution containing 1.0 to 2.0 pints of MAXXTHOR EC per 100 gallons (0.25 to 0.5 lbs. ai/100 gallons) of water to the trunk of the tree in the spring or whenever nearby infested trees create the threat of an infestation. Apply spray directly to the main trunk from the base of the tree to at least half way into the live crown. Wet the bark with the spray thoroughly (usually 1 to 4 gallons of spray per tree). Do not apply more than 0.2 lbs. ai (12.8 fl. Oz.) of this product per acre of trees. Repeat application if infestation occurs. Application rates and application timing differ according to the target pest and other factors. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

**Treatment of infested trees to control emerging brood:** Make applications of a spray mixture containing 2.0 pints of this product per 100 gallons 0.5 lbs. ai/100 gallons) of water to trees that have beetles in their bark. Apply spray directly to the main trunk from the base of the tree to at least half way into the live crown. Spray until the bark is thoroughly wetted by the spray (usually 1 to 4 gallons of spray per tree). Do not apply more than 0.2 lbs. ai (12.8 fl. oz.) of this product per acre of trees.

Beetles are normally no longer present in trees in which all needles have turned brown. Trees in this condition should be sprayed only if a continuing infestation is confirmed. Confirm an infestation by removing bark. If live infestations remain in the trunks, fell the trees and cut into sections. Spray the trunk and large limbs, rotating the trunks as they are sprayed in order to thoroughly treat the exterior of the entire trunk. Do not apply more than 0.2 lbs. ai (12.8 fl. oz.) of this product per acre.

### Control of other bark beetles such as Ambrosia beetles, elm bark beetles and Emerald Ash borer

**Preventative control:** Spray an aqueous solution containing 1.0 to 2.0 pints of MAXXTHOR EC per 100 gallons (0.25 to 0.5 lbs. ai/100 gallons) of water to the trunk, scaffolding and limbs of the tree in the early spring or prior to adult beetle flight and tree infestation. Spray until the bark is thoroughly wetted by the spray (usually 6 to 12 gallons of spray per tree).

Do not apply more than 0.2 lbs. ai of this product per acre of trees. Repeat application may be necessary if reinfestation is likely or for extended adult emergence and flight. Application rates and application timing differ according to the target pest and other factors. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

## CONTROL OF OTHER BORERS ON ORNAMENTAL TREES

Consult the table below for other boring insects. Geographic location and environmental conditions will affect application rate and timing. Spray bark until it is thoroughly wetted by the spray (usually 1 to 4 gallons of spray per tree). Do not apply more than 100 gallons of solution per acre of trees. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

| Pest | Dilution Rate (Range) | Specific Instructions |
|---|---|---|
| **Clearwing Moth borers**<br>Ash borer, banded ash clearwing, Dogwood borer, Lesser peachtree borer, Lilac borer, Oak borer<br>**Coleopteran borers**<br>Bronze birch borer, Flatheaded appletree borer | 6.4 to 12.8 fl. oz. per 100 gallons | Apply to the lower branches and trunks prior to adult emergence<br>Apply 12.8 fl. oz. per 100 gallons for maximum residual control |

## CONTROL OF STRUCTURAL PESTS (OTHER THAN WOOD INFESTING INSECTS) ON AND AROUND BUILDINGS

MAXXTHOR EC controls the listed structural pests including nuisance pests outside of structures. MAXXTHOR EC can be applied around any type of residential or commercial structure or building. Permitted sites include the exterior of homes, office buildings, mobile and modular homes, apartments and stores.

Follow additional application restrictions for residential outdoor surface and space sprays under DIRECTIONS FOR USE.

### Dilution of MAXXTHOR EC for Structural Pests

For structural pests, use rates for MAXXTHOR EC are expressed and mixed according to the percentage (%) concentration solution it forms when mixed in water. Each 0.166 fluid ounce (1 teaspoon) of MAXXTHOR EC that is added to one gallon of water increases the concentration of MAXXTHOR EC in that one gallon of water by 0.03%. For example, to make a 0.06% solution in one gallon of water, mix 0.333 fluid ounce (2 teaspoons) of MAXXTHOR EC in one gallon of water. Use the conversion table and formulas below to determine the amount of MAXXTHOR EC to add to any quantity of water.

| Mixing Table for MAXXTHOR EC for Structural Pests | | |
|---|---|---|
| % to mix | Fluid ounces to add per gallon of water to mix this % | Teaspoons to add per gallon of water to mix this % |
| 0.03 | 0.166 | 1 |
| 0.06 | 0.333 | 2 |

29.57 milliliters = 2 tablespoons = 6 teaspoons=1 Fluid ounce

### Calculating Amount of MAXXTHOR EC to Mix for Structural Pests

Calculate the amount of MAXXTHOR EC to mix for structural pests as follows:

A = Volume of water, in gallons, into which the MAXXTHOR EC will be mixed. Express any partial gallons as decimal fractions (1/2 = .5)

B = Fluid ounces (or teaspoons) MAXXTHOR EC per gallon from Mixing Table. Select the desired % concentration based on the site of application and the pest(s) to be controlled. Read across to find amount of MAXXTHOR EC to add per gallon in fluid ounces or teaspoons.

Fluid ounces (or teaspoons) MAXXTHOR EC to mix = A X B

Mix this amount of MAXXTHOR EC in the predetermined amount of water (A). Food utensils such as teaspoons and measuring cups should not be used for food purposes after use with pesticides.

### Pests Controlled

Ants, including Carpenter Ants, Armyworms, Bees, Boxelder Bugs, Centipedes, Chiggers, Chinch Bugs, Clover Mites, Crickets, Cutworms, Dichondra Flea Beetles, Earwigs, Elm Leaf Beetles, European Craneflies, Fleas, Flies, Grasshoppers, Hornets, Millipedes, Mosquitoes, Moths, Roaches, including Cockroaches, Scorpions, Silverfish, Sod Webworms, Sowbugs (Pillbugs), spiders including Black Widow Spiders, Springtails and Wasps.

### Application Methods

Apply MAXXTHOR EC as a solution in the form of a general surface, spot, crack and crevice, pinstream or coarse spray. Do not apply as a space spray. May also be applied with a paintbrush.

### Application Use Rates and Volumes

Use a 0.03% to 0.06% solution of MAXXTHOR EC. Use a spray volume of between 2 and 10 gallons of solution per 1,000 square feet. Higher application volumes may be used if necessary to sufficiently wet vegetation and landscaping with the spray solution.

### Re-Application

Treatments must not be repeated more often than once every 7 days. The best efficacy and longest residual control is achieved when the highest concentration is used.

### Application Locations

The following procedures must be followed to help achieve maximum control of the pest.

Apply spray to the exterior surfaces of structures and to grounds, lawns, landscaping, plants and hard surface areas adjacent to structures. Can also be applied to any areas where pests congregate or have been seen.

Treat non-porous surfaces only in areas protected from rainfall and spray from sprinklers with low volume applications at the rate of one gallon product diluted in water (see above dilution rates) per 1000 square feet.

Applications to vertical exterior surfaces (e.g., foundations) are permitted to a maximum height of 3 feet from ground level. Sections of vertical exterior surfaces that abut non-porous horizontal surfaces can only be treated if either 1) these sections are protected from rainfall and spray from sprinklers or 2) they do not drain into a sewer, storm drain, or curbside gutter (e.g., not to sections that abut driveways or sidewalks that drain into streets).

### Perimeter Band Treatment

To help prevent pest infestation of structures, create a treated zone or band on the structure, soil and vegetation around the entire perimeter of a structure. Apply solution to all surfaces within a band beginning 6 to 10 feet from the exterior foundation of the structure that extends back to the structure and then continues 2 to 3 feet up the exterior surface of the structure from the ground. Application volume will depend upon the nature of the surface being treated. Mulch areas, for example, require more volume and hard surface areas requiring less.

For sections of foundation that abut non-porous horizontal surfaces, the treated areas must be protected from rainfall and spray from sprinklers or they do not drain into a sewer, storm drain, or curbside gutter (e.g., not to sections that abut driveways or sidewalks that drain into streets).

### Control of Specific Structural Pests Outdoors

**Ants (Nuisance ants other than Carpenter Ants) Outdoors:** To achieve the highest level of control, locate and directly treat ant nests. Apply solution to ant trails, around doors and windows and at points where ants can be expected to forage or congregate.

**For Ant Mounds:** Treat mounds and area within a 2 foot radius of the center of the mound with 1-2 gallons of a 0.06% solution. When mounds exceed 12 inches in size use the highest volume of solution. Applications in cool weather (65 to 80 degrees F) or the cooler parts of the day are most effective. Do not apply treatment during the heat of the day.

**Bees, Wasps, Hornets, and Yellow Jackets:** Always use the highest rate. Make application in late evening when insects are at rest at the nest for best results and to avoid stings. Spray nest openings in ground, in bushes and wherever insects may be nesting. Spray to the point of saturation. Spray as many insects as possible. Remove and destroy treated nests to prevent emergence of newly hatched insects.

**Centipedes, Earwigs, Beetles, Millipedes, Pillbugs, Sowbugs:** Thoroughly treat mulch areas. The reduction of moisture in mulch areas may also aid in control of these pests.

**Mosquitoes:** Apply solution to lawns and landscaping, under decks and to building foundations. Refer to *APPLICATIONS FOR ORNAMENTAL PESTS* section for mixing and applying large amounts of solution against mosquitoes.

**Fleas:** Treat the entire area where insects could be present. Begin treatments in the spring. Insects may be re-introduced by host animals in the surrounding area. Retreatment may be necessary to achieve and maintain control during periods of high pest pressure.

## CONTROL OF NUISANCE INSECTS INSIDE BUILDINGS

MAXXTHOR EC can be used indoors to control bees, wasps, hornets and yellow jackets by liberally spraying a 0.06% emulsion in the late evening when insects are at rest into hiding and breeding places, especially under attic rafters, contacting as many insects as possible. Repeat application is necessary only if there are signs of renewed insect activity which is more likely in situations of high initial pest pressure. Repeat application must be limited to no more than once every seven days.

Refer to the *CONTROL OF STRUCTURAL PESTS (OTHER THAN WOOD INFESTING INSECTS) ON AND AROUND BUILDINGS* section of this label for directions on mixing MAXXTHOR EC for these types of applications.

**Important:** Do not apply emulsion until location of heat pipes, ducts, water and sewer lines and electrical conduits are known and identified. Caution must be taken to avoid puncturing and injection into these structural elements. Do not apply into electrical fixtures, switches or sockets.

Remove pets, birds and cover aquariums before spraying. Do not permit humans or pets to contact treated surfaces until the spray has dried.

Wear protective clothing, unvented goggles, gloves and respirator, when applying to overhead areas or in poorly ventilated areas. During any overhead applications to overhead interior areas of structures, cover surfaces below with plastic sheeting or similar materials.

In the home, cover all food handling/processing surfaces and cover or remove all food and cooking utensils, or wash thoroughly after treatment.

For use only in nonfood/feed areas of food/feed handling establishments. Do not use in food/feed areas of food/feed handling establishments, restaurants or other areas where food/feed is commercially prepared or processed. Do not use in serving areas while food is exposed or facility is in operation. Serving areas are areas where prepared foods are served such as dining rooms but excluding areas where food may be prepared or held. Nonfood/feed areas of food/feed areas are 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 (after bottling or canning).

Not for use in Federally inspected meat and poultry plants.

## APPLICATION UNDER SLABS TO CONTROL PESTS

Infestations of pests including ants, cockroaches and scorpions inhabiting areas under slabs may be controlled by drilling and injecting or horizontal rodding and then injecting 1 gallon of a 0.06% to 0.12% emulsion per 10 square feet or 2 gallons of emulsion per 10 linear ft.

## ATTENTION

Use only in well ventilated areas.

Do not apply to pets, crops, sources of electricity or firewood.

During any application to overhead areas of structure, cover surfaces below with plastic sheeting or similar material, except for soil surfaces in crawlspaces.

Do not allow dripping or runoff to occur during indoor applications.

Do not treat areas where food is exposed.

Do not allow spray to contact food, foodstuffs, food contacting surfaces, food utensils or water supplies.

Thoroughly wash dishes and food handling utensils with soap and water if they become contaminated by application of this product.

Do not allow people or pets to touch or walk on treated surfaces until spray has dried.

Do not apply a broadcast application to interior surfaces of homes.

Do not apply in livestock buildings such as barns.

Do not allow spray to drift onto ponds, streams or lakes.

Do not apply in greenhouses or nurseries or by air.

## 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 must be followed carefully. However, because of manner of use and other factors beyond the control of Ensystex IV, Inc., it is impossible for Ensystex IV 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 Ensystex IV harmless for any claims relating to such factors.

**DIECLAIMER OF WARRANTIES:** Seller warrants that this product conforms to the chemical description in 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. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ENSYSTEX IV 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 Ensystex IV, Inc., and buyer assumes the risk of any such use.

**LIMITATIONS OF LIABILITY:** To the extent consistent with applicable law, Ensystex IV 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 ENSYSTEX IV 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 ENSYSTEX IV, 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.

MAXXTHOR is a registered trademark of Ensystex, Inc.

Revised 03/12

# MAXXTHOR® EC

**For use only by individuals/firms licensed or registered by the state to apply termiticide products when applied as a termiticide. States may have more restrictive requirements regarding qualifications of persons using this product. Consult the structural pest control regulatory agency of your state prior to use of this product. For use by pest contol operators or commercial operators to control pests on lawns and ornamental plants.**

| **Active Ingredient:** | By Wt. |
|---|---|
| Bifenthrin*: | 23.4% |
| **Other Ingredients**:** | 76.6% |
| **TOTAL** | 100.0% |

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

** Contains petroleum distillates

Maxxthor EC contains 2 pounds active ingredient per gallon

**EPA Reg. No. 83923-6 EPA Est. 81824-NC-001**

Refer to the label booklet for complete Directions for Use

## KEEP OUT OF REACH OF CHILDREN

## WARNING

THOR®

03/12

***Manufactured by:* ENSYSTEX IV, Inc.**
2713 Breezewood Ave., Fayetteville, NC 28303

**NET CONTENTS: 32 ounces**

## PRECAUTIONARY STATEMENTS

### Hazards to Humans and Domestic Animals

Caution: May be fatal if swallowed. Causes skin irritation and moderate eye irritation. Do not get on skin or on clothing. Avoid breathing vapors or spray mist, and contact with eyes. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking, using tobacco or using the toilet. Remove contaminated clothing and wash contaminated clothing before reuse.

**Personal Protective Equipment:** All pesticide handlers (mixers, loaders and applicators) must wear long-sleeved coveralls worn over a minimum of short-sleeved shirt and short pants, socks, chemical-resistant footwear, chemical-resistant gloves and protective eyewear. After the product is diluted in accordance with label directions for use (or if an in-line injector system is used) shirts, pants, socks, shoes and waterproof gloves are sufficient. All pesticide handlers must wear a respiratory protection device when handling the concentrate or when working in a non-ventilated space (such as a NIOSH approved respirator with any R, P or HE filter or a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any R, P or HE pre-filter). All pesticide handlers must wear protective eyewear, such as goggles, faceshield or safety glasses, when working in a non-ventilated space.

### Environmental Hazards

This pesticide is extremely toxic to fish and aquatic invertebrates. Do not apply when weather conditions favor drift from treated areas. Care should be used when spraying to avoid fish and reptile pets in/around ornamental ponds.

Do not apply this product or allow it to drift to crops or weeds on which bees are actively foraging. Additional information may be obtained from your Cooperative Extension Service.

Do not apply this product or allow it to drift to crops or weeds on which bees are actively foraging. Additional information may be obtained from your Cooperative Extension Service.

To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated areas will help avoid run off to water bodies and drainage systems.

### Physical and Chemical Hazards

Do not use or store near heat or open flame.

Do not apply this product in or on electrical equipment 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. Refer to label pamphlet for complete Directions for Use.

## STORAGE AND DISPOSAL

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

**Pesticide Storage:** If crystals are observed, warm material to above 60°F by placing container in warm location. Shake or roll container periodically to redissolve solids. Do not use external source of heat for warming container.

Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use, replace lids and close tightly. Do not put concentrate or dilute material into food or drink containers. Do not contaminate other pesticides, fertilizers, water, food, or feed by storage or disposal.

**In Case of Spill:** Confine it, avoid contact, isolate area and keep animals and unprotected persons away. If spill is liquid, form dike around spill area and/or absorb spill with absorbent materials, such as sand, cat litter or clay. If spill is dry material, cover to prevent dispersal. Place damaged package in a holding container and identify contents. Contact Ensystex at 1-866-367-8467 or Chemtrec at 1-800-424-9300 for any assistance

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

**Container Disposal:** Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) 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. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Thor and Maxxthor are trademarks of Ensystex IV, Inc.

Maxxthor EC 32 oz. 08/10

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

March 5, 2012

P. Leanne Pruett
Ensystex IV, Inc.
c/o Pyxis Regulatory Consulting, Inc.
4110 136th Street, NW
Gig Harbor, WA 98332

Subject: Amendment – Bifenthrin Task Force Restrictions
Maxxthor EC
EPA Reg. No. 83923-6
Your submission dated October 18, 2011

Dear Ms. Pruett:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable subject to the comments listed below. Two (2) copies of the finished labeling must be submitted prior to releasing the product for shipment. A stamped copy of the label is enclosed for your records.

1. Move the last paragraph in the *Precautionary Statements* starting with "Termite Control Treatment … etc" to the *Directions For Use* section. Also replace "Wash thoroughly with soap and water after handling and before eating, drinking, or using tobacco" with "Wash thoroughly with soap and water after handling and before eating, drinking, using tobacco or using the toilet".

2. Under *Structures with Adjacent Wells/Cisterns and/or Other Water Bodies* replace "Applicators must inspect all structures with nearby water sources such as wells, cisterns, surface ponds, streams, and other bodies of water and evaluate, at a minimum, the treatment recommendations listed below prior to making an application" with "Applicators must inspect all structures with nearby water sources including wells, cisterns, surface ponds, streams, and other bodies of water and evaluate, at a minimum, the treatment listed below prior to making an application".

3. Under *Application To Wood Outdoors To Protect Against Wood Destroying Insects* replace "… attack of wood infesting insects such as termites, Carpenter ants … etc" with "… attack of wood infesting insects including termites, Carpenter ants … etc". Also replace "Locate the cavity that the insects (such as Carpenter ants) … etc" with "Locate the cavity that the insects including Carpenter ants … etc".

4. Under *Application To Control Lawn Pests* make the following revisions:

    a. Replace "MAXXTHOR EC controls a wide range of turfgrass insect and mite pests" with "MAXXTHOR EC controls the listed turfgrass insect and mite pests".
    b. Replace "Permitted sites include but are not limited to lawns, grounds, recreational areas, parks, landscapes and athletic fields" with "Permitted sites include lawns, grounds, recreational areas, parks, landscapes and athletic fields".
    c. Replace "To maximize efficacy against sub-surface pests such as mole crickets or chinch bug … etc" with "To maximize efficacy against sub-surface pests including mole crickets or chinch bug … etc".
    d. Replace "Recommended rates for specific pests within this range are given below" with "Specific rates for listed pests within this range are given below".
    e. Replace "The addition of a non-ionic or silicone based surfactant (0.25% v/v) is also recommended when making a minimal volume application" with "Add a non-ionic or silicone based surfactant (0.25% v/v) when making a minimal volume application".
    f. Replace the heading "Application Recommendations Against Specific Lawn Pests" with "Application Instructions Against Specific Lawn Pests".

5. Under *Application To Control Ornamental Pests* make the following revisions:

    a. Replace "For use on ornamental plants including but not limited to trees, shrubs … etc" with "For use on ornamental plants including trees, shrubs … etc".
    b. Replace "Recommended ornamental application use rates, based on the target pest … etc" with "Specific ornamental application use rates, based on the target pest … etc".
    c. Replace "Recommended rates for specific pests within this range are below" with "Rates for specific pests within this range are below".
    d. Replace "Application Recommendations Against Specific Ornamental Pests" with "Application Against Specific Ornamental Pests".
    e. On the table for other boring insects replace "Recommended Dilution Rate (Range)" with "Dilution Rate (Range)".

6. Under *Control Of Structural Pests (Other Than Wood Infesting Insects) On And Around Buildings* make the following revisions:

    a. Replace "MAXXTHOR EC controls a wide range of structural pests … etc" with "MAXXTHOR EC controls the listed structural pests … etc".
    b. Replace "Permitted sites include but are not limited to the exterior of homes … etc" with "Permitted sites include the exterior of homes … etc".
    c. Replace "Treatments should not be repeated more often than once every 7 days" with "Treatments must not be repeated more often than once every 7 days".
    d. Replace "Repeat application should be limited to no more than once every seven days" with "Repeat application must be limited to no more than once every seven days"

7. Under *Application Under Slabs To Control Pests* replace "Infestations of pests such as ants, cockroaches … etc" with "Infestations of pests including ants, cockroaches … etc"

If you have any questions regarding this action, please contact BeWanda Alexander at Alexander.bewanda@epa.gov or (703) 305-7460.

Sincerely,

BeWanda Alexander for

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

Enclosure

ACCEPTED
with COMMENTS
In EPA Letter Dated
MAR 5 2012
Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No. 83923-6

# MAXXTHOR EC

**For use only by individuals/firms licensed or registered by the state to apply termiticide products when applied as a termiticide. States may have more restrictive requirements regarding qualifications of persons using this product. Consult the structural pest control regulatory agency of your state prior to use of this product. For use by pest control operators or commercial operators to control pests on lawns and ornamental plants.**

| **Active Ingredient:** | **By Wt.** |
|---|---|
| Bifenthrin* | 23.4% |
| **Other Ingredients**:** | 76.6% |
| **TOTAL:** | 100.0% |

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

**Contains petroleum distillates

MAXXTHOR EC contains 2 pounds active ingredient per gallon.

**EPA Reg. No. 83923-6 EPA Est. 81824-NC-001**

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

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

**For product use information call 1-866-FOR-THOR (367-8467).**

## KEEP OUT OF REACH OF CHILDREN

# WARNING

***ENSYSTEX IV, Inc.***

Fayetteville, NC 28303

**Net Contents: As marked on container**

| FIRST AID | |
|---|---|
| **If swallowed** | • Immediately call a poison control center or doctor.<br>• Do not induce vomiting unless told to do so by a poison control center or doctor.<br>• Do not give any liquid to the person.<br>• Do not give anything by mouth to an unconscious person. |
| **If inhaled** | • Move person to fresh air.<br>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.<br>• Call a poison control center or doctor for further treatment advice. |
| **If on skin or clothing** | • Take off contaminated clothing.<br>• Rinse skin immediately with plenty of water for 15 to 20 minutes.<br>• 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.<br>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.<br>• Call a poison control center or doctor for treatment advice. |
| **HOTLINE NUMBER** | |
| Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also call 1-800-369-4352 for emergency medical treatment information. | |
| **NOTE TO PHYSICIAN** | |
| This product is a pyrethroid. This product also contains aromatic hydrocarbons. Because of the risk of hydrocarbon pneumonitis if even tiny amounts are aspirated into the lung during emesis, consideration should be given to gastric lavage with endotracheal tube in place. Treatment is symptomatic and supportive. Animal and vegetable fats, milk, cream and alcohol may increase absorption and should not be administered. | |

## PRECAUTIONARY STATEMENTS

### Hazards to Humans and Domestic Animals

May be fatal if swallowed. Causes skin irritation and moderate eye irritation. Do not get on skin or on clothing. Avoid breathing vapors or spray mist, and contact with eyes. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Remove contaminated clothing and wash contaminated clothing before reuse.

**Personal Protective Equipment:** All pesticide handlers (mixers, loaders and applicators) must wear long-sleeved coveralls worn over a minimum of short-sleeved shirt and short pants, socks, chemical-resistant footwear, chemical-resistant gloves and protective eyewear. After the product is diluted in accordance with label directions for use (or if an in-line injector system is used) shirts, pants, socks, shoes and waterproof gloves are sufficient. All pesticide handlers must wear a respiratory protection device when handling the concentrate or when working in a non-ventilated space (such as a NIOSH approved respirator with any R, P or HE filter or a NIOSH approved respirator with an organic vapor (OV)

cartridge or canister with any R, P or HE pre-filter). All pesticide handlers must wear protective eyewear, such as goggles, faceshield or safety glasses, when working in a non-ventilated space or when applying as a termiticide by rodding or sub-slab injection.

**Termite Control Treatment:** When treating adjacent to an existing structure, the applicator must check the area to be treated and immediately adjacent areas of the structure for visible and accessible cracks and holes to prevent any leaks or significant exposures to persons occupying the structure. People present or residing in the structure during application must be advised to remove their pets and themselves from the structure if they see any signs of leakage. After application, the applicator is required to check for leaks. All leaks resulting in the deposition of termiticide in locations other than those prescribed on this label must be cleaned up prior to leaving the application site. Do not allow people or pets to contact contaminated areas or to reoccupy contaminated areas of the structure until the clean-up is completed.

## Environmental Hazards

This pesticide is extremely toxic to fish and aquatic invertebrates. Do not apply when weather conditions favor drift from treated areas. Care should be used when spraying to avoid fish and reptile pets in/around ornamental ponds.

Do not apply this product or allow it to drift to crops or weeds on which bees are actively foraging. Additional information may be obtained from your Cooperative Extension Service.

To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies and drainage systems.

## Physical and Chemical Hazards

Do not use or store near heat or open flame.

Do not apply this product in or on electrical equipment 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.

Do not water the treated area to the point of run-off.

Do not make applications during rain.

Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during application.

**Additional Application Restrictions for Pre-Construction Termiticide Applications:**

The treatment site must be covered prior to a rain event in order to prevent run-off of the pesticide into non-target areas.

The applicator must either cover the soil him/herself or provide written notification of the above requirement to the contractor on site and to the person commissioning the application (if different from the contractor). If notice is provided to the contractor or the person commissioning the application, then they are responsible under FIFRA to ensure that: 1) if the concrete slab cannot be poured over the treated soil within 24 hours of application the treated soil is covered with a waterproof covering (such as polyethylene sheeting), and 2) the treated soil is covered if precipitation is predicted to occur before the concrete slab is scheduled to be poured.

Do not treat soil that is water-saturated or frozen.

Do not treat when raining.

Do not allow treatment to run off from the target area.

Do not apply within 10 feet of storm drains. Do not apply within 25 feet of aquatic habitats (such as, but not limited to, lakes; reservoirs; rivers; permanent streams; marshes or ponds; estuaries; and commercial fish farm ponds).

Do not make on-grade applications when sustained wind sweeps are above 10 mph (at application site) at nozzle end height.

**Additional Application Restrictions for Residential Outdoor Surface and Space Sprays:**

All outdoor applications must be limited to spot or crack-and-crevice treatments only, except for the following permitted uses:

(1) Treatment to soil or vegetation around structures;

(2) Applications to lawns, turf, and other vegetation;

(3) Applications to building foundations, up to a maximum height of 3 feet.

Other than applications to building foundations, all outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches and structural surfaces (such as windows, doors and eaves) are limited to spot and crack-and-crevice applications only.

## STORAGE AND DISPOSAL

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

**Pesticide Storage:** If crystals are observed, warm material to above 60°F by placing container in warm location. Shake or roll container periodically to redissolve solids. Do not use external source of heat for warming container.

Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use, replace lids and close tightly. Do not put concentrate or dilute material into food or drink containers. Do not contaminate other pesticides, fertilizers, water, food, or feed by storage or disposal.

**In Case of Spill:** Confine it, avoid contact, isolate area and keep animals and unprotected persons away. If spill is liquid, form dike around spill area and/or absorb spill with absorbent materials, such as sand, cat litter or clay. If spill is dry material, cover to prevent dispersal. Place damaged package in a holding container and identify contents. Contact Ensystex at 1-866-367-8467 or Chemtrec at 1-800-424-9300 for any assistance

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

**Container Disposal:** Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) 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. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

## APPLICATION FOR CONTROL OF SUBTERRANEAN TERMITES

### General

MAXXTHOR EC, in the form of a dilute insecticidal solution, prevents and controls subterranean termite infestations in and around structures and other items by creating a continuous chemically treated zone (horizontal and/or vertical as needed) between the wood and other cellulose material in the structure and termite colonies in the soil. In order to establish a barrier between the wood in the structure and the termites in the soil, adequately disperse the solution of this product in the soil.

To effectively control termites with this product, the service technician should be familiar with current termite control practices including trenching, rodding, sub-slab and void injection, soil surface fan spraying, excavated soil treatment and brush, spray and injection applications to wood. Correct use of these techniques is necessary to effectively control infestations by subterranean termites such as *Coptotermes, Heterotermes, Reticulitermes* and *Zootermopsis.* The service technician should consider the biology and behavior of the termite specie(s) to be controlled to determine which control practices to use.

Treatment standards and procedures for subterranean termite control may vary due to regulations, water table level, structure design, soil types, construction practices and other factors. For advice concerning current control practices with respect to specific local conditions, consult resources in structural pest control and state cooperative extension and regulatory agencies. Follow all federal, state and local regulations and treatment standards for protection of a structure from subterranean termites.

Effective termite control may also include mechanical alteration 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 is advised. Removal of non-essential cellulose containing materials that are in contact with the ground under or around the structure can reduce termite foraging in the area. When untreated wooden parts of the structure touch the ground and such contact cannot be broken, creating a barrier between the soil and such components using a solution of the product may protect the components and the structure against termite attack.

MAXXTHOR EC is labeled for use against subterranean termites as a 0.06% or 0.12% solution in water, however the 0.06% finished solution should be used for typical control situations. When difficult or problem soils or construction types are encountered, it may be necessary to use 0.12% MAXXTHOR EC mixed in reduced volumes of water.

Avoid contamination of water supplies due to backflow under reduced water system pressure by using anti-backflow equipment or procedures to prevent siphoning of any solution back into a water supply. Do not contaminate cisterns or wells. Do not treat soil that is water saturated or frozen. Do not treat while precipitation is occurring. Do not apply solution to an area or site if the soil at the area or site is in such a state or condition that runoff or movement of the solution from the treated area or site is likely to occur. Consult state and local specifications for recommended distances of wells from treated areas, or if such regulations do not exist, refer to Federal Housing Administration Specifications (H.U.D.) for guidance.

For the purposes of this label and its directions, crawl spaces are to be considered to be inside of the structure. Critical areas include areas where the foundation is penetrated by utility services, cracks and expansion joints, bath traps and areas where construction elements such as stairs, patios and slab additions abut the foundation.

### Mixing Directions For MAXXTHOR EC For Use As A Termiticide

Mix MAXXTHOR EC for use as a termiticide in the following manner:

1. Fill tank 1/4 to 1/3 full.
2. Start pump to begin by-pass agitation and place end of treating tool in tank to allow circulation through hose.
3. Add appropriate amount of MAXXTHOR EC.
4. Add remaining amount of water.
5. Let pump run and allow recirculation through the hose for 2 to 3 minutes.

MAXXTHOR EC may also be mixed into full tanks of water, but substantial agitation is required to ensure uniformity of the solution.

### Dilution of MAXXTHOR EC for Use as a Termiticide

For termite control, use rates for MAXXTHOR EC are expressed and the solution is mixed according to the percentage (%) concentration it forms when mixed in water. Use the mixing table or alternately the formulas below to determine the amount of MAXXTHOR EC to add to any quantity of water.

To prepare a 0.06% water solution, ready to use, dilute 1 quart of MAXXTHOR EC with 99.75 gallons of water. To prepare a 0.12% water solution, ready to use, dilute 2 quarts of MAXXTHOR EC with 99.5 gallons of water.

**Mixing Table for MAXXTHOR EC for Use as a Termiticide**

| Solution Percentage Concentration Desired | Gallons of Finished Solution Desired | Amount of MAXXTHOR EC to add | Water to mix with MAXXTHOR EC |
|---|---|---|---|
| 0.06% | 1 | 0.32 oz | 127.68 oz |
| | 5 | 1.60 oz | 4.99 gallons |
| | 10 | 3.2 oz | 9.975 gallons |
| | 25 | 8.0 oz. | 24.94 gallons |
| | 50 | 0.50 quart | 49.875 gallons |
| | 75 | 0.75 quart | 74.8125 gallons |
| | 100 | 1.00 quart | 99.75 gallons |
| | 150 | 1.50 quart | 149.62 gallons |
| | 200 | 2.00 quart | 199.5 gallons |
| 0.12%* | 1 | 0.64 oz | 127.36 oz |
| | 5 | 3.2 oz | 4.975 gallons |
| | 10 | 6.4 oz. | 9.95 gallons |
| | 25 | 0.5 quart | 24.875 gallons |
| | 50 | 1.0 quart | 49.75 gallons |
| | 75 | 1.5 quart | 74.625 gallons |
| | 100 | 2.0 quart | 99.5 gallons |
| | 150 | 3.0 quart | 149.25 gallons |
| | 200 | 1 gallon | 199.0 gallons |

*Only use the 0.12% rate in accordance with the *Adjustments to Application Volume* section. May also be used in accordance with the *FOAM APPLICATION* and *APPLICATIONS TO PROTECT UNDERGROUND ITEMS FROM TERMITE ATTACK* sections.

### Calculating an Amount of MAXXTHOR EC to Mix

To mix any amount of MAXXTHOR EC for termite control, determine:

A = Units of water into which the MAXXTHOR EC will be mixed. Express any partial units as decimal fractions (1/2 = .5). Any unit of measure, such as gallons or quarts, can be used for A. Answers to equations below are in same units as A.

MAXXTHOR EC to add to A for 0.06% = A / 399

MAXXTHOR EC to add to A for 0.12% = A / 199.5

To convert gallons to fluid ounces, multiply number of gallons X 128

128 fluid ounces = 16 cups = 8 pints = 4 quarts = 1 gallon

32 fluid ounces = 1 quart

### Application Volume

To provide maximum control and protection against termite infestation, apply the specified volume of the finished water solution containing the specified amount of MAXXTHOR EC as set out below or as otherwise directed in this label.

**Prescribed Horizontal Barrier Rate:** Unless otherwise directed, horizontal barriers are created by applying a 0.06% solution at a rate of one gallon of solution per 10 square feet. (One gallon of 0.06% solution contains 0.32 fluid ounce of MAXXTHOR EC.)

**Prescribed Vertical Barrier Rate:** Unless otherwise directed, vertical barriers are created by applying a 0.06% solution at a rate of four gallons of solution per 10 linear feet per foot of depth. (Four gallons of 0.06% solution contains 1.28 fluid ounces of MAXXTHOR EC.)

### Adjustments to Application Volume

If soil will not accept the labeled application volumes, the volume may be reduced provided there is a corresponding increase in concentration so that the amount of active ingredient applied to the soil remains the same.

Note: Large reductions of application volume reduce the likelihood of obtaining a continuous barrier. Variance is allowed when volume and concentration are consistent with label directed rates and a continuous barrier can still be achieved. When volume is reduced, the spacing of holes created for sub slab injection and soil rodding may need to be reduced to account for decreased dispersion of the solution in the soil.

For example, adjust the amount of solution applied to deliver a horizontal barrier of 10 square feet from 1 gallon to as low as 0.5 gallons and as high as 2 gallons while maintaining the amount of MAXXTHOR EC (.32 fluid ounce) applied per 10 square feet.

For example, adjust the amount of solution applied to deliver a vertical barrier 10 feet long by one foot deep from 4 gallons to as low as 2 gallons and as high as 8 gallons while maintaining the amount of MAXXTHOR EC (1.28 fluid ounces) applied per 10 linear feet.

## PRE-CONSTRUCTION TREATMENT

### All Structures

**Pre-construction treatment: Do not apply at a lower dosage and/or concentration than specified on this label for applications prior to the installation of the finished grade.**

Prior to each application, applicators must notify the general contractor, construction superintendent, or similar responsible party, of the intended termiticide application and intended sites of application and instruct the responsible person to notify construction workers and other individuals to leave the area to be treated during application and until the termiticide is absorbed into the soil.

Effective control of subterranean termites can be accomplished during construction by using a 0.06% solution of MAXXTHOR EC to establish vertical and/or horizontal barriers between the structure and the soil as directed. Applications should be made as a coarse low pressure spray (less than 50 psi). To meet current termite proofing requirements, follow the procedures in the latest edition of the Housing and Urban Development Minimum Property Standards.

### Horizontal Barriers Under Slabs on Ground Including Basements

Create a horizontal barrier on the entire surface of soil or substrate that will be covered by a slab, including, but not limited to, slab floors, footing trenches, garages, carports, basements, porches and entrance platforms by treating the soil or substrate with the solution at the Prescribed Horizontal Barrier Rate.

If the fill under the slab is a coarse material such as washed gravel, apply at 1.5 times the Prescribed Horizontal Barrier Rate to make sure that a sufficient enough amount of dilution is applied that the solution reaches the soil beneath the fill.

Apply solution using a coarse spray nozzle. If the slab over the treated area will not be poured on the same day as the application (and there are no foundation walls in place around the treated soil) cover treated soil with a water-proof barrier such as polyethylene sheeting.

### Vertical Barriers

Create a vertical barrier along the inside and outside of foundation walls, around piers, plumbing and utility service entrances and other points of possible future termite access and entry by treating the soil at these points at the Prescribed Vertical Barrier Rate. When trenching and rodding into the trench, or trenching alone, it is important that the solution reaches the top of the footing. Rod holes must be spaced so as to achieve a continuous termiticidal barrier, but they should in no case be more than 12 inches apart. Trenches need not be wider than 6 inches. Mix the solution into the soil

as it is being replaced in the trench. Care should be taken to avoid washing soil out from around footings thereby undermining the stability of the structure. An inside vertical barrier may not be required for a monolithic slab.

When treating foundations deeper than 4 feet, apply the termiticide as the backfill is being replaced, or if the construction contractor fails to notify the applicator in time to permit this, treat the foundation to a minimum depth of 4 feet after the backfill has been installed. The applicator must trench and rod into the trench or trench along the foundation walls and around pillars and other foundation elements, at the rate prescribed from grade to a minimum depth of 4 feet. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. However, in no case should a structure be treated below the footing.

### Hollow Block Foundations and Voids

Hollow block foundations and voids may be treated at a rate of 2 gallons of solution per 10 linear feet to create a continuous treated zone within the voids at the footing.

## POST CONSTRUCTION TREATMENT

### All Structures

Post construction soil applications shall be made by injection, rodding, trenching or coarse fan spray with pressures not exceeding 25 p. s. i. at the nozzle. Care should be taken to avoid washing soil out from around footings thereby undermining the stability of the structure.

Do not apply treatment until the identity and location of all wells, radiant heat pipes, water and sewer lines, electrical conduits and sub-slab heating and air conditioning ducts is established. Caution must be taken to avoid puncturing these elements and/or injecting solution into them. All holes in commonly occupied areas into which material has been applied must be plugged. Plugs must be of a non-cellulose material or covered by an impervious, non-cellulose material.

**Vertical Barrier Depth:** For applications made after the final grade is installed, the applicator must trench and rod into the trench or trench along the foundation walls and around pillars and other foundation elements and treat at the rate prescribed from grade to the top of the footing. When the footing is more than four (4) feet below grade, the applicator must trench and rod into the trench or trench along the foundation walls and treat at the rate prescribed to a minimum depth of four feet. The actual depth of treatment will vary depending on the soil type, degree of compaction, and location of termite activity. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. However, in no case should a structure be treated below the footing.

### Structures Containing Concrete Slabs on Ground (Monolithic/Floating/Supported) including Basements

To make an application beneath existing slabs, it may be necessary to drill holes in the slab or adjacent foundation and to apply solution. Holes should be spaced such that when treatment is applied through them, a continuous treated zone is applied beneath the slab.

**Vertical Barriers Along Exterior of Foundation Walls:** Trench and rod into the trench or trench along the outside of foundation walls and treat at the Prescribed Vertical Barrier Rate to the depth specified under Vertical Barrier Depth. Where physical obstructions such as concrete walkways adjacent to foundation elements or soil type and/or conditions make trenching prohibitive, treatment may be made by rodding alone.

**Vertical Barriers Along Interior of Foundation Walls:** Vertical barriers may be established on the interior side of foundation walls by sub-slab injection of the solution at the Prescribed Vertical Barrier Rate. Injection openings can be drilled either vertically through the slab along the interior of the foundation wall or horizontally from the exterior through the foundation wall low enough on the wall to allow for the deposition of the solution beneath the slab along the interior side of the foundation wall. Drill holes should be spaced so as to achieve a continuous chemical barrier but in no case farther apart than 12 inches. Special care must be taken to distribute the solution evenly. Vertical barriers may also be established beneath the slab along both sides of interior footing-supported walls, one side of interior partitions and along all cracks and expansion joints and utility service entrances and bath traps.

**Horizontal Barriers Beneath Slabs on Ground:** Create a horizontal barrier by treating at the Prescribed Horizontal Barrier Rate beneath slabs by either drilling and long rodding from the exterior or by grid pattern drilling and injection vertically through the slab. Long rodding should be used only when grid pattern drilling and injection and horizontal short rodding and injection cannot be used to deliver the sub slab treatment.

**Bath Traps:** Exposed soil beneath and around areas where plumbing and utility services penetrate the slab should be treated at the rate of 1 gallon of solution per square foot of soil.

### Structures Containing Accessible Crawl Spaces

For crawl spaces, apply vertical termiticide barriers at the rate of 4 gallons of solution per 10 linear feet per foot of depth from grade to the top of the footing, or if the footing is more than 4 feet below grade, to a minimum depth of 4 feet. Apply by trenching and rodding into the trench, or trenching. Treat both sides of foundation and around all piers and pipes. Where physical obstructions such as concrete walkways adjacent to foundation elements prevent trenching, treatment may be made by rodding alone. When soil type and/or conditions make trenching prohibitive, rodding may be used. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed

the bottom of the footing. Read and follow the mixing and use direction section of the label if situations are encountered where the soil will not accept the full application volume.

1. Rod holes and trenches must not extend below the bottom of the footing.
2. Rod holes must be spaced so as to achieve a continuous termiticide barrier but in no case more than 12 inches apart.
3. Trenches must be a minimum of 6 inches deep or to the bottom of the footing, whichever is less, and need not be wider than 6 inches. When trenching in sloping (tiered) soil, the trench must be stepped to ensure adequate distribution and to prevent termiticide from running off. The solution must be mixed with the soil as it is replaced in the trench.
4. When treating plenums or crawl spaces, turn off the air circulation system of the structure until application has been completed and all solution has been absorbed by the soil.

### Structures Containing Inaccessible Crawl Spaces

For inaccessible interior areas, such as areas where there is insufficient clearance between floor joists and ground surfaces to allow operator access, excavate, if possible, and treat according to the instructions for accessible crawl spaces. Otherwise, apply one, or a combination of the following two methods.

1. To establish a horizontal barrier, apply to the soil surface, 1 gallon of solution per 10 square feet overall using a nozzle pressure of less than 25 p.s.i. and a coarse application nozzle (e.g., Delavan Type RD Raindrop, RD-7 or larger, or Spraying Systems Co. 8010LP TeeJet or comparable nozzle). For an area that cannot be reached with the application wand, use one or more extension rods to make the application to the soil. Do not broadcast or power spray with higher pressures.
2. To establish a horizontal barrier, drill through the foundation wall or through the floor above and treat the soil perimeter at a rate of 1 gallon of solution per 10 square feet. Drill spacing must be at intervals not to exceed 16 inches. Many states have smaller intervals, so check state regulations which may apply.

When treating plenums or crawl spaces, turn off the air circulation system of the structure until application has been completed and all termiticide has been absorbed by the soil.

### Masonry Voids

Drill and treat voids in multiple masonry elements of the structure extending from the structure to the soil in order to create a continuous treatment barrier in the area to be treated. Apply at the rate of 2 gallons of solution per 10 linear feet of footing using a nozzle pressure of less than 25 p.s.i. When using this treatment access holes must be drilled below the sill plate and should be as close as possible to the footing as is practical. Treatment of voids in block or rubble foundation walls must be closely monitored: Applicators must inspect areas of possible runoff as a precaution against application leakage in the treated areas. Some areas may not be treatable or may require mechanical alteration prior to treatment.

All leaks resulting in the deposition of termiticide in locations other than those prescribed on this label must be cleaned up prior to leaving the application site. Do not allow people or pets to contact contaminated areas or to reoccupy the contaminated areas of the structure until the clean-up is completed.

Note: When drilling veneer walls, care should be taken to not drill beyond the depth of the void behind the veneer into another construction layer behind the veneer. It is however permissible to drill through the veneer and into concrete blocks behind the veneer and to treat the veneer and the concrete blocks at the same time.

Note: Not for use in voids insulated with rigid foam.

## TREATMENT OF STRUCTURES WITH WELLS AND CISTERNS

Do not contaminate wells or cisterns.

### Structures with Wells/Cisterns Inside Foundations

Structures that contain wells or cisterns within the foundation of a structure can only be treated using the following techniques:

1. Do not treat soil while it is beneath or within the foundation or along the exterior perimeter of a structure that contains a well or cistern. The treated backfill method must be used if soil is removed and treated outside/away from the foundation. The treated backfill technique is described as follows:

a. Trench and remove soil to be treated onto heavy plastic sheeting or similar material or into a wheelbarrow.

b. Treat the soil at the rate of 4 gallons of dilute solution per 10 linear feet per foot of depth of the trench, or 1 gallon per 1.0 cubic feet of soil. See *Mixing Directions for MAXXTHOR EC for Use as a Termiticide* section of the label. Mix thoroughly into the soil taking care to contain the liquid and prevent runoff or spillage.

c. After the treated soil has absorbed the solution, replace the soil into the trench.

2. Treat infested and/or damaged wood in place using an injection technique such as described in the *APPLICATION TO WOOD INDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS* or *APPLICATION TO WOOD OUTDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS* sections of this label.

### Structures with Adjacent Wells/Cisterns an d/or Other Water Bodies

Applicators must inspect all structures with nearby water sources such as wells, cisterns, surface ponds, streams, and other bodies of water and evaluate, at a minimum, the treatment recommendations listed below prior to making an application.

1. Prior to treatment, if feasible, expose the water pipe(s) coming from a well to the structure, if the pipe(s) enter the structure within 3 feet of grade.
2. Prior to treatment, applicators are advised to take precautions to limit the risk of applying the termiticide into subsurface drains that could empty into any bodies of water. These precautions include evaluating whether application of the termiticide to the top of the footer may result in contamination of the subsurface drain. Factors such as depth to the drain system and soil type and degree of compaction should be taken into account in determining the depth of treatment.
3. When appropriate (for example, on the water side of the structure), the treated backfill technique (described above) can also be used to minimize offsite movement of termiticide.

## FOAM APPLICATION

MAXXTHOR EC, in the form of a foam, can be used to deliver MAXXTHOR EC as a termiticide any time it appears likely this form of delivery will improve the dispersal of MAXXTHOR EC into and within the intended target area. Foam can be particularly useful to deliver MAXXTHOR EC where it either cannot be depended upon to be delivered as just a solution or due to a need to reduce the amount of water used in order to avoid water damage to the target or adjacent areas. In some situations, for example under some slabs, a solution cannot be depended upon to disperse as completely as a foam because of deflection of the liquid stream or some other structural obstacle or defect.

Depending on the circumstances, foam applications of MAXXTHOR EC may be used alone or in combination with liquid solution applications, provided that the cumulative amount of active ingredient per unit of area applied is equivalent to that which would be contained in a 0.06% solution-only application applied to the same area. Mix and apply foam and or foam/liquid emulsion in combination such that at least 1.28 ounces of MAXXTHOR EC concentrate is applied per 10 linear feet when creating vertical barriers or 0.32 ounces of MAXXTHOR EC concentrate is applied per 10 square feet when creating horizontal barriers. Typically, at least 75% of the labeled liquid emulsion volume of product should be applied as a liquid, with the remaining percent delivered as a foam. Foam may be used alone in difficult situations.

Using foam generating equipment, a solution of MAXXTHOR EC, ranging in concentration from 0.06% to 0.12%, may be converted into a foam 2 to 40 times the volume of its liquid equivalent according to the foaming agent and foaming equipment manufacturer's recommendations.

First, form a solution of MAXXTHOR EC of the appropriate percentage concentration and volume. Then add the recommended volume of a foaming agent. Verify that the foaming agent is compatible with MAXXTHOR EC.

Applications may be made behind veneers, piers, chimney bases, into rubble foundations, into block voids, structural voids or other similar voids, under slabs, stoops, porches or to the soil in crawlspaces.

## RETREATMENT

Retreatments for subterranean termites can only be performed if there is clear evidence of reinfestation or disruption of the barrier due to construction, excavation or landscaping and/or evidence of the breakdown of the termiticide barrier in the soil. These vulnerable or reinfested areas may be retreated in accordance with application techniques described in this product's labeling. The timing and type of these retreatments will vary, depending on factors such as termite pressure, soil types, soil conditions and other factors which may reduce the effectiveness of the barrier.

Annual retreatment of the structure is prohibited unless there is clear evidence that reinfestation or barrier disruption has occurred.

## APPLICATION IN CONJUNCTION WITH TERMITE BAITS

Spot only applications of MAXXTHOR EC can be used as a supplement to termite baiting systems. For the purposes of this section, spot only applications are defined as the use of MAXXTHOR EC according to any of the permitted and applicable post-treatment application techniques contained in this label, alone or in combination, to the extent needed or deemed necessary or useful as an adjunct to a termite bait product labeled as a stand alone protection against termite attack. Stand alone termite bait product is defined as a termite bait product that provides sufficient structural protection when applied without other termite control products.

## APPLICATION TO PROTECT UNDERGROUND ITEMS FROM SUBTERRANEAN TERMITE ATTACK

To protect components installed underground such as wires, conduits, cables and pipes buried in soil against termite attack, create an envelope of MAXXTHOR EC treated soil around the components along the entire underground length of the component. First, treat soil through which components will be run with 0.06% to 0.12% solution of MAXXTHOR EC at a rate of 2 gallons of solution per 10 linear feet. Install components, laying them on the treated soil. Cover components with untreated soil and then treat this covering soil using the same percent solution at 2 gallons of solution per 10 linear feet.

Underground components to be protected may be located within the foundation of a structure or outside of a structure such as within a utility right of way, for example. Do not treat items that are electrically energized at the time of application.

If the soil will not absorb the indicated amount of solution, as little as 1 gallon of 0.12% solution per 10 linear feet can be used. Treat points where services emerge from the ground at a rate of 1 to 2 gallons of solution at the point of emergence.

## APPLICATIONS TO PROTECT POLES, POSTS AND OTHER WOODEN ITEMS FROM SUBTERRANEAN TERMITE ATTACK

MAXXTHOR EC can be used to protect the below ground portions of wooden structural components from termites. Form a treated zone around components below ground by vertically rodding the soil around their perimeter to a depth of six inches below their maximum depth of placement in the soil and applying a 0.06% solution of MAXXTHOR EC at a rate of 0.4 gallons of solution per linear foot of perimeter around the component per foot of treated depth. Measure the perimeter of the component six inches from the outside of the component.

# APPLICATIONS TO CONTROL WOOD INFESTING INSECTS

Mix and dilute MAXXTHOR EC according to the instructions contained in the *APPLICATION FOR CONTROL OF SUBTERRANEAN TERMITES* section.

## APPLICATIONS TO CONTROL EXPOSED WOOD INFESTING INSECTS LOCATED ABOVE GROUND

MAXXTHOR EC can be applied above ground as a non-soil treatment to control and kill exposed worker and winged reproductive (swarmer) termites and Carpenter ants. This type of application is only supplementary to and should not be considered as a replacement for soil treatment in the case of termite infestation.

Apply a 0.06% solution as a general fan spray within attics, crawl spaces, unfinished basements and other void areas where termites have been found. Apply treatment directly to swarming termites and areas where they congregate.

## APPLICATIONS TO TERMITE CARTON NESTS LOCATED IN ABOVE GROUND WALL VOIDS

Apply a 0.06% solution of MAXXTHOR EC directly into above ground termite carton nests including nests located in wall voids using a directional injector. Apply as a solution or foam under pressure to distribute solution thoroughly throughout the nest. It may be necessary to inject solution at one or more points and at varying depths within the nest to adequately distribute solution within the interior of the nest.

## APPLICATION TO WOOD INDOORS TO PROTECT AGAINST WOOD INFESTING INSECTS

A 0.06% solution of MAXXTHOR EC applied as a liquid or foam to wooden structural components within structures can be used to protect them against attack from wood infesting insects such as termites, Carpenter ants and wood boring beetles or borers. This type of application is only supplementary to and should not be considered a replacement for soil treatment in the case of termite infestation.

Apply solution as a general fan spray onto the surface of the wood or inject solution under pressure into the wood as a liquid or foam. Inject by either injecting solution through a directional injector directly into existing voids and galleries or by drilling wood to form treatment channels through which the solution can be injected into the insect galleries. Multiple treatment channels of varying depth may need to be drilled to adequately distribute the solution within the wood interior. Application can also be made with a paintbrush.

Before application, locate heat pipes, ducts, water and sewer lines and electrical conduits. Take precautions to avoid puncturing and/or injecting solution into these items. Do not apply solution inside of electrified enclosures, switches or sockets.

Plastic sheeting must be placed below any indoor overhead surfaces being treated that are located anywhere except within a soil-based crawl space. Wear protective clothing, unvented goggles, gloves and respirator when making an overhead application or when applying in poorly ventilated indoor areas. Do not touch surfaces until spray has dried.

When treating in home food preparation and storage areas, cover all food preparation surfaces and utensils prior to beginning treatment. Surfaces or items that cannot be covered or removed should be thoroughly washed after treatment and before use. Food that cannot be covered should be removed. Before application, remove pets, birds and cover and disconnect aquariums. Do not allow humans and pets to touch treated surfaces until they have dried.

## APPLICATION TO WOOD OUTDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS

### On and around structures

A 0.06% solution of MAXXTHOR EC applied as a liquid or foam to exterior structural components can be used to protect them from the attack of wood infesting insects such as termites, Carpenter ants and wood boring beetles or borers. Apply solution by general fan spray to the point of runoff onto the surface of the wood or inject solution under pressure into the

wood as a liquid or foam. Inject by either injecting solution directly into existing voids and galleries or drilling wood to form treatment channels through which the solution can be injected into the insect galleries. Multiple treatment channels of varying depth may need to be drilled to adequately distribute the solution within the wood interior. Application can also be made with a paintbrush.

To control Carpenter ants, also apply solution around doors and windows and other areas Carpenter ants have been observed or can be expected to forage.

### Within wooden components and trees

Locate the cavity that the insects (such as Carpenter ants) are inhabiting, drilling to find the interior infested cavity if necessary. Inject a 0.06% solution of MAXXTHOR EC into the cavity as a solution or foam. Apply a sufficient volume of solution to completely flood or fill the cavity. Drill injection channels if necessary.

## APPLICATION TO CONTROL LAWN PESTS

MAXXTHOR EC controls a wide range of turfgrass insect and mite pests. MAXXTHOR EC is not for use on turfgrass being grown for sale, for commercial seed production, for other commercial use or for research.

### Application Sites

For use on any type of landscape or recreational turfgrass in any type of setting or at any type of site except as otherwise prohibited. Permitted sites include but are not limited to lawns, grounds, recreational areas, parks, landscapes and athletic fields. **New York State only: Do not apply MAXXTHOR EC containing solutions to grass or turf within 100 feet of a body of water (lake, pond, river, stream, wetland or drainage ditch).**

### Application Precautions and Preparations

Keep children and pets off treated areas until spray has dried.

If necessary, test the effects of applications of different rates and volumes of mixed solution on a small patch of a type of grass (with observations over one week to detect the occurrence of negative effects) before application of solutions to large areas of that type of grass.

MAXXTHOR EC can be mixed with other pesticides, including insect growth regulators. Follow the label directions of all the products mixed, making sure not to exceed the labeled application rate of any individual product in the mixture. Any tank mixture that has not been tested before should be tested before full scale use by first mixing a small quantity of the mixture to ensure there is no physical or chemical incompatibility.

Do not apply when wind conditions favor downwind drift to nearby water bodies or when wind velocity exceeds 10 miles per hour.

### Application Methods

Apply solution as a broadcast treatment in a quantity sufficient to wet all foliage. Apply using nozzles that provide the largest droplet size compatible with adequate coverage.

To maximize efficacy against sub-surface pests such as mole crickets or chinch bugs, MAXXTHOR EC should be applied with a non-ionic or silicone based surfactant (0.25% v/v) in sufficient water to ensure good penetration of spray into the soil-thatch matrix. Treated areas should then be irrigated with 0.25 to 0.5 inches of water immediately afterwards paying special attention so that run-off or puddling does not occur.

If necessary, consult resources in horticulture in your area (such as your Cooperative Extension Service) to determine appropriate application timing and cultural practices to control different types of pests.

### Reapplication

Reapplications may be necessary particularly in the event of high pest pressure. Do not apply more often than every 7 days. **New York State only: Do make a single reapplication of MAXXTHOR EC if there is renewed insect activity, but not sooner than two weeks after first application.**

### Lawn Application Use Rates and Volumes

Use rates for MAXXTHOR EC for lawn pests are stated in fluid ounces of MAXXTHOR EC per 1000 square feet.

Apply MAXXTHOR EC at 0.07 to 0.30 fluid ounces per 1000 square feet depending on the target pest. Recommended rates for specific pests within this range are given below.

Depending on the length and/or density of grass being treated, application volumes of up to 10 gallons per 1000 square feet can be made in order to obtain uniform coverage. If a minimal volume application is made (2 gallons per 1000 square feet) and the target pest, such as mole crickets or chinch bugs for example, are located in the thatch or below the surface, irrigate the treated area with at least 0.25 to 0.50 inches of water immediately after the application. The addition of a non-ionic or silicone based surfactant (0.25% v/v) is also recommended when making a minimal volume application.

The calculated amount of MAXXTHOR EC can be applied in any volume of water as long as the maximum label rate per 1000 feet is not exceeded. Do not exceed the maximum label rate by applying solution to an area smaller than intended when it was mixed and diluted unless such under dosing will not result in an application rate per 1000 square feet in excess of the maximum label rate.

## Lawn Pest Application Use Rates

The application rates listed below provide control of the listed pests under normal conditions. -Use the higher application rates when maximum residual control is needed.

| Use Rate Table for MAXXTHOR EC for Lawn Applications | |
|---|---|
| **Use Rate** | **Fluid ounces MAXXTHOR EC per 1,000 square feet (Range)** |
| **A** | 0.07⇒0.15 |
| **B** | 0.07⇒0.30 |
| **C** | 0.15 |

## Lawn Pests Grouped by Use Rates

**Use Rate A:** Ants, Armyworms, Billbugs, Chinch Bugs, Crane Flies, Crickets, Cutworms, Earwigs, Fall Webworms, Fleas (adults, larvae), Grasshoppers, Mites, Mole Crickets, Sod Webworms, Spittlebugs
**Use Rate B:** Japanese Beetles (adult)
**Use Rate C:** Crane Flies

| Mixing Table for MAXXTHOR EC for Lawn Applications | | | | |
|---|---|---|---|---|
| **Application Volume: Gallons/1000 sq. ft.** | **Use Rate: Fluid oz. / 1000 sq. ft. (select from Use Rate Table)** | **Add these amounts of MAXXTHOR EC to the indicated volumes of water** | | |
| | | **5 gal.** | **10 gal.** | **25 gal.** |
| **2** | .07 | .175 | .35 | 0.875 |
| | .15 | .375 | .75 | 1.875 |
| | .22 | .550 | 1.10 | 2.750 |
| | .30 | .75 | 1.50 | 3.750 |
| **5** | .07 | .07 | .14 | 0.350 |
| | .15 | .15 | .30 | 0.750 |
| | .22 | .22 | .44 | 1.100 |
| | .30 | .30 | .60 | 1.500 |
| **10** | .07 | - | .07 | .175 |
| | .15 | - | .15 | .375 |
| | .22 | - | .22 | .550 |
| | .30 | - | .30 | .750 |

## Calculating Amounts of MAXXTHOR EC to Mix for Lawn Pests

To mix and apply any amount of MAXXTHOR EC for lawn pests, determine:
A = Square feet of area to be treated / 1000
B = Use Rate per 1000 square feet for the target pest(s) in fluid ounces MAXXTHOR EC taken from the Use Rate Table. If treating for more than one type of pest, select the highest rate.
Calculate the amount of MAXXTHOR EC to mix for lawn pests as follows:
Fluid Ounces MAXXTHOR EC to use = A X B
Mix this amount of MAXXTHOR EC in the amount of water needed to make the application.

## Application Recommendations Against Specific Lawn Pests

**Armyworms, Cutworms, Sod Webworms:** Do not water or mow grass within 24 hours of application for optimum control of these surface feeding insects.

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

**Mole Crickets:** For control of overwintering Mole Crickets, apply the lower rate in early Spring. For the control of adult Mole Crickets in late-Summer or early Fall, apply the higher rate.

**Crane Flies:** Treatments can be made to control early to midseason larvae (approximately August - February) as they feed on plant crowns. Treatments made to late-season larvae (approximately March, April) may only provide suppression.

## APPLICATION TO CONTROL ORNAMENTAL PESTS

MAXXTHOR EC controls a wide range of insects and mites on trees, shrubs, foliage plants, non-bearing fruit and nut trees and flowers. Non-bearing trees are perennial plants that will not produce a harvestable agricultural commodity within the next 12 months. MAXXTHOR EC is not for use on plants being grown for sale, for commercial seed production or for research.

### Application Sites

For use on ornamental plants including but not limited to trees, shrubs, ground covers, bedding plants and foliage plants being used for decorative or climate modification purposes. Plants on which use is permitted include those being grown in any type of setting or at any type of site not otherwise prohibited. Permitted sites include but are not limited to ornamental gardens, parks, landscapes, lawns, grounds and interior plantscapes.

### Application Preparation

If necessary, test the effects of applications of different rates and volumes of mixed solution on a small number of a type of plant (with observations over one week to detect the occurrence of negative effects) before application of solution to large numbers of that type of plant.

MAXXTHOR EC can be mixed with other pesticides, including insect growth regulators. Follow the label directions of all the products mixed, making sure not to exceed the label rate of any individual product in the mixture. Any tank mixture that has not been tested before should be tested before full scale use by first mixing a small quantity of the mixture to ensure there is no physical or chemical incompatibility.

### Application Methods

Apply solution in a quantity sufficient to wet all foliage. It may also be necessary to treat non-foliage parts of plants such as trunks and bark to control some pests based on where the pest may be located on the plant at a particular life stage.

For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

### Reapplication

Reapplications may be necessary as plant growth occurs and new foliage appears or in the event of high pest pressure. Do not apply more often than every 7 days.

### Ornamental Application Use Rates and Volumes

Use rates for MAXXTHOR EC for ornamental pests are stated in fluid ounces of MAXXTHOR EC per 4,356 square feet. Recommended ornamental application use rates, based on the target pest, range between 0.26 to 1.28 fluid ounce of MAXXTHOR EC per 4,356 square feet. Recommended rates for specific pests within this range are given below.

The calculated amount of MAXXTHOR EC can be applied in any volume of water as long as the applicable label rate per 4,356 feet is not exceeded. Do not exceed the maximum label rate by applying solution to an area smaller than intended when it was mixed and diluted unless such underdosing will not result in an application rate per 4,356 square feet in excess of the maximum label rate.

### Ornamental Pest Dilution Rates

The dilution rates listed below provide control of the listed pests under normal conditions. Use the higher dilution rate when maximum residual control is needed.

| Dilution Rate Table for MAXXTHOR EC for Ornamental Applications | | |
|---|---|---|
| **Dilution Rate** | **Lbs. a. i. per 10 gallons**<br>**Lbs. a. i. per 4,356 sq. ft.** | **Fl. oz. per 10 gallons**<br>**Fl. oz. per 4,356 sq. ft.** |
| **A** | 0.004 ⇒ 0.02 | 0.26 ⇒ 1.28 |
| **B** | 0.006 ⇒ 0.02 | 0.38 ⇒ 1.28 |
| **C** | 0.01 ⇒ 0.02 | 0.64 ⇒ 1.28 |

### Ornamental Pests Grouped by Dilution Rates

**Dilution Rate A:** Ants, Aphids, Bagworms, Black Vine Weevil (adults), Brown Soft Scales, Broad Mites, Budworms, California Red Scales (crawlers), Centipedes, Clover Mites, Crickets, Cutworms, Earwigs, Elm Leaf Beetles, Fall Webworms, Flea Beetles, Fungus Gnats (adults), Grasshoppers, Lace Bugs, Leafhoppers, Leaf feeding Caterpillars, Mealybugs, Millipedes, Mole Crickets, Orchid Weevil, Pillbugs, Pine Needle Scales (crawlers), Plant Bugs (incl. Lygus spp.), San Jose scales (crawlers), Sowbugs, Spiders, Spittlebugs, Tent Caterpillars, Tip Moths, Weevils, Whiteflies

**Dilution Rate B:** Citrus Thrips, Beet Armyworm, Diaprepes (larvae, adult), European Red Mite, Leafrollers, Spider Mites, Thrips, Twig Borers

**Dilution Rate C:** Japanese Beetles (adult), Leafminers, Pecan Leaf Scorch Mite, Black Vine Weevil (larvae), Fungus Gnats (larvae)

| Mixing Table for MAXXTHOR EC for Ornamental Applications | | | | |
|---|---|---|---|---|
| Application Volume: Gallons/4356 sq. ft. | Use Rate: Fluid ounces / 4356 sq. ft. | Add these amounts of MAXXTHOR EC to the indicated volumes of water | | |
| | | 5 gal. | 10 gal. | 25 gal. |
| 2 | 0.26 | 0.650 | 1.30 | 3.25 |
| | 0.38 | 0.950 | 1.90 | 4.75 |
| | 0.64 | 1.600 | 3.20 | 8.0 |
| | 1.28 | 3.200 | 6.40 | 16.00 |
| 5 | 0.26 | 0.260 | 0.52 | 1.30 |
| | 0.38 | 0.380 | 0.76 | 1.90 |
| | 0.64 | 0.640 | 1.28 | 3.20 |
| | 1.28 | 1.280 | 2.56 | 6.40 |
| 10 | 0.26 | -- | 0.26 | 0.65 |
| | 0.38 | -- | 0.38 | 0.95 |
| | 0.64 | -- | 0.64 | 1.60 |
| | 1.28 | -- | 1.28 | 3.20 |

### Calculating Amounts of MAXXTHOR EC to Mix for Ornamental Pests

To mix and apply any amount of MAXXTHOR EC for ornamental pests, determine:

A = Square feet of area to be treated /4,356

B = Use Rate per 4,356 square feet for the target pest(s) in fluid ounces MAXXTHOR EC taken from the Dilution Rate Table. If treating for more than one pest, select the highest rate.

Calculate the amount of MAXXTHOR to mix for ornamental pests as follows:

Fluid Ounces MAXXTHOR EC to use = A X B

Mix this amount of MAXXTHOR EC in the amount of water needed to make the application.

### Application Recommendations Against Specific Ornamental Pests

**Bagworms:** Spray when bagworms first begin to hatch. Apply directly to the larvae. Treatment is most effective against young larvae.

**Scale crawlers and twig borers**: Treat trunks, stems and twigs in addition to plant foliage.

**Black Vine Weevil and Fungus Gnat larvae:** Apply as a drench at the rate of approximately 8 ounces of finished spray per 6 inch pot.

## ORNAMENTAL TREE TRUNK SPRAY TO CONTROL BARK BEETLES

### Control of Dendroctonus bark beetles including mountain pine beetle, southern pine beetle, western pine beetle, Black turpentine beetle, and engraver beetles (Ips spp.)

**Preventative treatment:** Spray an aqueous solution containing 1.0 to 2.0 pints of MAXXTHOR EC per 100 gallons (0.25 to 0.5 lbs. ai/100 gallons) of water to the trunk of the tree in the spring or whenever nearby infested trees create the threat of an infestation. Apply spray directly to the main trunk from the base of the tree to at least half way into the live crown. Wet the bark with the spray thoroughly (usually 1 to 4 gallons of spray per tree). Do not apply more than 0.2 lbs. ai (12.8 fl. Oz.) of this product per acre of trees. Repeat application if infestation occurs. Application rates and application timing

differ according to the target pest and other factors. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

**Treatment of infested trees to control emerging brood:** Make applications of a spray mixture containing 2.0 pints of this product per 100 gallons 0.5 lbs. ai/100 gallons) of water to trees that have beetles in their bark. Apply spray directly to the main trunk from the base of the tree to at least half way into the live crown. Spray until the bark is thoroughly wetted by the spray (usually 1 to 4 gallons of spray per tree). Do not apply more than 0.2 lbs. ai (12.8 fl. oz.) of this product per acre of trees.

Beetles are normally no longer present in trees in which all needles have turned brown. Trees in this condition should be sprayed only if a continuing infestation is confirmed. Confirm an infestation by removing bark. If live infestations remain in the trunks, fell the trees and cut into sections. Spray the trunk and large limbs, rotating the trunks as they are sprayed in order to thoroughly treat the exterior of the entire trunk. Do not apply more than 0.2 lbs. ai (12.8 fl. oz.) of this product per acre.

### Control of other bark beetles such as Ambrosia beetles, elm bark beetles and Emerald Ash borer

**Preventative control:** Spray an aqueous solution containing 1.0 to 2.0 pints of MAXXTHOR EC per 100 gallons (0.25 to 0.5 lbs. ai/100 gallons) of water to the trunk, scaffolding and limbs of the tree in the early spring or prior to adult beetle flight and tree infestation. Spray until the bark is thoroughly wetted by the spray (usually 6 to 12 gallons of spray per tree). Do not apply more than 0.2 lbs. ai of this product per acre of trees. Repeat application may be necessary if reinfestation is likely or for extended adult emergence and flight. Application rates and application timing differ according to the target pest and other factors. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

## CONTROL OF OTHER BORERS ON ORNAMENTAL TREES

Consult the table below for other boring insects. Geographic location and environmental conditions will affect application rate and timing. Spray bark until it is thoroughly wetted by the spray (usually 1 to 4 gallons of spray per tree). Do not apply more than 100 gallons of solution per acre of trees. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

| Pest | Recommended Dilution Rate (Range) | Specific Instructions |
|---|---|---|
| **Clearwing Moth borers**<br>Ash borer, banded ash clearwing, Dogwood borer, Lesser peachtree borer, Lilac borer, Oak borer<br>**Coleopteran borers**<br>Bronze birch borer, Flatheaded appletree borer | 6.4 to 12.8 fl. oz. per 100 gallons | Apply to the lower branches and trunks prior to adult emergence<br><br>Apply 12.8 fl. oz. per 100 gallons for maximum residual control |

## CONTROL OF STRUCTURAL PESTS (OTHER THAN WOOD INFESTING INSECTS) ON AND AROUND BUILDINGS

MAXXTHOR EC controls a wide range of structural pests including nuisance pests outside of structures. MAXXTHOR EC can be applied around any type of residential or commercial structure or building. Permitted sites include but are not limited to the exterior of homes, office buildings, mobile and modular homes, apartments and stores.

Follow additional application restrictions for residential outdoor surface and space sprays under DIRECTIONS FOR USE.

### Dilution of MAXXTHOR EC for Structural Pests

For structural pests, use rates for MAXXTHOR EC are expressed and mixed according to the percentage (%) concentration solution it forms when mixed in water. Each 0.166 fluid ounce (1 teaspoon) of MAXXTHOR EC that is added to one gallon of water increases the concentration of MAXXTHOR EC in that one gallon of water by 0.03%. For example, to make a 0.06% solution in one gallon of water, mix 0.333 fluid ounce (2 teaspoons) of MAXXTHOR EC in one gallon of water. Use the conversion table and formulas below to determine the amount of MAXXTHOR EC to add to any quantity of water.

| Mixing Table for MAXXTHOR EC for Structural Pests | | |
|---|---|---|
| % to mix | Fluid ounces to add per gallon of water to mix this % | Teaspoons to add per gallon of water to mix this % |
| 0.03 | 0.166 | 1 |
| 0.06 | 0.333 | 2 |

29.57 milliliters = 2 tablespoons = 6 teaspoons=1 Fluid ounce

### Calculating Amount of MAXXTHOR EC to Mix for Structural Pests

Calculate the amount of MAXXTHOR EC to mix for structural pests as follows:

A = Volume of water, in gallons, into which the MAXXTHOR EC will be mixed. Express any partial gallons as decimal fractions (1/2 = .5)

B = Fluid ounces (or teaspoons) MAXXTHOR EC per gallon from Mixing Table. Select the desired % concentration based on the site of application and the pest(s) to be controlled. Read across to find amount of MAXXTHOR EC to add per gallon in fluid ounces or teaspoons.

Fluid ounces (or teaspoons) MAXXTHOR EC to mix = A X B

Mix this amount of MAXXTHOR EC in the predetermined amount of water (A). Food utensils such as teaspoons and measuring cups should not be used for food purposes after use with pesticides.

### Pests Controlled

Ants, including Carpenter Ants, Armyworms, Bees, Boxelder Bugs, Centipedes, Chiggers, Chinch Bugs, Clover Mites, Crickets, Cutworms, Dichondra Flea Beetles, Earwigs, Elm Leaf Beetles, European Craneflies, Fleas, Flies, Grasshoppers, Hornets, Millipedes, Mosquitoes, Moths, Roaches, including Cockroaches, Scorpions, Silverfish, Sod Webworms, Sowbugs (Pillbugs), spiders including Black Widow Spiders, Springtails and Wasps.

### Application Methods

Apply MAXXTHOR EC as a solution in the form of a general surface, spot, crack and crevice, pinstream or coarse spray. Do not apply as a space spray. May also be applied with a paintbrush.

### Application Use Rates and Volumes

Use a 0.03% to 0.06% solution of MAXXTHOR EC. Use a spray volume of between 2 and 10 gallons of solution per 1,000 square feet. Higher application volumes may be used if necessary to sufficiently wet vegetation and landscaping with the spray solution.

### Re-Application

Treatments should not be repeated more often than once every 7 days. The best efficacy and longest residual control is achieved when the highest concentration is used.

### Application Locations

The following procedures must be followed to help achieve maximum control of the pest.

Apply spray to the exterior surfaces of structures and to grounds, lawns, landscaping, plants and hard surface areas adjacent to structures. Can also be applied to any areas where pests congregate or have been seen.

Treat non-porous surfaces only in areas protected from rainfall and spray from sprinklers with low volume applications at the rate of one gallon product diluted in water (see above dilution rates) per 1000 square feet.

Applications to vertical exterior surfaces (e.g., foundations) are permitted to a maximum height of 3 feet from ground level. Sections of vertical exterior surfaces that abut non-porous horizontal surfaces can only be treated if either 1) these sections are protected from rainfall and spray from sprinklers or 2) they do not drain into a sewer, storm drain, or curbside gutter (e.g., not to sections that abut driveways or sidewalks that drain into streets).

### Perimeter Band Treatment

To help prevent pest infestation of structures, create a treated zone or band on the structure, soil and vegetation around the entire perimeter of a structure. Apply solution to all surfaces within a band beginning 6 to 10 feet from the exterior foundation of the structure that extends back to the structure and then continues 2 to 3 feet up the exterior surface of the structure from the ground. Application volume will depend upon the nature of the surface being treated. Mulch areas, for example, require more volume and hard surface areas requiring less.

For sections of foundation that abut non-porous horizontal surfaces, the treated areas must be protected from rainfall and spray from sprinklers or they do not drain into a sewer, storm drain, or curbside gutter (e.g., not to sections that abut driveways or sidewalks that drain into streets).

**Control of Specific Structural Pests Outdoors**

**Ants (Nuisance ants other than Carpenter Ants) Outdoors:** To achieve the highest level of control, locate and directly treat ant nests. Apply solution to ant trails, around doors and windows and at points where ants can be expected to forage or congregate.

**For Ant Mounds:** Treat mounds and area within a 2 foot radius of the center of the mound with 1-2 gallons of a 0.06% solution. When mounds exceed 12 inches in size use the highest volume of solution. Applications in cool weather (65 to 80 degrees F) or the cooler parts of the day are most effective. Do not apply treatment during the heat of the day.

**Bees, Wasps, Hornets, and Yellow Jackets:** Always use the highest rate. Make application in late evening when insects are at rest at the nest for best results and to avoid stings. Spray nest openings in ground, in bushes and wherever insects may be nesting. Spray to the point of saturation. Spray as many insects as possible. Remove and destroy treated nests to prevent emergence of newly hatched insects.

**Centipedes, Earwigs, Beetles, Millipedes, Pillbugs, Sowbugs:** Thoroughly treat mulch areas. The reduction of moisture in mulch areas may also aid in control of these pests.

**Mosquitoes:** Apply solution to lawns and landscaping, under decks and to building foundations. Refer to *APPLICATIONS FOR ORNAMENTAL PESTS* section for mixing and applying large amounts of solution against mosquitoes.

**Fleas:** Treat the entire area where insects could be present. Begin treatments in the spring. Insects may be re-introduced by host animals in the surrounding area. Retreatment may be necessary to achieve and maintain control during periods of high pest pressure.

## CONTROL OF NUISANCE INSECTS INSIDE BUILDINGS

MAXXTHOR EC can be used indoors to control bees, wasps, hornets and yellow jackets by liberally spraying a 0.06% emulsion in the late evening when insects are at rest into hiding and breeding places, especially under attic rafters, contacting as many insects as possible. Repeat application is necessary only if there are signs of renewed insect activity which is more likely in situations of high initial pest pressure. Repeat application should be limited to no more than once every seven days.

Refer to the *CONTROL OF STRUCTURAL PESTS (OTHER THAN WOOD INFESTING INSECTS) ON AND AROUND BUILDINGS* section of this label for directions on mixing MAXXTHOR EC for these types of applications.

**Important:** Do not apply emulsion until location of heat pipes, ducts, water and sewer lines and electrical conduits are known and identified. Caution must be taken to avoid puncturing and injection into these structural elements. Do not apply into electrical fixtures, switches or sockets.

Remove pets, birds and cover aquariums before spraying. Do not permit humans or pets to contact treated surfaces until the spray has dried.

Wear protective clothing, unvented goggles, gloves and respirator, when applying to overhead areas or in poorly ventilated areas. During any overhead applications to overhead interior areas of structures, cover surfaces below with plastic sheeting or similar materials.

In the home, cover all food handling/processing surfaces and cover or remove all food and cooking utensils, or wash thoroughly after treatment.

For use only in nonfood/feed areas of food/feed handling establishments. Do not use in food/feed areas of food/feed handling establishments, restaurants or other areas where food/feed is commercially prepared or processed. Do not use in serving areas while food is exposed or facility is in operation. Serving areas are areas where prepared foods are served such as dining rooms but excluding areas where food may be prepared or held. Nonfood/feed areas of food/feed areas are 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 (after bottling or canning).

Not for use in Federally inspected meat and poultry plants.

## APPLICATION UNDER SLABS TO CONTROL PESTS

Infestations of pests such as ants, cockroaches and scorpions inhabiting areas under slabs may be controlled by drilling and injecting or horizontal roddlng and then injecting 1 gallon of a 0.06% to 0.12% emulsion per 10 square feet or 2 gallons of emulsion per 10 linear ft.

## ATTENTION

Use only in well ventilated areas.

Do not apply to pets, crops, sources of electricity or firewood.

During any application to overhead areas of structure, cover surfaces below with plastic sheeting or similar material, except for soil surfaces in crawlspaces.

Do not allow dripping or runoff to occur during indoor applications.

Do not treat areas where food is exposed.

Do not allow spray to contact food, foodstuffs, food contacting surfaces, food utensils or water supplies.
Thoroughly wash dishes and food handling utensils with soap and water if they become contaminated by application of this product.
Do not allow people or pets to touch or walk on treated surfaces until spray has dried.
Do not apply a broadcast application to interior surfaces of homes.
Do not apply in livestock buildings such as barns.
Do not allow spray to drift onto ponds, streams or lakes.
Do not apply in greenhouses or nurseries or by air.

## 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 must be followed carefully. However, because of manner of use and other factors beyond the control of Ensystex IV, Inc., it is impossible for Ensystex IV 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 Ensystex IV harmless for any claims relating to such factors.
**DIECLAIMER OF WARRANTIES:** Seller warrants that this product conforms to the chemical description in 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. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ENSYSTEX IV 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 Ensystex IV, Inc., and buyer assumes the risk of any such use.
**LIMITATIONS OF LIABILITY:** To the extent consistent with applicable law, Ensystex IV 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 ENSYSTEX IV 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 ENSYSTEX IV, 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.
MAXXTHOR is a registered trademark of Ensystex, Inc.

[EPA Approval Date]

PM 13

# FAST-TRACK AMENDMENTS Completeness Screening Checklist

Experts In-Processing Signature: [illegible]

| EPA Reg. Number: 83923-6 | EPA Receipt Date: 11/1/11 | | |
|---|---|---|---|
| | Check List Item | Yes | No | NA |
| 1 | **Application Form** (EPA Form 8570-1) –signed? | ✓ | | |
| | | | | |
| 2 | **Confidential Statement of Formula** (EPA Form 8570-29) – signed? | | ✓ | |
| | | | | |
| 3 | **Certification with Respect to Citation of Data** (EPA Form 8570-34) signed? | | ✓ | |
| | | | | |
| 4 | **Formulator's Exemption Statement** (EPA Form 8570-27) - signed? | ✓ | | |
| | | | | |
| 5 | **Data Matrix** (EPA Form 8570-35) [Applicable, for adding me-too uses] | | | |
| | a) Selective Method? | | | |
| | b) Cite-All Method? Applicant owns data or list only the companies offered to pay . | | | |
| | c) Public copy of Matrix provided? See PR Notice 98-5 | | | |
| | | | | |
| 6 | **Is Label Included? (5 copies)** | ✓ | | |
| | | | | |
| | **Comments:** | | | |

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

November 2, 2011

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

JANELLE KAY
PYXIS REGULATORY CONSULTING, INC.
ENSYSTEX IV, INC
4110 136TH STREET
GIG HARBOR, WA 98332-

PRODUCT NAME: MAXXTHOR EC
COMPANY NAME: ENSYSTEX IV, INC
OPP IDENTIFICATION NUMBER:
EPA FILE SYMBOL: 83923-6
EPA RECEIPT DATE: 11/01/11

SUBJECT: RECEIPT OF AMENDMENT

DEAR REGISTRANT:

The Office of Pesticide Programs has received your application for an amendment and it has passed an administrative screen for completeness.

During the initial screen we determined that the application appears to qualify for fast track review. The package will now be forwarded to the Product Manager for review to determine its acceptability for fast track status.

If you have any questions, please contact Registration Division, Risk Management Team 13, at (703) 305-0120.

Sincerely,

P. F. Moore
Front End Processing Staff
Information Services Branch
Information Technology & Resources Management Division

# Fee for Service

{9062192~

This package includes the following

- ○ New Registration
- ◉ Amendment

☐ Studies? ☐ Fee Waiver?

☐ volpay % Reduction: ___

for Division

- ○ AD
- ○ BPPD
- ◉ RD

Risk Mgr. 13

| | |
|---|---|
| Receipt No. | S- 906219 |
| EPA File Symbol/Reg. No. | 83923-6 |
| Pin-Punch Date: | 11/1/2011 |

☒ This item is NOT subject to FFS action.

**Action Code:**

Requested:

Granted:

Amount Due: $ _____

**Parent/Child Decisions:**

☐ Inert Cleared for Intended Use ☐ Uncleared Inert in Product

Reviewer: Verma Eagle Date: 11/2/11

Remarks:

**PYXIS REGULATORY CONSULTING, INC.**

4110 136th St. NW
Gig Harbor, WA 98332

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

October 28, 2011

COURIER DELIVERY
Richard Gebken (PM 10)
Document Processing Desk (**AMEND**)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

RE: Ensystex IV, Inc. – Maxxthor EC (EPA Reg. No. 83923-6)
Submission of Label Amendment

Dear Mr. Gebken,

On behalf of Ensystex IV, Inc. please find the enclosed amendment to the product labeling for Maxxthor EC (EPA Reg. No. 83923-6). Ensystex IV, Inc. is proposing to amend the Maxxthor EC labeling as per the Bifenthrin Label Amendment Memorandum of Agreement which was signed with the California Department of Pesticide Regulation on September 2, 2011.

In support of this label amendment, we submit the following documents:

1. Completed Application for Amendment (EPA Form 8570-1)
2. Five (5) copies of the proposed Supplemental Label (including one annotated copy)
3. One copy of the proposed Supplemental Label on CD
4. Certification with Respect to Label Integrity
5. Formulator's Exemption Statement (EPA Form 8570-27)

For your information, I have also enclosed a copy of the signed Bifenthrin Label Amendment Memorandum of Agreement.

As no data are being submitted with this amendment, nor will data need to be reviewed to approve the proposed amendment, Ensystex believes this action qualifies as a Fast Track amendment and is not subject to a Pesticide Registration Service Fee. Please feel free to call me if you have any questions or need any additional information.

Best Regards,

P. Leanne Pruett

P. Leanne Pruett
Pyxis Regulatory Consulting

Enclosures
cc: David Nimocks; Ensystex IV, Inc.

*Please read instructions on reverse before completing form.*

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95

EPA

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

[ ] Registration
[✓] Amendment
[ ] Other

OPP Identifier Number

## Application for Pesticide - Section I

| | | |
|---|---|---|
| 1. Company/Product Number<br>83923-6 | 2. EPA Product Manager<br>R.Gebken | 3. Proposed Classification<br>[✓] None [ ] Restricted |
| 4. Company/Product (Name)<br>Ensystex IV, Inc / Maxxthor EC | PM#<br>10 | |
| 5. Name and Address of Applicant *(Include ZIP Code)*<br>Ensystex IV, Inc<br>c/o Pyxis Regulatory Consulting, Inc.<br>4110 136th St. NW<br>Gig Harbor, WA 98332<br>[ ] *Check if this is a new address* | 6. **Expedited Reveiw.** In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to:<br>EPA Reg. No. 279-3177<br>Product Name Biflex SFR Termiticide / Insecticide | |

## Section - II

[✓] Amendment - Explain below.
[ ] Resubmission in response to Agency letter dated _____
[ ] Notification - Explain below.
[ ] Final printed labels in repsonse to Agency letter dated _____
[ ] "Me Too" Application.
[ ] Other - Explain below.

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

Label amendment to update label as per the Bifenthrin Label Amendment MOA signed with Ca Dept. of Pesticide Regulation.
As no data are being submitted with this amendment, nor will data need to be reviewed to approve the proposed amendment, Ensystex believes this action qualifies as a Fast Track amendment and is not subject to a Pesticide Registration Service Fee.

## Section - III

1. Material This Product Will Be Packaged In:

| Child-Resistant Packaging | Unit Packaging | Water Soluble Packaging | 2. Type of Container |
|---|---|---|---|
| [ ] Yes<br>[✓] No<br>*** Certification must be submitted** | [ ] Yes<br>[✓] No<br>If "Yes" Unit Packaging wgt. / No. per container | [ ] Yes<br>[✓] No<br>If "Yes" Package wgt / No. per container | [ ] Metal<br>[✓] Plastic<br>[ ] Glass<br>[ ] Paper<br>[ ] Other (Specify) _____ |

| 3. Location of Net Contents Information | 4. Size(s) Retail Container | 5. Location of Label Directions |
|---|---|---|
| [ ] Label [✓] Container | 1 pt., 1 qt., 1 gallon, 2.5 gallons | [✓] On Label<br>[ ] On Labeling accompanying product |

6. Manner in Which Label is Affixed to Product [ ] Lithograph [✓] Paper glued [ ] Stenciled [ ] Other _____

## Section - IV

1. Contact Point *(Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)*

| Name | Title | Telephone No. (Include Area Code) |
|---|---|---|
| P. Leanne Pruett | Agent | (253) 853-7369 |

**Certification**

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

6. Date Application Received **(Stamped)**

| | |
|---|---|
| 2. Signature P. Leanne Pruett | 3. Title<br>Agent |
| 4. Typed Name<br>P. Leanne Pruett | 5. Date<br>October 18, 2011 |

EPA Form 8570-1 (Rev. 3-94) Previous editions are obsolete. White - EPA File Copy (original) Yellow - Applicant Copy

# Certification with Respect to Label Integrity

version: 9/11/02

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

**PROPOSED LABEL**

| EPA Registration # | Date Submitted to EPA | Electronic file name |
|---|---|---|
| 83923-6 | October 18, 2011 | 083923-00006.20111018.Maxxthor EC CA LOA Lbl amendment.pdf |

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

P. Leanne Pruett
Signature

10-18-2011
Date

P. Leanne Pruett
Name (typed)

Agent
Title

# There is an **ELECTRONIC LABEL** for this action

You can use Acrobat to compare the e-label to the previous version (and find the changes). You can also use Acrobat to mark-up the e-label with your comments.

| If e-label was submitted via | or | If e-label was submitted via |
|---|---|---|
| **CD-ROM with paper application** | | **XML E-Submission (no paper)** |
| then you will find e-label in | | then you will find e-label in |
| **Electronic Label Library** | | **Documentum** |
| *If the e-label is not found in the ELL then it was probably not named correctly and could not be entered into the ELL. However, the file can be retrieved from the CD which is retained by the Front End.* | | |

See overview of processing e-labels on other side of this sheet.
If you have any questions on e-labels, please contact one of your division e-label experts:

| | | |
|---|---|---|
| AD | Willie Abney | 308-1689 |
| | Renae Whitaker | 308-7003 |
| | Tracy Lantz | 308-6415 |
| BPPD | | |
| RD | Tom Harris | 308-9423 |

Form approved. OMB No. 2070-0060, 2070-0057, 2070-0107, 2070-0122, 2070-0164.

EPA

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

## Formulator's Exemption Statement

*(40 CFR 152.85)*

| Applicant's Name and Address | EPA File Symbol/Registration Number |
|---|---|
| Ensystex IV, Inc.<br>2709 Breezewood Avenue<br>Fayetteville, NC 28303 | 83923-6 |
| | Product Name<br>Maxxthor EC |
| | Date of Confidential Statement of Formula *(EPA Form 8570-4)*<br>11/13/2008 |

As an authorized representative of the applicant for registration of the product identified above, I certify that:

(1) This product contains the following active ingredient(s):

Bifenthrin

(2) Of these, each active ingredient listed in paragraph (4) is present solely as the result of the use of that active ingredient in the manufacturing, formulation or repackaging another product which contains that active ingredient which is registered under FIFRA Section 3, is purchased by us from another person and meets the requirements of 40 CFR section 158.50(e)(2) or (3).

(3) Indicate by checking (A) or (B) below which paragraph applies:

☐ (A) *An accurate Confidential Statement of Formula (EPA FORM 8570-4) for the above identified product is attached to this statement.* That formula statement indicates, by company name, registration number, and product name, the source of the active ingredient(s) listed in paragraph (1).

OR

☑ (B) The Confidential Statement of Formula (CSF)(EPA Form 8570-4) referenced above and on file with the EPA is complete, current, an accurate and contains the information required on the current CSF.

(4) The following active ingredients in this product qualify for the formulator's exemption.

**Source**

| Active Ingredient | Product Name | Registration Number |
|---|---|---|
| Bifenthrin | [redacted] | [redacted] |

| Signature | Name and Title | Date |
|---|---|---|
| P. Leanne Pruett | P. Leanne Pruett / Agent | 10/18/2011 |

EPA Form 8570-27 (Rev. 06-2004)

Copy 1 – EPA
Copy 2 - Applicant copy

*Product ingredient source information may be entitled to confidential treatment*

**BIFENTHRIN LABEL AMENDMENT MEMORANDUM OF AGREEMENT**

29 July 2011

As of ~~August~~ September 1 ~~__~~, 2011, this Bifenthrin Label Amendment Memorandum of Agreement ("Agreement") is entered into by and between the bifenthrin pesticide registrants ("Registrants") whose names are listed on the signature pages attached hereto and to be effective on the Effective Date, as hereafter defined.

BACKGROUND

WHEREAS, the California Department of Pesticide Regulation ("DPR") is considering development of certain new restrictions on pyrethroids (including bifenthrin), and is considering additional restrictions on existing uses of bifenthrin-containing products ("Products") under DPR's surface water regulations, and is planning to propose such restrictions for adoption by DPR as Title 3, California Code of Regulations (CCR), Sections 6970 and 6972 (the "Proposed Rulemaking"); and

WHEREAS, Registrants have been in discussions with DPR on such new additional restrictions on existing uses of bifenthrin-containing products and in the interest of promoting environmental health and safety as expressed by DPR, Registrants are willing to implement certain label amendments to address DPR's concerns on a voluntary basis, as described further herein; and

WHEREAS, DPR has advised Registrants that it would continue to develop certain new restrictions on pyrethroids (including bifenthrin), but cease its plans to adopt any such new additional restrictions on existing uses of bifenthrin-containing products into the "Proposed Rulemaking" to amend the CCR if the Registrants' covenants herein are met; and

WHEREAS, the proposed label restrictions are not being mandated by the U.S. Environmental Protection Agency ("EPA"), but rather, are being incorporated voluntarily and contemporaneously by the Registrants of all applicable products, as listed below, and that the additional label restrictions for the subject bifenthrin products will be incorporated into the labels and made available to users within California as soon as possible within the regulatory constraints of the Federal Insecticide, Fungicide and Rodenticide Act, and associated federal regulations, as administered by EPA, and that the proposed procedures will be put into place to ensure that current labels for the subject products are removed from the California marketplace in a timely manner;

WHEREFORE, the Registrants hereby agree as follows:

**1. Name and Purpose**

The name of this joint endeavor shall be the "Bifenthrin Label Amendment Task Force ("Task Force"). The Task Force shall be formed on the Effective Date for the sole and exclusive purpose of amending registrations and labels for the Products to reflect the use restrictions and other changes described on **Schedule B**. The Task Force membership shall initially consist of the Registrants.

**2. Membership**

Membership in the Task Force initially shall be the following Registrants: FMC Corporation, Nufarm Americas Inc., Loveland Products, Inc., United Phosphorus, Inc., Mahkteshim-Agan of North America, Inc., Control Solutions, Inc., AMVAC Chemical Corp., Arysta Lifescience North America, LLC, Univar USA Inc., Nippon Soda Co., Ltd., Phoenix Environmental Care, LLC, Ensystex II, Inc., Ensystex IV Inc., and Tacoma Ag, LLC. The foregoing shall not in any way restrict the Registrants who may join this Agreement. Membership in the Task Force shall be open to companies holding California registrations for bifenthrin-containing products and shall be conferred by execution of this Agreement.

**3. Party Representatives**

(a) Each Party shall appoint a business representative and a technical representative and an alternate business representative and an alternate technical representative simultaneously with its execution of this Agreement by inscribing the name and address of such representatives and alternates where indicated on the signature page hereof. Each business representative shall be authorized to act for and bind its Party with respect to all matters related to the implementation and administration of the activities of the Task Force. Any Party may, at any time, change his business or technical representative or alternate by filing with the other Parties a notice and duly executed appointment of a new representative.

(b) Nothing herein, however, shall restrict a Party from communicating with DPR or EPA or any other regulatory authority or submitting to DPR or EPA or any other regulatory authority data concerning his individual registrations or subregistrations, including any amendments or deletions to such registrations or subregistrations.

**4. Amendment of Product Registrations**

(a) The Registrants are owners of the bifenthrin-based pesticide registrations listed on **Schedule A** (the "Registrations").

(b) Each Registrant individually agrees to modify and amend the label of each bifenthrin-containing product listed in **Schedule A**, unless there are no sales of the product within the USA, to reflect the use restrictions and other changes described on **Schedule B**.

Each Registrant individually covenants to file and apply for such amendment with EPA promptly and certainly not later than sixty (60) days after the Effective Date of this Agreement. Each Registrant shall inform all other Registrant parties within 3 business days of its filing the amendment application and shall provide a copy of such filing to DPR within five business days after filing.

(c) Each Registrant agrees to request expedited review and approval by EPA of the amendment application. It is understood that DPR will contact EPA to also seek such expedited review and approval of the applications for amendment, as well as EPA's simultaneous action on all such amendment applications by all Registrants rather than in seriatim.

(d) Within 30 days of receiving approval from the EPA, each registrant will submit the applications for amendment to California and each other state considered necessary by the Registrants ("necessary states") to ensure uninterrupted sales of the subject products. It is understood that DPR will provide an expedited evaluation and approval of these same applications for amendment when they are submitted to DPR.

(e) If requested by EPA or DPR, the Registrants shall make themselves or their representatives available for any meeting or conference call requested by EPA or DPR.

(f) The Registrants have advised DPR that, despite all such efforts above, the label amendments must be approved by EPA before any changes can be made to the commercial label. The parties thus recognize that there is no set timetable for such approval and implementation of such label amendments and that the ultimate timing of the approval process by DPR and other necessary states is not under the control of the Registrants.

(g) Upon EPA, DPR, and other necessary states' approvals of such label amendments, the Registrants shall promptly implement such label changes, at a minimum, at the next label printing cycle.

(h) The Registrants will further agree to ensure that for products sold in California following the above approvals, current labeling will be removed from the marketplace in an expedited reasonable manner such as through preferential redirection of any remaining current labeled inventory owned by Registrants into states other than California, through requests to customers that distribute into California to similarly reasonably redirect remaining inventories of the current labeling, or through relabeling and/or supplemental labeling of any containers that have the current labeling to the extent that such relabeling is technically and economically feasible.

(i) The Registrants covenant not to seek to remove or relax such amended uses after the amendment is approved; further, the Registrants covenant that, once such amendments are approved, all future bifenthrin-containing products that meet the criteria of **Schedule B** shall incorporate such label language until such time that the Parties agree on revised labeling based, in part, on discussions with DPR.

(j) A copy of this Agreement shall be provided to the DPR before execution and the Parties shall request that DPR provide a letter of assurance that, upon entry into this Agreement, DPR shall agree that the actions to be taken by the Registrants are sufficient to respond to currently identified potential concerns regarding the impact of bifenthrin on surface waters in California and that DPR shall not pursue the incorporation of additional bifenthrin-specific restrictions into or directly relating to the rulemaking package that is being developed by DPR on Surface Water Protection in Outdoor Nonagricultural Settings (initially proposed on April 11, 2011 as Title 3 CCR § 6970 and 6972).

## 5. Execution and Effective Date

(a) This Agreement may be executed in counterparts, all of which shall be considered one and the same agreement. Each Party shall send its executed signature page to:

Arthur L. Lawyer, Ph.D.
Technology Sciences Group Inc. ("TSG")
712 Fifth Street, Suite A
Davis, CA 95616

(b) This Agreement shall be effective on the last date when signed by the Registrants at a minimum ("Effective Date"). TSG shall circulate a full copy of the Agreement along with all signature pages to each Party, as well as a cover letter declaring the date upon which the Agreement became Effective.

(c) If this Agreement does not become Effective by September 2, 2011, then this Agreement shall have not force or effect and the signatures of any Parties delivered prior to such date shall not be binding. In that event, TSG shall issue a letter informing all such Parties.

## 6. Termination

Notwithstanding the foregoing, if EPA should impose new or different requirements as a condition to approval of the requested amendment that are solely and directly a result of the amended label language required by this Agreement, including but not limited to data generation, monitoring or more restrictions on uses, any affected Registrant may withdraw its application for amendment and upon doing shall notify the other parties of that event – in so doing, this Agreement shall terminate automatically if such Registrant is among those listed in Section 2. For the avoidance of doubt, any EPA request for label modification, data generation or other requirements on matters other than the amending label language set forth in **Schedule B**, shall not be grounds for withdrawing the amendment application.

7. **Miscellaneous**

(a) Nothing herein shall grant any Party the right to use, cite or otherwise rely on data owned by any other Party.

(b) This Agreement shall be binding upon all successors of any Party; in the event that a Party should sell or transfer its Registration, this Agreement shall be assigned along with such Registration and be bound hereby.

(c) This Agreement, including its schedules, constitutes the entire agreement with reference to the subject matter hereof. No statements or agreements, oral or written, made prior to or at the signing of this Agreement, shall vary or modify the written terms hereof.

(d) This Agreement may be amended, and such amendments will become effective, with the written agreement of two-thirds of the members.

(e) This Agreement shall be governed by the laws of the State of District of Columbia. Any disputes hereunder shall be resolved by the federal courts sitting in Washington, DC, and all Parties agree to the exclusive personal jurisdiction of such courts for any dispute hereunder.

(f) The relationship between each Party shall be that of independent contractors. Nothing herein shall be construed to authorize any Party to act as an agent for any other Party.

[THE REMAINDER OF THIS PAGE IS LEFT INTENTIONALLY BLANK.]

This Agreement shall be executed in multiple counterparts, which together shall constitute one original.

Attached:
Schedules A and B

COMPANY NAME: FMC Corporation

OFFICER'S NAME: Amy G. O'Shea

OFFICER'S TITLE: Director FMC Professional Solutions

SIGNATURE: Amy O'Shea

DATE: August 22, 2011

AUTHORIZED BUSINESS REPRESENTATIVE: Amy G. O'Shea

AUTHORIZED BUSINESS ALTERNATE: Wendell Codner

AUTHORIZED TECHNICAL REPRESENTATIVE: Julie Spagnoli

AUTHORIZED TECHNICAL ALTERNATE: Jill Holihan

COMPANY NAME: FMC Corporation

OFFICER'S NAME: Amy G O'Shea

OFFICER'S TITLE: Director

COMPANY NAME: Nufarm Americas Inc.

OFFICER'S NAME: Nathan P. Ehresman

OFFICER'S TITLE: Director, Regulatory Affairs

SIGNATURE:

DATE: August 23, 2011

AUTHORIZED BUSINESS REPRESENTATIVE: George Meindl

AUTHORIZED BUSINESS ALTERNATE: Matthew Granahan

AUTHORIZED TECHNICAL REPRESENTATIVE: Matthew Granahan

AUTHORIZED TECHNICAL ALTERNATE: George Meindl

COMPANY NAME:

OFFICER'S NAME:

OFFICER'S TITLE:

COMPANY NAME: Loveland Products, Inc.

OFFICER'S NAME: MARK R. TROSTLE

OFFICER'S TITLE: Director, Global Registrations & Regulatory Affairs

SIGNATURE: Mark R. Trostle

DATE: APPROVED SEP 01 2011

AUTHORIZED BUSINESS REPRESENTATIVE: MARK R. TROSTLE

AUTHORIZED BUSINESS ALTERNATE: PREMJIT HALARNKAR, Ph.D.

AUTHORIZED TECHNICAL REPRESENTATIVE: PREMJIT HALARNKAR, Ph.D.

AUTHORIZED TECHNICAL ALTERNATE: MARK R. TROSTLE

COMPANY NAME: LOVELAND PRODUCTS, INC.

OFFICER'S NAME: MARK R. TROSTLE

OFFICER'S TITLE: DIRECTOR, Global Registrations & Regulatory Affairs

COMPANY NAME: United Phosphorous, Inc.

OFFICER'S NAME: DAVID L. OLSON

OFFICER'S TITLE: DIRECTOR, REGULATORY AFFAIRS

SIGNATURE: David L Olson

DATE: AUG. 26, 2011

AUTHORIZED BUSINESS REPRESENTATIVE:

AUTHORIZED BUSINESS ALTERNATE:

AUTHORIZED TECHNICAL REPRESENTATIVE: REBECCA CLEMMER

AUTHORIZED TECHNICAL ALTERNATE:

COMPANY NAME:

OFFICER'S NAME:

OFFICER'S TITLE:

COMPANY NAME: Mahkteshim-Agan of North America, Inc.

OFFICER'S NAME: Charles T. Levey

OFFICER'S TITLE: Director, Regulatory Affairs

SIGNATURE: Charles T. Levey

DATE: 8/18/11

AUTHORIZED BUSINESS REPRESENTATIVE: _____

AUTHORIZED BUSINESS ALTERNATE: _____

AUTHORIZED TECHNICAL REPRESENTATIVE: _____

AUTHORIZED TECHNICAL ALTERNATE: Linda Krueger State Regulatory Manager

COMPANY NAME: _____

OFFICER'S NAME: _____

OFFICER'S TITLE: _____

COMPANY NAME: Mahkteshim-Agan of North America, Inc.

OFFICER'S NAME: _____

OFFICER'S TITLE: _____

SIGNATURE: _____

DATE: _____

AUTHORIZED BUSINESS REPRESENTATIVE: Robert C. Ehn

AUTHORIZED BUSINESS ALTERNATE: _____

AUTHORIZED TECHNICAL REPRESENTATIVE: Robert C. Ehn

AUTHORIZED TECHNICAL ALTERNATE: _____

COMPANY NAME: R3 AG CONSULTING, LLC

OFFICER'S NAME: Robert C. Ehn

OFFICER'S TITLE: MANAGING MEMBER

8/19/11

COMPANY NAME: Control Solutions, Inc.

OFFICER'S NAME: Joe Blake

OFFICER'S TITLE: Director, Regulatory Affairs

SIGNATURE: [signature]

DATE: 08 18-11

AUTHORIZED BUSINESS REPRESENTATIVE:

AUTHORIZED BUSINESS ALTERNATE:

AUTHORIZED TECHNICAL REPRESENTATIVE:

AUTHORIZED TECHNICAL ALTERNATE: Anne M. Turnbough

COMPANY NAME:

OFFICER'S NAME:

OFFICER'S TITLE:

COMPANY NAME: Control Solutions, Inc.

OFFICER'S NAME:

OFFICER'S TITLE:

SIGNATURE:

DATE:

AUTHORIZED BUSINESS REPRESENTATIVE: Robert C. Ehn

AUTHORIZED BUSINESS ALTERNATE:

AUTHORIZED TECHNICAL REPRESENTATIVE: Robert C. Ehn

AUTHORIZED TECHNICAL ALTERNATE:

COMPANY NAME: R3 Ag Consulting, LLC

OFFICER'S NAME: Robert C. Ehn

OFFICER'S TITLE: Managing Member

8/19/11

COMPANY NAME: AMVAC Chemical Corp.

OFFICER'S NAME: Ian S. Chart

OFFICER'S TITLE: Vice President, Director of Regulatory Affairs

SIGNATURE: Ian S. Chart.

DATE: 1 September 2011

AUTHORIZED BUSINESS REPRESENTATIVE: Kelly Naujock

AUTHORIZED BUSINESS ALTERNATE: Jeff Alvis

AUTHORIZED TECHNICAL REPRESENTATIVE: Ann Jonynas

AUTHORIZED TECHNICAL ALTERNATE: Rich Porter

COMPANY NAME: AMVAC Chemical Corporation

OFFICER'S NAME: Ian S. Chart

OFFICER'S TITLE: Vice President, Director of Regulatory Affairs

COMPANY NAME: Arysta Lifescience North America, LLC

OFFICER'S NAME: JEFF TWEEDY

OFFICER'S TITLE: VICE PRESIDENT OF BUSINESS DEVELOPMENT

SIGNATURE:

DATE: 8/25/17

AUTHORIZED BUSINESS REPRESENTATIVE: Wallace A. Hawkins

AUTHORIZED BUSINESS ALTERNATE: DANA E. SARGENT

AUTHORIZED TECHNICAL REPRESENTATIVE: DANA E. SARGENT

AUTHORIZED TECHNICAL ALTERNATE: BETH ANDERSON

COMPANY NAME: ARYSTA LIFESCIENCE NORTH AMERICA LLC

OFFICER'S NAME:

OFFICER'S TITLE:

COMPANY NAME: Univar USA Inc.

OFFICER'S NAME: John P. Bolanos

OFFICER'S TITLE: Vice President

SIGNATURE: John P. Bolanos

DATE: 8/31/11

AUTHORIZED BUSINESS REPRESENTATIVE: Ted Worster

AUTHORIZED BUSINESS ALTERNATE:

AUTHORIZED TECHNICAL REPRESENTATIVE: Ted Worster

AUTHORIZED TECHNICAL ALTERNATE:

COMPANY NAME: Univar USA Inc.

OFFICER'S NAME:

OFFICER'S TITLE:

COMPANY NAME: Nippon Soda Co., Ltd. c/o Nisso America Inc.

OFFICER'S NAME: Kazuhiko Murahashi

OFFICER'S TITLE: President and COO

SIGNATURE: [illegible]

DATE: 2/31/2011

AUTHORIZED BUSINESS REPRESENTATIVE: John Guion

AUTHORIZED BUSINESS ALTERNATE: Toru Haneda

AUTHORIZED TECHNICAL REPRESENTATIVE: John Wrubel

AUTHORIZED TECHNICAL ALTERNATE: John Reilly

COMPANY NAME: Nippon Soda Co., Ltd. c/o Nisso America Inc.

OFFICER'S NAME: Kazuhiko Murahashi

OFFICER'S TITLE: President and COO

COMPANY NAME: Phoenix Environmental Care, LLC

OFFICER'S NAME: Sherry Hutcheson

OFFICER'S TITLE: Director, Regulatory Affairs

SIGNATURE: Sherry B. Hutcheson

DATE: 08/26/2011

AUTHORIZED BUSINESS REPRESENTATIVE:

AUTHORIZED BUSINESS ALTERNATE:

AUTHORIZED TECHNICAL REPRESENTATIVE:

AUTHORIZED TECHNICAL ALTERNATE:

COMPANY NAME:

OFFICER'S NAME:

OFFICER'S TITLE:

COMPANY NAME: Ensystex II, Inc.

OFFICER'S NAME: DAVID NIMOCKS

OFFICER'S TITLE: Chairman

SIGNATURE:

DATE: 08/28/2011

AUTHORIZED BUSINESS REPRESENTATIVE: Same

AUTHORIZED BUSINESS ALTERNATE: "

AUTHORIZED TECHNICAL REPRESENTATIVE: "

AUTHORIZED TECHNICAL ALTERNATE: "

COMPANY NAME: ENSYSTEX II, INC.

OFFICER'S NAME: DAVID NIMOCKS

OFFICER'S TITLE: CHAIRMAN

COMPANY NAME: Ensystex IV Inc.

OFFICER'S NAME: DAVID NIMOCKS

OFFICER'S TITLE: CHAIRMAN

SIGNATURE: [illegible]

DATE: 08/28/2011

AUTHORIZED BUSINESS REPRESENTATIVE: Same

AUTHORIZED BUSINESS ALTERNATE: "

AUTHORIZED TECHNICAL REPRESENTATIVE: "

AUTHORIZED TECHNICAL ALTERNATE: "

COMPANY NAME: Ensystex IV, Inc.

OFFICER'S NAME: DAVID NIMOCKS

OFFICER'S TITLE: CHAIRMAN

COMPANY NAME: Tacoma Ag, LLC

OFFICER'S NAME: Kevin M. Howard

OFFICER'S TITLE: President

SIGNATURE:

DATE: 08.22.2011

AUTHORIZED BUSINESS REPRESENTATIVE: Kevin M. Howard

AUTHORIZED BUSINESS ALTERNATE: Bryan S. Wilson

AUTHORIZED TECHNICAL REPRESENTATIVE: Lawrence A. Miller

AUTHORIZED TECHNICAL ALTERNATE: Jane M. Miller

COMPANY NAME: Tacoma Ag, LLC

OFFICER'S NAME: Kevin M. Howard

OFFICER'S TITLE: President

## SCHEDULE A

## Products covered under Bifenthrin Label Amendment Memorandum of Agreement

## July 29, 2011

| PRODUCT NAME | EPA REG. NO. | COMPANY | BIFENTHRIN % |
|---|---|---|---|
| MENACE FLOWABLE | 228-451 | NUFARM | 7.9 |
| | | | |
| BIFLEX RESIDENTIAL FLOWABLE INSECTICIDE/MITICIDE | 279-3152 | FMC | 7.9 |
| TALSTAR GC FLOWABLE INSECTICIDE/MITICIDE | 279-3156 | FMC | 7.9 |
| TALSTAR LAWN & TREE FLOWABLE INSECTICIDE/MITICIDE | 279-3162 | FMC | 7.9 |
| TALSTAR TC FLOWABLE TERMITICIDE/INSECTICIDE | 279-3206 | FMC | 7.9 |
| TALSTAR F FLOWABLE TERMITICIDE/INSECTICIDE | 279-3255 | FMC | 11.7 |
| BIFENTHRIN 8% ME TERMITICIDE/INSECTICIDE | 279-3311 | FMC | 8 |
| F5997 ME INSECTICIDE/MITICIDE | 279-3314 | FMC | 8 |
| F6138-1 ZW INSECTICIDE | 279-3362 | FMC | 8 |
| | | | |
| BIFENTHRIN 7 T&O | 34704-884 | LOVELAND | 7.9 |
| BISECT L | 34704-955 | LOVELAND | 7.9 |
| | | | |
| BIFENTHRIN LT | 53883-117 | CONTROL SOLUTIONS | 7.9 |
| BIFENTHRIN TC TERMITICIDE/INSECTICIDE | 53883-118 | CONTROL SOLUTIONS | 7.9 |
| BIFENTHRIN 2.4 MEC | 53883-178 | CONTROL SOLUTIONS | 2.4 |
| BIFEN 2 LB | 53883-189 | CONTROL SOLUTIONS | 25.1 |
| | | | |
| WISDOM TC FLOWABLE | 5481-520 | AMVAC | 7.9 |
| | | | |

| PRODUCT NAME | EPA REG. NO. | COMPANY | BIFENTHRIN % |
|---|---|---|---|
| BIFENTHRIN SC LAWN AND TREE FLOWABLE INSECTICIDE/MITICIDE | 66222-101 | MAKHTESHIM | 7.9 |
| QUALI-PRO BIFENTHRIN I/T 7.9F | 66222-190 | MAKHTESHIM | 7.9 |
| | | | |
| BIFENTHRIN 7.9% FL TC | 66330-315 | ARYSTA | 7.9 |
| BIFENTHRIN 2E TC | 66330-320 | ARYSTA | 25.1 |
| BIFENTHRIN 7.9% FL L&T | 66330-321 | ARYSTA | 7.9 |
| BIFENTHRIN 11.7% TC | 66330-330 | ARYSTA | 11.7 |
| | | | |
| UP-STAR SC LAWN & NURSERY INSECTICIDE/MITICIDE | 70506-23 | UNITED PHOSPHORUS | 7.9 |
| UP-STAR GOLD INSECTICIDE | 70506-24 | UNITED PHOSPHORUS | 7.9 |
| | | | |
| BIFENTHRIN 7.9 TERMITICIDE/INSECTICIDE | 73748-7 | UNIVAR | 7.9 |
| | | | |
| F4688 WSP INSECTICIDE TERMITICIDE | 8033-96 | NIPPON SODA | 27.27 |
| | | | |
| FIREBIRD PRO | 81943-9 | PHOENIX ENVIRONMENTAL | 7.9 |
| | | | |
| MAXXTHOR SC | 81824-5 | ENSYSTEX II | 7.9 |
| MAXXTHOR EC | 83923-6 | ENSYSTEX IV | 23.4 |
| | | | |
| BIFEN 7.9 SC | 83520-3 | TACOMA | 7.9 |

## Schedule B

## Bifenthrin
## Label Restrictions to Specific Products

July 29, 2011

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**Products that are included** include the following characteristics:

1) **Active Ingredient**. Contain bifenthrin as an active ingredient.

2) **Outdoor Structural Sites**. Include directions for outdoor applications to structural, residential, industrial and institutional sites.

3) **Non-porous Surfaces**. Include directions that allow (or don't otherwise prohibit) applications to non-porous outdoor surfaces, either vertical or horizontal (e.g., foundations or sidewalks).

4) **Professional Use**. Intended for use by persons performing pest control for hire. (Note: products that may be occasionally used by professionals for small jobs are not included)

**Summary of label restrictions**:

1) **Horizontal Impervious Surfaces**. Prohibit applications to horizontal impervious surfaces (e.g., driveways, walkways) unless the surface is protected from rainfall and spray from sprinklers.

2) **Vertical Impervious Surfaces**. Prohibit applications to vertical impervious surfaces (e.g., foundations) that abut horizontal impervious surfaces (e.g., driveways, walkways), unless either:

    a. The vertical surfaces are protected from rainfall or spray from sprinklers, or

    b. The horizontal surfaces do not drain into sources of stormwater (e.g., the abutted driveways/walkways do not drain into streets).

## Details of Labeled Restrictions

The following are the detailed language restrictions that are applicable to most covered bifenthrin products. Some covered products contain language that will require more extensive construction in order to ensure that the same intent is clearly stated in the label language.

### General Outdoor Applications, Including Non-porous Surfaces

Current labeling should include the following EPA-mandated language:

> "Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during or after application.
>
> Additional Application Restrictions for Residential Outdoor Surface and Space Sprays:
>
> All outdoor applications must be limited to spot or crack-and-crevice treatments only, except for the following permitted uses:
> (1) Treatment to soil or vegetation around structures;
> (2) Applications to lawns, turf, and other vegetation;
> (3) Applications to building foundations, up to a maximum height of 3 feet.
> Other than applications to building foundations, all outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches and structural surfaces (such as windows, doors, and eaves) are limited to spot and crack-and-crevice applications, only."

For the section of the labels that provide general requirements for "Pest Control on Outside Surfaces and Around Buildings", add the following:

> "Follow Additional Application Restrictions for Residential Outdoor Surface and Space Sprays under DIRECTIONS FOR USE."

### Applications to Horizontal Non-porous Surfaces

Proposed additional restrictions for applications to horizontal surfaces would include the following language (examples that will apply to most bifenthrin labels)

For applications to outdoor pests such as ants, change to read:

> "The following procedures must be followed to help achieve m~~M~~aximum control of the pest~~is generally achieved using the following procedure~~:

1) Treat non-porous surfaces only in areas protected from rainfall and spray from sprinklers with low volume applications using 0.5 to 1.0 fluid oz. of product per gallon of water and applying this dilution at the rate of one gallon per 1,000 square feet."

**Applications to Vertical Non-porous Surfaces**

For the section of the label that provides general requirements for "Pest Control on Outside Surfaces and Around Buildings", add the following:

"Applications to vertical exterior surfaces (e.g., foundations) are permitted to a maximum height of 3 feet from ground level. Sections of vertical exterior surfaces that abut non-porous horizontal surfaces can only be treated if either 1) these sections are protected from rainfall and spray from sprinklers or 2) they do not drain into a sewer, storm drain, or curbside gutter (e.g., not to sections that abut driveways or sidewalks that drain into streets)"

For the "Perimeter Treatment" paragraph within the "Pest Control on Outside Surfaces and Around Buildings" section of the label, add the following

"For sections of foundation that abut non-porous horizontal surfaces, the treated areas must be protected from rainfall and spray from sprinklers or they do not drain into a sewer, storm drain, or curbside gutter (e.g. not to sections that abut driveways or sidewalks that drain into streets)."

RFC

RG

# ENSYSTEX, Inc.

**2713 Breezewood Ave., P. O. Box 87329, Fayetteville, NC 28304**
Voice - 1-910-485-5720 Fax – 1-888-368-4479 www. ensystex.com

August 6, 2010

Mark Suarez (PM 13)
Document Processing Desk (CERT)
Office of Pesticide Programs
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

Dear Mark,
We are looking at registering Maxxthor EC EPA Reg. # 83923-6 and the active ingredient [redacted] in Syria. They are requesting a Gold Seal Label for the products from EPA. Would you please send this to me at your earliest convenience?

Thanks,

Ken Kendall MA; B.C.E.
VP Technical Services & Governmental Affairs

*Product ingredient source information may be entitled to confidential treatment*

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

**OFFICE OF PREVENTION,**
**PESTICIDES AND**
**TOXIC SUBSTANCES**

**February 2, 2011**

**I, Richard Gebken, Insecticide Branch, Registration Division, Office of Pesticide Programs, Office of Prevention, Pesticides and Toxic Substances, United States Environmental Protection Agency ("EPA"), certify that the pesticide product (s) listed below is, as of the date of this letter, a registered product under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, and that as such, the product(s) may be sold and marketed in the United States of America as authorized and limited by FIFRA. A true and correct copy of the product label approved by EPA is attached to accompany this letter.**

**Registration of this product(s) with EPA also denotes that the registrant listed below is responsible for ensuring full compliance with all the laws of the United States of America, or governing jurisdiction, regarding the sale, storage and/or disposal of the product(s). Further, the recipient of this letter is on notice that the referenced registration and/or the accompanying label may change subsequent to the date of this letter. EPA assumes no responsibility to notify the recipient(s) (i.e., Syria) of this letter of any change in the status of the registration(s) and/or the product label for the product(s) listed below.**

**EPA has issued registration numbers for the product(s) listed below to:**

**Ensystex Iv, Inc**
**4110 136Th Street**
**Gig Harbor, WA 98332**

**EPA Registration Number: 83923-6**
**Name of Product: MAXXTHOR EC**

for Regina Fausti-Smith

**Richard Gebken**
**Risk Manager 13**
**Insecticide Branch**
**Registration Division (7505P)**

# MATERIAL TO BE ADDED TO JACKET

**REG #** 83923-6

**Description:** Notification for PRN 98-10

| check all that apply | | |
|---|---|---|
| ☐ | new stamped accepted label | Send to CSC |
| ☐ | new CSF | |
| ☑ | notification | |

***Instructions:***

Attach this sheet to the top of **ALL** material sent to the file room (both loose paper and new material in jackets). This sheet will be imaged; a clear description will aid in finding material in the e-jacket. Remove staples from all material. If returning loose paper then hold together with a binder or paper clip. CSFs should be placed in the CSF folder (if returning jacket) or covered with a red CBI sheet (if returning loose paper). Material to be returned to file room should be place in the appropriate bin.

Reviewer's Name: Melody Banks Date: 8-18-10

Phone: 305-5413 Division: PD

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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

AUG 18 2010

Mr. Ross Gilbert
Ensystex II, Inc
c/o Pyxis Regulatory Consulting, Inc.
4110 136th Street, NW
Gig Harbor, WA 98332

Subject: Label Notification(s) for Pesticide Registration 98-10

Dear Mr. Gilbert:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated for May 18, 2010

**EPA Registration Number: 83923-6 MAXTHOR EC**

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.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on non-refillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

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

Sincerely,

Mark Suarez
Product Manager 13
Insecticide Branch
Registration Division (7504P)

Decision Information for 83923-6

Decision Seq. 435609 Action Code: 332,NOTIFICATION;,30

FFS Start Date | Tentative Ind: No | FFS Original Decision:

Due Date 20-Jun-2010 | 75-Day Due Date: | FFS EUP Decision:

OPP Target Due Dt: | FFS Primary Decision:

Negotiated Due Dt: | Start/Stop Clock | FQPA Clock:

Registrant Response Due Date: | Days Elapsed:

Current Status: PENDING (21-Jun-2010)

Decision Status | Tracking | Create Resubmission | FFS Letters | Waiver Documentation | Action Code History | Secondary Decision

Decision Comments | Payment | Unmatched Payments | 75 Day Letters

Meetings & Milestones | FFS Information | FFS Negotiated Due Dates | OPP Target Due Date

Decision Ownership | Receipts | Data Package | Reduced Risk

| Receipts | Staff Member | Reg/DCI Number | Submission Due Dt | Response |
|---|---|---|---|---|
| S: 876797 | Banks, Melody | 83923-6 | 20-Jun-2010 | PENDING |

Notification per EPA letter dated June 4, 2009

Mail - Inbox - I... | EPA-PRISM Mai... | Lotus Notes | 9:14 AM

*Please read instructions on reverse before completing form.*

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95

EPA

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

☐ Registration
☐ Amendment
☑ Other

OPP Identifier Number

## Application for Pesticide - Section I

| | | |
|---|---|---|
| 1. Company/Product Number<br>83923-6 | 2. EPA Product Manager<br>R.Gebken | 3. Proposed Classification<br>☑ None ☐ Restricted |
| 4. Company/Product (Name)<br>Ensystex IV, Inc / Maxxthor EC | PM#<br>10 | |
| 5. Name and Address of Applicant *(Include ZIP Code)*<br>Ensystex IV, Inc<br>c/o Pyxis Regulatory Consulting, Inc.<br>4110 136th St. NW<br>Gig Harbor, WA 98332<br>☐ *Check if this is a new address* | 6. **Expedited Reveiw.** In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to:<br>EPA Reg. No. _____<br>Product Name _____ | |

## Section - II

☐ Amendment - Explain below.
☐ Resubmission in response to Agency letter dated _____
☑ Notification - Explain below.
☐ Final printed labels in repsonse to Agency letter dated _____
☐ "Me Too" Application.
☐ Other - Explain below.

NOTIFICATION
AUG 18 2010

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

Notification of label change per June 4, 2009, letter from Environmental Protection Agency. This notification is consistent with the guidance in the June 4, 2009 letter and the requirements of EPA's regulations at 40 CFR part 156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR part 156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

## Section - III

**1. Material This Product Will Be Packaged In:**

| Child-Resistant Packaging | Unit Packaging | Water Soluble Packaging | 2. Type of Container |
|---|---|---|---|
| ☐ Yes<br>☑ No | ☐ Yes<br>☑ No | ☐ Yes<br>☑ No | ☐ Metal<br>☑ Plastic<br>☐ Glass<br>☐ Paper<br>☐ Other (Specify) _____ |
| ***Certification must be submitted*** | If "Yes" Unit Packaging wgt. / No. per container | If "Yes" Package wgt / No. per container | |

| 3. Location of Net Contents Information | 4. Size(s) Retail Container | 5. Location of Label Directions |
|---|---|---|
| ☐ Label ☑ Container | 1 pt., 1 qt., 1 gallon, 2.5 gallons | ☑ On Label<br>☐ On Labeling accompanying product |

6. Manner in Which Label is Affixed to Product: ☑ Lithograph ☐ Paper glued ☐ Stenciled ☐ Other _____

## Section - IV

1. Contact Point *(Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)*

| Name | Title | Telephone No. (Include Area Code) |
|---|---|---|
| Ross Gilbert | Agent | (253) 853-7869 |

**Certification**

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

| | | |
|---|---|---|
| 2. Signature | 3. Title<br>Agent | 6. Date Application Received<br>(Stamped) |
| 4. Typed Name<br>Ross Gilbert | 5. Date<br>5/18/10 | RECEIVED 6/7/10 |

EPA Form 8570-1 (Rev. 3-94) Previous editions are obsolete. White - EPA File Copy (original) Yellow - Applicant Copy

**PYXIS REGULATORY CONSULTING, INC.**

4110 136th St. NW
Gig Harbor, WA 98332

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

May 18, 2010

COURIER DELIVERY

Richard Gebken (PM 10)
Document Processing Desk (**NOTIF-PYRETHROID**)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

RE: Ensystex IV, Inc. – Maxxthor EC (EPA Reg. No. 83923-6)
Revision to Environmental Hazards and Directions for Use per Environmental Hazard and General Labeling for Pyrethroid Non-Agricultural Outdoor Products Notification EPA letter dated June 4, 2009

Dear Mr. Gebken,

On behalf of Ensystex IV, Inc. please find the enclosed label notification revising the environmental hazards language and directions for use for Maxxthor EC per EPA's letter dated June 4, 2009.

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

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

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

Sincerely,

Ross Gilbert

Enclosures

cc: D. Nimocks; Ensystex IV, Inc.

# There is an **ELECTRONIC LABEL** for this action

You can use Acrobat to compare the e-label to the previous version (and find the changes). You can also use Acrobat to mark-up the e-label with your comments.

| If e-label was submitted via | or | If e-label was submitted via |
|---|---|---|
| **CD-ROM with paper application** | | **XML E-Submission (no paper)** |
| then you will find e-label in | | then you will find e-label in |
| **Electronic Label Library** | | **Documentum** |
| *If the e-label is not found in the ELL then it was probably not named correctly and could not be entered into the ELL. However, the file can be retrieved from the CD which is retained by the Front End.* | | |

See overview of processing e-labels on other side of this sheet.
If you have any questions on e-labels, please contact one of your division e-label experts:

| | | |
|---|---|---|
| AD | Willie Abney | 308-1689 |
| | Renae Whitaker | 308-7003 |
| | Tracy Lantz | 308-6415 |
| BPPD | | |
| RD | Tom Harris | 308-9423 |

NOTIFICATION

AUG 1 8 2010

# MAXXTHOR EC

**For use only by individuals/firms licensed or registered by the state to apply termiticide products when applied as a termiticide. States may have more restrictive requirements regarding qualifications of persons using this product. Consult the structural pest control regulatory agency of your state prior to use of this product. For use by pest control operators or commercial operators to control pests on lawns and ornamental plants.**

| Active Ingredient: | By Wt. |
|---|---|
| Bifenthrin* | 23.4% |
| Other Ingredients**: | 76.6% |
| TOTAL: | 100.0% |

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

**Contains petroleum distillates

**EPA Reg. No. 83923-6 EPA Est. 81824-NC-001**

MAXXTHOR EC contains 2 pounds active ingredient per gallon.

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

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

**For product use information call 1-866-FOR-THOR (367-8467).**

## KEEP OUT OF REACH OF CHILDREN

# WARNING

## *ENSYSTEX IV, Inc.*

Fayetteville, NC 28303

**Net Contents: As marked on container**

## FIRST AID

| | |
|---|---|
| **If swallowed** | • Immediately call a poison control center or doctor.<br>• Do not induce vomiting unless told to do so by a poison control center or doctor.<br>• Do not give any liquid to the person.<br>• Do not give anything by mouth to an unconscious person. |
| **If inhaled** | • Move person to fresh air.<br>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.<br>• Call a poison control center or doctor for further treatment advice. |
| **If on skin or clothing** | • Take off contaminated clothing.<br>• Rinse skin immediately with plenty of water for 15 to 20 minutes.<br>• 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.<br>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.<br>• Call a poison control center or doctor for treatment advice. |

## HOTLINE NUMBER

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

## NOTE TO PHYSICIAN

This product is a pyrethroid. This product also contains aromatic hydrocarbons. Because of the risk of hydrocarbon pneumonitis if even tiny amounts are aspirated into the lung during emesis, consideration should be given to gastric lavage with endotracheal tube in place. Treatment is symptomatic and supportive. Animal and vegetable fats, milk, cream and alcohol may increase absorption and should not be administered.

## PRECAUTIONARY STATEMENTS

### Hazards to Humans and Domestic Animals

May be fatal if swallowed. Causes skin irritation and moderate eye irritation. Do not get on skin or on clothing. Avoid breathing vapors or spray mist, and contact with eyes. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Remove contaminated clothing and wash contaminated clothing before reuse.

**Personal Protective Equipment:** All pesticide handlers (mixers, loaders and applicators) must wear long-sleeved coveralls worn over a minimum of short-sleeved shirt and short pants, socks, chemical-resistant footwear, chemical-resistant gloves and protective eyewear. After the product is diluted in accordance with label directions for use (or if an in-line injector system is used) shirts, pants, socks, shoes and waterproof gloves are sufficient. All pesticide handlers must wear a respiratory protection device when handling the concentrate or when working in a non-ventilated space (such as a NIOSH approved respirator with any R, P or HE filter or a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any R, P or HE pre-filter). All pesticide handlers must wear protective eyewear, such as goggles, faceshield or safety glasses, when working in a non-ventilated space or when applying as a termiticide by rodding or sub-slab injection.

**Termite Control Treatment:** When treating adjacent to an existing structure, the applicator must check the area to be treated and immediately adjacent areas of the structure for visible and accessible cracks and holes to prevent any leaks or significant exposures to persons occupying the structure. People present or residing in the structure during application must be advised to remove their pets and themselves from the structure if they see any signs of leakage. After application, the applicator is required to check for leaks. All leaks resulting in the deposition of termiticide in locations other than those prescribed on this label must be cleaned up prior to leaving the application site. Do not allow people or pets to contact contaminated areas or to reoccupy contaminated areas of the structure until the clean-up is completed.

### Environmental Hazards

This pesticide is extremely toxic to 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. Do not contaminate water by cleaning of equipment or disposal of equipment washwaters.~~ Do not apply when weather conditions favor drift from treated areas. Care should be used when spraying to avoid fish and reptile pets in/around ornamental ponds.

Do not apply this product or allow it to drift to crops or weeds on which bees are actively foraging. Additional information may be obtained from your Cooperative Extension Service.

To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies and drainage systems.

### Physical and Chemical Hazards

Do not use or store near heat or open flame.

Do not apply this product in or on electrical equipment 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.

Do not water the treated area to the point of run-off.

Do not make applications during rain.

Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during application.

**Additional Application Restrictions for Pre-Construction Termiticide Applications:**

The treatment site must be covered prior to a rain event in order to prevent run-off of the pesticide into non-target areas.

The applicator must either cover the soil him/herself or provide written notification of the above requirement to the contractor on site and to the person commissioning the application (if different from the contractor). If notice is provided to the contractor or the person commissioning the application, then they are responsible under FIFRA to ensure that: 1) if the concrete slab cannot be poured over the treated soil within 24 hours of application the treated soil is covered with a waterproof covering (such as polyethylene sheeting), and 2) the treated soil is covered if precipitation is predicted to occur before the concrete slab is scheduled to be poured.

Do not treat soil that is water-saturated or frozen.

Do not treat when raining.

Do not allow treatment to run off from the target area.

Do not apply within 10 feet of storm drains. Do not apply within 25 feet of aquatic habitats (such as, but not limited to, lakes; reservoirs; rivers; permanent streams; marshes or ponds; estuaries; and commercial fish farm ponds).

Do not make on-grade applications when sustained wind sweeps are above 10 mph (at application site) at nozzle end height.

**Additional Application Restrictions for Residential Outdoor Surface and Space Sprays:**

All outdoor applications must be limited to spot or crack-and-crevice treatments only, except for the following permitted uses:

(1) Treatment to soil or vegetation around structures;

(2) Applications to lawns, turf, and other vegetation;

(3) Applications to building foundations, up to a maximum height of 3 feet.

Other than applications to building foundations, all outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches and structural surfaces (such as windows, doors and eaves) are limited to spot and crack-and-crevice applications only.

## STORAGE AND DISPOSAL

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

**Pesticide Storage:** If crystals are observed, warm material to above 60°F by placing container in warm location. Shake or roll container periodically to redissolve solids. Do not use external source of heat for warming container.

Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use, replace lids and close tightly. Do not put concentrate or dilute material into food or drink containers. Do not contaminate other pesticides, fertilizers, water, food, or feed by storage or disposal.

**In Case of Spill:** Confine it, avoid contact, isolate area and keep animals and unprotected persons away. If spill is liquid, form dike around spill area and/or absorb spill with absorbent materials, such as sand, cat litter or clay. If spill is dry material, cover to prevent dispersal. Place damaged package in a holding container and identify contents. Contact Ensystex at 1-866-367-8467 or Chemtrec at 1-800-424-9300 for any assistance

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

**Container Disposal:** Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) 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. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

## APPLICATION FOR CONTROL OF SUBTERRANEAN TERMITES

### General

MAXXTHOR EC, in the form of a dilute insecticidal solution, prevents and controls subterranean termite infestations in and around structures and other items by creating a continuous chemically treated zone (horizontal and/or vertical as needed) between the wood and other cellulose material in the structure and termite colonies in the soil. In order to establish a barrier between the wood in the structure and the termites in the soil, adequately disperse the solution of this product in the soil.

To effectively control termites with this product, the service technician should be familiar with current termite control practices including trenching, rodding, sub-slab and void injection, soil surface fan spraying, excavated soil treatment and brush, spray and injection applications to wood. Correct use of these techniques is necessary to effectively control infestations by subterranean termites such as *Coptotermes, Heterotermes, Reticulitermes* and *Zootermopsis*. The service technician should consider the biology and behavior of the termite specie(s) to be controlled to determine which control practices to use.

Treatment standards and procedures for subterranean termite control may vary due to regulations, water table level, structure design, soil types, construction practices and other factors. For advice concerning current control practices with respect to specific local conditions, consult resources in structural pest control and state cooperative extension and regulatory agencies. Follow all federal, state and local regulations and treatment standards for protection of a structure from subterranean termites.

Effective termite control may also include mechanical alteration 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 is advised. Removal of non-essential cellulose containing materials that are in contact with the ground under or around the structure can reduce termite foraging in the area. When untreated wooden parts of the structure touch the ground and such contact cannot be broken, creating a barrier between the soil and such components using a solution of the product may protect the components and the structure against termite attack.

MAXXTHOR EC is labeled for use against subterranean termites as a 0.06% or 0.12% solution in water, however the 0.06% finished solution should be used for typical control situations. When difficult or problem soils or construction types are encountered, it may be necessary to use 0.12% MAXXTHOR EC mixed in reduced volumes of water.

Avoid contamination of water supplies due to backflow under reduced water system pressure by using anti-backflow equipment or procedures to prevent siphoning of any solution back into a water supply. Do not contaminate cisterns or wells. Do not treat soil that is water saturated or frozen. Do not treat while precipitation is occurring. Do not apply solution to an area or site if the soil at the area or site is in such a state or condition that runoff or movement of the solution from the treated area or site is likely to occur. Consult state and local specifications for recommended distances of wells from treated areas, or if such regulations do not exist, refer to Federal Housing Administration Specifications (H.U.D.) for guidance.

For the purposes of this label and its directions, crawl spaces are to be considered to be inside of the structure. Critical areas include areas where the foundation is penetrated by utility services, cracks and expansion joints, bath traps and areas where construction elements such as stairs, patios and slab additions abut the foundation.

### Mixing Directions For MAXXTHOR EC For Use As A Termiticide

Mix MAXXTHOR EC for use as a termiticide in the following manner:

1. Fill tank 1/4 to 1/3 full.
2. Start pump to begin by-pass agitation and place end of treating tool in tank to allow circulation through hose.
3. Add appropriate amount of MAXXTHOR EC.
4. Add remaining amount of water.
5. Let pump run and allow recirculation through the hose for 2 to 3 minutes.

MAXXTHOR EC may also be mixed into full tanks of water, but substantial agitation is required to ensure uniformity of the solution.

### Dilution of MAXXTHOR EC for Use as a Termiticide

For termite control, use rates for MAXXTHOR EC are expressed and the solution is mixed according to the percentage (%) concentration it forms when mixed in water. Use the mixing table or alternately the formulas below to determine the amount of MAXXTHOR EC to add to any quantity of water.

To prepare a 0.06% water solution, ready to use, dilute 1 quart of MAXXTHOR EC with 99.75 gallons of water. To prepare a 0.12% water solution, ready to use, dilute 2 quarts of MAXXTHOR EC with 99.5 gallons of water.

**Mixing Table for MAXXTHOR EC for Use as a Termiticide**

| Solution Percentage Concentration Desired | Gallons of Finished Solution Desired | Amount of MAXXTHOR EC to add | Water to mix with MAXXTHOR EC |
|---|---|---|---|
| 0.06% | 1 | 0.32 oz | 127.68 oz |
| | 5 | 1.60 oz | 4.99 gallons |
| | 10 | 3.2 oz | 9.975 gallons |
| | 25 | 8.0 oz. | 24.94 gallons |
| | 50 | 0.50 quart | 49.875 gallons |
| | 75 | 0.75 quart | 74.8125 gallons |
| | 100 | 1.00 quart | 99.75 gallons |
| | 150 | 1.50 quart | 149.62 gallons |
| | 200 | 2.00 quart | 199.5 gallons |
| 0.12%* | 1 | 0.64 oz | 127.36 oz |
| | 5 | 3.2 oz | 4.975 gallons |
| | 10 | 6.4 oz. | 9.95 gallons |
| | 25 | 0.5 quart | 24.875 gallons |
| | 50 | 1.0 quart | 49.75 gallons |
| | 75 | 1.5 quart | 74.625 gallons |
| | 100 | 2.0 quart | 99.5 gallons |
| | 150 | 3.0 quart | 149.25 gallons |
| | 200 | 1 gallon | 199.0 gallons |

*Only use the 0.12% rate in accordance with the *Adjustments to Application Volume* section. May also be used in accordance with the *FOAM APPLICATION* and *APPLICATIONS TO PROTECT UNDERGROUND ITEMS FROM TERMITE ATTACK* sections.

### Calculating an Amount of MAXXTHOR EC to Mix

To mix any amount of MAXXTHOR EC for termite control, determine:

A = Units of water into which the MAXXTHOR EC will be mixed. Express any partial units as decimal fractions (1/2 = .5). Any unit of measure, such as gallons or quarts, can be used for A. Answers to equations below are in same units as A.

MAXXTHOR EC to add to A for 0.06% = A / 399

MAXXTHOR EC to add to A for 0.12% = A / 199.5

To convert gallons to fluid ounces, multiply number of gallons X 128

128 fluid ounces = 16 cups = 8 pints = 4 quarts = 1 gallon

32 fluid ounces = 1 quart

### Application Volume

To provide maximum control and protection against termite infestation, apply the specified volume of the finished water solution containing the specified amount of MAXXTHOR EC as set out below or as otherwise directed in this label.

**Prescribed Horizontal Barrier Rate:** Unless otherwise directed, horizontal barriers are created by applying a 0.06% solution at a rate of one gallon of solution per 10 square feet. (One gallon of 0.06% solution contains 0.32 fluid ounce of MAXXTHOR EC.)

**Prescribed Vertical Barrier Rate:** Unless otherwise directed, vertical barriers are created by applying a 0.06% solution at a rate of four gallons of solution per 10 linear feet per foot of depth. (Four gallons of 0.06% solution contains 1.28 fluid ounces of MAXXTHOR EC.)

### Adjustments to Application Volume

If soil will not accept the labeled application volumes, the volume may be reduced provided there is a corresponding increase in concentration so that the amount of active ingredient applied to the soil remains the same.

Note: Large reductions of application volume reduce the likelihood of obtaining a continuous barrier. Variance is allowed when volume and concentration are consistent with label directed rates and a continuous barrier can still be achieved. When volume is reduced, the spacing of holes created for sub slab injection and soil rodding may need to be reduced to account for decreased dispersion of the solution in the soil.

For example, adjust the amount of solution applied to deliver a horizontal barrier of 10 square feet from 1 gallon to as low as 0.5 gallons and as high as 2 gallons while maintaining the amount of MAXXTHOR EC (.32 fluid ounce) applied per 10 square feet.

For example, adjust the amount of solution applied to deliver a vertical barrier 10 feet long by one foot deep from 4 gallons to as low as 2 gallons and as high as 8 gallons while maintaining the amount of MAXXTHOR EC (1.28 fluid ounces) applied per 10 linear feet.

## PRE-CONSTRUCTION TREATMENT

### All Structures

**Pre-construction treatment: Do not apply at a lower dosage and/or concentration than specified on this label for applications prior to the installation of the finished grade.**

Prior to each application, applicators must notify the general contractor, construction superintendent, or similar responsible party, of the intended termiticide application and intended sites of application and instruct the responsible person to notify construction workers and other individuals to leave the area to be treated during application and until the termiticide is absorbed into the soil.

Effective control of subterranean termites can be accomplished during construction by using a 0.06% solution of MAXXTHOR EC to establish vertical and/or horizontal barriers between the structure and the soil as directed. Applications should be made as a coarse low pressure spray (less than 50 psi). To meet current termite proofing requirements, follow the procedures in the latest edition of the Housing and Urban Development Minimum Property Standards.

### Horizontal Barriers Under Slabs on Ground Including Basements

Create a horizontal barrier on the entire surface of soil or substrate that will be covered by a slab, including, but not limited to, slab floors, footing trenches, garages, carports, basements, porches and entrance platforms by treating the soil or substrate with the solution at the Prescribed Horizontal Barrier Rate.

If the fill under the slab is a coarse material such as washed gravel, apply at 1.5 times the Prescribed Horizontal Barrier Rate to make sure that a sufficient enough amount of dilution is applied that the solution reaches the soil beneath the fill.

Apply solution using a coarse spray nozzle. If the slab over the treated area will not be poured on the same day as the application (and there are no foundation walls in place around the treated soil) cover treated soil with a water-proof barrier such as polyethylene sheeting.

### Vertical Barriers

Create a vertical barrier along the inside and outside of foundation walls, around piers, plumbing and utility service entrances and other points of possible future termite access and entry by treating the soil at these points at the Prescribed Vertical Barrier Rate. When trenching and rodding into the trench, or trenching alone, it is important that the solution reaches the top of the footing. Rod holes must be spaced so as to achieve a continuous termiticidal barrier, but they should in no case be more than 12 inches apart. Trenches need not be wider than 6 inches. Mix the solution into the soil as it is being replaced in the trench. Care should be taken to avoid washing soil out from around footings thereby undermining the stability of the structure. An inside vertical barrier may not be required for a monolithic slab.

When treating foundations deeper than 4 feet, apply the termiticide as the backfill is being replaced, or if the construction contractor fails to notify the applicator in time to permit this, treat the foundation to a minimum depth of 4 feet after the backfill has been installed. The applicator must trench and rod into the trench or trench along the foundation walls and around pillars and other foundation elements, at the rate prescribed from grade to a minimum depth of 4 feet. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. However, in no case should a structure be treated below the footing.

### Hollow Block Foundations and Voids

Hollow block foundations and voids may be treated at a rate of 2 gallons of solution per 10 linear feet to create a continuous treated zone within the voids at the footing.

## POST CONSTRUCTION TREATMENT

### All Structures

Post construction soil applications shall be made by injection, rodding, trenching or coarse fan spray with pressures not exceeding 25 p. s. i. at the nozzle. Care should be taken to avoid washing soil out from around footings thereby undermining the stability of the structure.

Do not apply treatment until the identity and location of all wells, radiant heat pipes, water and sewer lines, electrical conduits and sub-slab heating and air conditioning ducts is established. Caution must be taken to avoid puncturing these elements and/or injecting solution into them. All holes in commonly occupied areas into which material has been applied must be plugged. Plugs must be of a non-cellulose material or covered by an impervious, non-cellulose material.

**Vertical Barrier Depth:** For applications made after the final grade is installed, the applicator must trench and rod into the trench or trench along the foundation walls and around pillars and other foundation elements and treat at the rate prescribed from grade to the top of the footing. When the footing is more than four (4) feet below grade, the applicator must trench and rod into the trench or trench along the foundation walls and treat at the rate prescribed to a minimum depth of four feet. The actual depth of treatment will vary depending on the soil type, degree of compaction, and location of termite activity. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. However, in no case should a structure be treated below the footing.

### Structures Containing Concrete Slabs on Ground (Monolithic/Floating/Supported) including Basements

To make an application beneath existing slabs, it may be necessary to drill holes in the slab or adjacent foundation and to apply solution. Holes should be spaced such that when treatment is applied through them, a continuous treated zone is applied beneath the slab.

**Vertical Barriers Along Exterior of Foundation Walls:** Trench and rod into the trench or trench along the outside of foundation walls and treat at the Prescribed Vertical Barrier Rate to the depth specified under Vertical Barrier Depth. Where physical obstructions such as concrete walkways adjacent to foundation elements or soil type and/or conditions make trenching prohibitive, treatment may be made by rodding alone.

**Vertical Barriers Along Interior of Foundation Walls:** Vertical barriers may be established on the interior side of foundation walls by sub-slab injection of the solution at the Prescribed Vertical Barrier Rate. Injection openings can be drilled either vertically through the slab along the interior of the foundation wall or horizontally from the exterior through the foundation wall low enough on the wall to allow for the deposition of the solution beneath the slab along the interior side of the foundation wall. Drill holes should be spaced so as to achieve a continuous chemical barrier but in no case farther apart than 12 inches. Special care must be taken to distribute the solution evenly. Vertical barriers may also be established beneath the slab along both sides of interior footing-supported walls, one side of interior partitions and along all cracks and expansion joints and utility service entrances and bath traps.

**Horizontal Barriers Beneath Slabs on Ground:** Create a horizontal barrier by treating at the Prescribed Horizontal Barrier Rate beneath slabs by either drilling and long rodding from the exterior or by grid pattern drilling and injection vertically through the slab. Long rodding should be used only when grid pattern drilling and injection and horizontal short rodding and injection cannot be used to deliver the sub slab treatment.

**Bath Traps:** Exposed soil beneath and around areas where plumbing and utility services penetrate the slab should be treated at the rate of 1 gallon of solution per square foot of soil.

### Structures Containing Accessible Crawl Spaces

For crawl spaces, apply vertical termiticide barriers at the rate of 4 gallons of solution per 10 linear feet per foot of depth from grade to the top of the footing, or if the footing is more than 4 feet below grade, to a minimum depth of 4 feet. Apply by trenching and rodding into the trench, or trenching. Treat both sides of foundation and around all piers and pipes. Where physical obstructions such as concrete walkways adjacent to foundation elements prevent trenching, treatment may be made by rodding alone. When soil type and/or conditions make trenching prohibitive, rodding may be used. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. Read and follow the mixing and use direction section of the label if situations are encountered where the soil will not accept the full application volume.

1. Rod holes and trenches must not extend below the bottom of the footing.

2. Rod holes must be spaced so as to achieve a continuous termiticide barrier but in no case more than 12 inches apart.

3. Trenches must be a minimum of 6 inches deep or to the bottom of the footing, whichever is less, and need not be wider than 6 inches. When trenching in sloping (tiered) soil, the trench must be stepped to ensure adequate distribution and to prevent termiticide from running off. The solution must be mixed with the soil as it is replaced in the trench.

4. When treating plenums or crawl spaces, turn off the air circulation system of the structure until application has been completed and all solution has been absorbed by the soil.

### Structures Containing Inaccessible Crawl Spaces

For inaccessible interior areas, such as areas where there is insufficient clearance between floor joists and ground surfaces to allow operator access, excavate, if possible, and treat according to the instructions for accessible crawl spaces. Otherwise, apply one, or a combination of the following two methods.

1. To establish a horizontal barrier, apply to the soil surface, 1 gallon of solution per 10 square feet overall using a nozzle pressure of less than 25 p.s.i. and a coarse application nozzle (e.g., Delavan Type RD Raindrop, RD-7 or larger, or Spraying Systems Co. 8010LP TeeJet or comparable nozzle). For an area that cannot be reached with the application wand, use one or more extension rods to make the application to the soil. Do not broadcast or power spray with higher pressures.

2. To establish a horizontal barrier, drill through the foundation wall or through the floor above and treat the soil perimeter at a rate of 1 gallon of solution per 10 square feet. Drill spacing must be at intervals not to exceed 16 inches. Many states have smaller intervals, so check state regulations which may apply.

When treating plenums or crawl spaces, turn off the air circulation system of the structure until application has been completed and all termiticide has been absorbed by the soil.

### Masonry Voids

Drill and treat voids in multiple masonry elements of the structure extending from the structure to the soil in order to create a continuous treatment barrier in the area to be treated. Apply at the rate of 2 gallons of solution per 10 linear feet of footing using a nozzle pressure of less than 25 p.s.i. When using this treatment access holes must be drilled below the sill plate and should be as close as possible to the footing as is practical. Treatment of voids in block or rubble foundation walls must be closely monitored: Applicators must inspect areas of possible runoff as a precaution against application leakage in the treated areas. Some areas may not be treatable or may require mechanical alteration prior to treatment.

All leaks resulting in the deposition of termiticide in locations other than those prescribed on this label must be cleaned up prior to leaving the application site. Do not allow people or pets to contact contaminated areas or to reoccupy the contaminated areas of the structure until the clean-up is completed.

Note: When drilling veneer walls, care should be taken to not drill beyond the depth of the void behind the veneer into another construction layer behind the veneer. It is however permissible to drill through the veneer and into concrete blocks behind the veneer and to treat the veneer and the concrete blocks at the same time.

Note: Not for use in voids insulated with rigid foam.

## TREATMENT OF STRUCTURES WITH WELLS AND CISTERNS

Do not contaminate wells or cisterns.

### Structures with Wells/Cisterns Inside Foundations

Structures that contain wells or cisterns within the foundation of a structure can only be treated using the following techniques:

1. Do not treat soil while it is beneath or within the foundation or along the exterior perimeter of a structure that contains a well or cistern. The treated backfill method must be used if soil is removed and treated outside/away from the foundation. The treated backfill technique is described as follows:

a. Trench and remove soil to be treated onto heavy plastic sheeting or similar material or into a wheelbarrow.

b. Treat the soil at the rate of 4 gallons of dilute solution per 10 linear feet per foot of depth of the trench, or 1 gallon per 1.0 cubic feet of soil. See *Mixing Directions for MAXXTHOR EC for Use as a Termiticide* section of the label. Mix thoroughly into the soil taking care to contain the liquid and prevent runoff or spillage.

c. After the treated soil has absorbed the solution, replace the soil into the trench.

2. Treat infested and/or damaged wood in place using an injection technique such as described in the *APPLICATION TO WOOD INDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS* or *APPLICATION TO WOOD OUTDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS* sections of this label.

### Structures with Adjacent Wells/Cisterns and/or Other Water Bodies

Applicators must inspect all structures with nearby water sources such as wells, cisterns, surface ponds, streams, and other bodies of water and evaluate, at a minimum, the treatment recommendations listed below prior to making an application.

1. Prior to treatment, if feasible, expose the water pipe(s) coming from a well to the structure, if the pipe(s) enter the structure within 3 feet of grade.

2. Prior to treatment, applicators are advised to take precautions to limit the risk of applying the termiticide into subsurface drains that could empty into any bodies of water. These precautions include evaluating whether application of the termiticide to the top of the footer may result in contamination of the subsurface drain. Factors such as depth to the drain system and soil type and degree of compaction should be taken into account in determining the depth of treatment.

3. When appropriate (for example, on the water side of the structure), the treated backfill technique (described above) can also be used to minimize offsite movement of termiticide.

## FOAM APPLICATION

MAXXTHOR EC, in the form of a foam, can be used to deliver MAXXTHOR EC as a termiticide any time it appears likely this form of delivery will improve the dispersal of MAXXTHOR EC into and within the intended target area. Foam can be particularly useful to deliver MAXXTHOR EC where it either cannot be depended upon to be delivered as just a solution or due to a need to reduce the amount of water used in order to avoid water damage to the target or adjacent areas. In some situations, for example under some slabs, a solution cannot be depended upon to disperse as completely as a foam because of deflection of the liquid stream or some other structural obstacle or defect.

Depending on the circumstances, foam applications of MAXXTHOR EC may be used alone or in combination with liquid solution applications, provided that the cumulative amount of active ingredient per unit of area applied is equivalent to that which would be contained in a 0.06% solution-only application applied to the same area. Mix and apply foam and or foam/liquid emulsion in combination such that at least 1.28 ounces of MAXXTHOR EC concentrate is applied per 10 linear feet when creating vertical barriers or 0.32 ounces of MAXXTHOR EC concentrate is applied per 10 square feet when creating horizontal barriers. Typically, at least 75% of the labeled liquid emulsion volume of product should be applied as a liquid, with the remaining percent delivered as a foam. Foam may be used alone in difficult situations.

Using foam generating equipment, a solution of MAXXTHOR EC ranging in concentration from 0.06% to 0.12%, may be converted into a foam 2 to 40 times the volume of its liquid equivalent according to the foaming agent and foaming equipment manufacturer's recommendations.

First, form a solution of MAXXTHOR EC of the appropriate percentage concentration and volume. Then add the recommended volume of a foaming agent. Verify that the foaming agent is compatible with MAXXTHOR EC.

Applications may be made behind veneers, piers, chimney bases, into rubble foundations, into block voids, structural voids or other similar voids, under slabs, stoops, porches or to the soil in crawlspaces.

## RETREATMENT

Retreatments for subterranean termites can only be performed if there is clear evidence of reinfestation or disruption of the barrier due to construction, excavation or landscaping and/or evidence of the breakdown of the termiticide barrier in the soil. These vulnerable or reinfested areas may be retreated in accordance with application techniques described in this product's labeling. The timing and type of these retreatments will vary, depending on factors such as termite pressure, soil types, soil conditions and other factors which may reduce the effectiveness of the barrier.

Annual retreatment of the structure is prohibited unless there is clear evidence that reinfestation or barrier disruption has occurred.

## APPLICATION IN CONJUNCTION WITH TERMITE BAITS

Spot only applications of MAXXTHOR EC can be used as a supplement to termite baiting systems. For the purposes of this section, spot only applications are defined as the use of MAXXTHOR EC according to any of the permitted and applicable post-treatment application techniques contained in this label, alone or in combination, to the extent needed or deemed necessary or useful as an adjunct to a termite bait product labeled as a stand alone protection against termite attack. Stand alone termite bait product is defined as a termite bait product that provides sufficient structural protection when applied without other termite control products.

## APPLICATION TO PROTECT UNDERGROUND ITEMS FROM SUBTERRANEAN TERMITE ATTACK

To protect components installed underground such as wires, conduits, cables and pipes buried in soil against termite attack, create an envelope of MAXXTHOR EC treated soil around the components along the entire underground length of the component. First, treat soil through which components will be run with 0.06% to 0.12% solution of MAXXTHOR EC at a rate of 2 gallons of solution per 10 linear feet. Install components, laying them on the treated soil. Cover components with untreated soil and then treat this covering soil using the same percent solution at 2 gallons of solution per 10 linear feet.

Underground components to be protected may be located within the foundation of a structure or outside of a structure such as within a utility right of way, for example. Do not treat items that are electrically energized at the time of application. If the soil will not absorb the indicated amount of solution, as little as 1 gallon of 0.12% solution per 10 linear feet can be used. Treat points where services emerge from the ground at a rate of 1 to 2 gallons of solution at the point of emergence.

## APPLICATIONS TO PROTECT POLES, POSTS AND OTHER WOODEN ITEMS FROM SUBTERRANEAN TERMITE ATTACK

MAXXTHOR EC can be used to protect the below ground portions of wooden structural components from termites. Form a treated zone around components below ground by vertically rodding the soil around their perimeter to a depth of six inches below their maximum depth of placement in the soil and applying a 0.06% solution of MAXXTHOR EC at a rate of 0.4 gallons of solution per linear foot of perimeter around the component per foot of treated depth. Measure the perimeter of the component six inches from the outside of the component.

# APPLICATIONS TO CONTROL WOOD INFESTING INSECTS

Mix and dilute MAXXTHOR EC according to the instructions contained in the *APPLICATION FOR CONTROL OF SUBTERRANEAN TERMITES* section.

## APPLICATIONS TO CONTROL EXPOSED WOOD INFESTING INSECTS LOCATED ABOVE GROUND

MAXXTHOR EC can be applied above ground as a non-soil treatment to control and kill exposed worker and winged reproductive (swarmer) termites and Carpenter ants. This type of application is only supplementary to and should not be considered as a replacement for soil treatment in the case of termite infestation.

Apply a 0.06% solution as a general fan spray within attics, crawl spaces, unfinished basements and other void areas where termites have been found. Apply treatment directly to swarming termites and areas where they congregate.

## APPLICATIONS TO TERMITE CARTON NESTS LOCATED IN ABOVE GROUND WALL VOIDS

Apply a 0.06% solution of MAXXTHOR EC directly into above ground termite carton nests including nests located in wall voids using a directional injector. Apply as a solution or foam under pressure to distribute solution thoroughly throughout the nest. It may be necessary to inject solution at one or more points and at varying depths within the nest to adequately distribute solution within the interior of the nest.

## APPLICATION TO WOOD INDOORS TO PROTECT AGAINST WOOD INFESTING INSECTS

A 0.06% solution of MAXXTHOR EC applied as a liquid or foam to wooden structural components within structures can be used to protect them against attack from wood infesting insects such as termites, Carpenter ants and wood boring beetles or borers. This type of application is only supplementary to and should not be considered a replacement for soil treatment in the case of termite infestation.

Apply solution as a general fan spray onto the surface of the wood or inject solution under pressure into the wood as a liquid or foam. Inject by either injecting solution through a directional injector directly into existing voids and galleries or by drilling wood to form treatment channels through which the solution can be injected into the insect galleries. Multiple treatment channels of varying depth may need to be drilled to adequately distribute the solution within the wood interior. Application can also be made with a paintbrush.

Before application, locate heat pipes, ducts, water and sewer lines and electrical conduits. Take precautions to avoid puncturing and/or injecting solution into these items. Do not apply solution inside of electrified enclosures, switches or sockets.

Plastic sheeting must be placed below any indoor overhead surfaces being treated that are located anywhere except within a soil-based crawl space. Wear protective clothing, unvented goggles, gloves and respirator when making an overhead application or when applying in poorly ventilated indoor areas. Do not touch surfaces until spray has dried.

When treating in home food preparation and storage areas, cover all food preparation surfaces and utensils prior to beginning treatment. Surfaces or items that cannot be covered or removed should be thoroughly washed after treatment and before use. Food that cannot be covered should be removed. Before application, remove pets, birds and cover and disconnect aquariums. Do not allow humans and pets to touch treated surfaces until they have dried.

## APPLICATION TO WOOD OUTDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS

### On and around structures

A 0.06% solution of MAXXTHOR EC applied as a liquid or foam to exterior structural components can be used to protect them from the attack of wood infesting insects such as termites, Carpenter ants and wood boring beetles or borers. Apply solution by general fan spray to the point of runoff onto the surface of the wood or inject solution under pressure into the wood as a liquid or foam. Inject by either injecting solution directly into existing voids and galleries or drilling wood to form treatment channels through which the solution can be injected into the insect galleries. Multiple treatment channels of varying depth may need to be drilled to adequately distribute the solution within the wood interior. Application can also be made with a paintbrush.

To control Carpenter ants, also apply solution around doors and windows and other areas Carpenter ants have been observed or can be expected to forage.

### Within wooden components and trees

Locate the cavity that the insects (such as Carpenter ants) are inhabiting, drilling to find the interior infested cavity if necessary. Inject a 0.06% solution of MAXXTHOR EC into the cavity as a solution or foam. Apply a sufficient volume of solution to completely flood or fill the cavity. Drill injection channels if necessary.

# APPLICATION TO CONTROL LAWN PESTS

MAXXTHOR EC controls a wide range of turfgrass insect and mite pests. MAXXTHOR EC is not for use on turfgrass being grown for sale, for commercial seed production, for other commercial use or for research.

### Application Sites

For use on any type of landscape or recreational turfgrass in any type of setting or at any type of site except as otherwise prohibited. Permitted sites include but are not limited to lawns, grounds, recreational areas, parks, landscapes and athletic fields. **New York State only: Do not apply MAXXTHOR EC containing solutions to grass or turf within 100 feet of a body of water (lake, pond, river, stream, wetland or drainage ditch).**

### Application Precautions and Preparations

Keep children and pets off treated areas until spray has dried.

If necessary, test the effects of applications of different rates and volumes of mixed solution on a small patch of a type of grass (with observations over one week to detect the occurrence of negative effects) before application of solutions to large areas of that type of grass.

MAXXTHOR EC can be mixed with other pesticides, including insect growth regulators. Follow the label directions of all the products mixed, making sure not to exceed the labeled application rate of any individual product in the mixture. Any tank mixture that has not been tested before should be tested before full scale use by first mixing a small quantity of the mixture to ensure there is no physical or chemical incompatibility.

Do not apply when wind conditions favor downwind drift to nearby water bodies or when wind velocity exceeds 10 miles per hour.

### Application Methods

Apply solution as a broadcast treatment in a quantity sufficient to wet all foliage. Apply using nozzles that provide the largest droplet size compatible with adequate coverage.

To maximize efficacy against sub-surface pests such as mole crickets or chinch bugs, MAXXTHOR EC should be applied with a non-ionic or silicone based surfactant (0.25% v/v) in sufficient water to ensure good penetration of spray into the soil-thatch matrix. Treated areas should then be irrigated with 0.25 to 0.5 inches of water immediately afterwards paying special attention so that run-off or puddling does not occur.

If necessary, consult resources in horticulture in your area (such as your Cooperative Extension Service) to determine appropriate application timing and cultural practices to control different types of pests.

### Reapplication

Reapplications may be necessary particularly in the event of high pest pressure. Do not apply more often than every 7 days. **New York State only: Do make a single reapplication of MAXXTHOR EC if there is renewed insect activity, but not sooner than two weeks after first application.**

### Lawn Application Use Rates and Volumes

Use rates for MAXXTHOR EC for lawn pests are stated in fluid ounces of MAXXTHOR EC per 1000 square feet.

Apply MAXXTHOR EC at 0.07 to 0.30 fluid ounces per 1000 square feet depending on the target pest. Recommended rates for specific pests within this range are given below.

Depending on the length and/or density of grass being treated, application volumes of up to 10 gallons per 1000 square feet can be made in order to obtain uniform coverage. If a minimal volume application is made (2 gallons per 1000 square feet) and the target pest, such as mole crickets or chinch bugs for example, are located in the thatch or below the surface, irrigate the treated area with at least 0.25 to 0.50 inches of water immediately after the application. The addition of a non-ionic or silicone based surfactant (0.25% v/v) is also recommended when making a minimal volume application.

The calculated amount of MAXXTHOR EC can be applied in any volume of water as long as the maximum label rate per 1000 feet is not exceeded. Do not exceed the maximum label rate by applying solution to an area smaller than intended when it was mixed and diluted unless such under dosing will not result in an application rate per 1000 square feet in excess of the maximum label rate.

### Lawn Pest Application Use Rates

The application rates listed below provide control of the listed pests under normal conditions. Use the higher application rates when maximum residual control is needed.

| Use Rate Table for MAXXTHOR EC for Lawn Applications | |
|---|---|
| Use Rate | Fluid ounces MAXXTHOR EC per 1,000 square feet (Range) |
| A | 0.07⇒0.15 |
| B | 0.07⇒0.30 |
| C | 0.15 |

### Lawn Pests Grouped by Use Rates

**Use Rate A:** Ants, Armyworms, Billbugs, Chinch Bugs, Crane Flies, Crickets, Cutworms, Earwigs, Fall Webworms, Fleas (adults, larvae), Grasshoppers, Mites, Mole Crickets, Sod Webworms, Spittlebugs

**Use Rate B:** Japanese Beetles (adult)

**Use Rate C:** Crane Flies

| Mixing Table for MAXXTHOR EC for Lawn Applications | | | | |
|---|---|---|---|---|
| Application Volume: Gallons/1000 sq. ft. | Use Rate: Fluid oz. / 1000 sq. ft. (select from Use Rate Table) | Add these amounts of MAXXTHOR EC to the indicated volumes of water | | |
| | | 5 gal. | 10 gal. | 25 gal. |
| 2 | .07 | .175 | .35 | 0.875 |
| | .15 | .375 | .75 | 1.875 |
| | .22 | .550 | 1.10 | 2.750 |
| | .30 | .75 | 1.50 | 3.750 |
| 5 | .07 | .07 | .14 | 0.350 |
| | .15 | .15 | .30 | 0.750 |
| | .22 | .22 | .44 | 1.100 |
| | .30 | .30 | .60 | 1.500 |
| 10 | .07 | - | .07 | .175 |
| | .15 | - | .15 | .375 |
| | .22 | - | .22 | .550 |
| | .30 | - | .30 | .750 |

### Calculating Amounts of MAXXTHOR EC to Mix for Lawn Pests

To mix and apply any amount of MAXXTHOR EC for lawn pests, determine:

A = Square feet of area to be treated / 1000

B = Use Rate per 1000 square feet for the target pest(s) in fluid ounces MAXXTHOR EC taken from the Use Rate Table. If treating for more than one type of pest, select the highest rate.

Calculate the amount of MAXXTHOR EC to mix for lawn pests as follows:

Fluid Ounces MAXXTHOR EC to use = A X B

Mix this amount of MAXXTHOR EC in the amount of water needed to make the application.

### Application Recommendations Against Specific Lawn Pests

**Armyworms, Cutworms, Sod Webworms:** Do not water or mow grass within 24 hours of application for optimum control of these surface feeding insects.

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

**Mole Crickets:** For control of overwintering Mole Crickets, apply the lower rate in early Spring. For the control of adult Mole Crickets in late-Summer or early Fall, apply the higher rate.

**Crane Flies:** Treatments can be made to control early to midseason larvae (approximately August - February) as they feed on plant crowns. Treatments made to late-season larvae (approximately March, April) may only provide suppression.

## APPLICATION TO CONTROL ORNAMENTAL PESTS

MAXXTHOR EC controls a wide range of insects and mites on trees, shrubs, foliage plants, non-bearing fruit and nut trees and flowers. Non-bearing trees are perennial plants that will not produce a harvestable agricultural commodity within the next 12 months. MAXXTHOR EC is not for use on plants being grown for sale, for commercial seed production or for research.

### Application Sites

For use on ornamental plants including but not limited to trees, shrubs, ground covers, bedding plants and foliage plants being used for decorative or climate modification purposes. Plants on which use is permitted include those being grown in any type of setting or at any type of site not otherwise prohibited. Permitted sites include but are not limited to ornamental gardens, parks, landscapes, lawns, grounds and interior plantscapes.

### Application Preparation

If necessary, test the effects of applications of different rates and volumes of mixed solution on a small number of a type of plant (with observations over one week to detect the occurrence of negative effects) before application of solution to large numbers of that type of plant.

MAXXTHOR EC can be mixed with other pesticides, including insect growth regulators. Follow the label directions of all the products mixed, making sure not to exceed the label rate of any individual product in the mixture. Any tank mixture that has not been tested before should be tested before full scale use by first mixing a small quantity of the mixture to ensure there is no physical or chemical incompatibility.

### Application Methods

Apply solution in a quantity sufficient to wet all foliage. It may also be necessary to treat non-foliage parts of plants such as trunks and bark to control some pests based on where the pest may be located on the plant at a particular life stage.

For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

### Reapplication

Reapplications may be necessary as plant growth occurs and new foliage appears or in the event of high pest pressure. Do not apply more often than every 7 days.

### Ornamental Application Use Rates and Volumes

Use rates for MAXXTHOR EC for ornamental pests are stated in fluid ounces of MAXXTHOR EC per 4,356 square feet. Recommended ornamental application use rates, based on the target pest, range between 0.26 to 1.28 fluid ounce of MAXXTHOR EC per 4,356 square feet. Recommended rates for specific pests within this range are given below.

The calculated amount of MAXXTHOR EC can be applied in any volume of water as long as the applicable label rate per 4,356 feet is not exceeded. Do not exceed the maximum label rate by applying solution to an area smaller than intended when it was mixed and diluted unless such underdosing will not result in an application rate per 4,356 square feet in excess of the maximum label rate.

### Ornamental Pest Dilution Rates

The dilution rates listed below provide control of the listed pests under normal conditions. Use the higher dilution rate when maximum residual control is needed.

| Dilution Rate Table for MAXXTHOR EC for Ornamental Applications | | |
|---|---|---|
| Dilution Rate | Lbs. a. i. per 10 gallons<br>Lbs. a. i. per 4,356 sq. ft. | Fl. oz. per 10 gallons<br>Fl. oz. per 4,356 sq. ft. |
| A | 0.004 ⇒ 0.02 | 0.26 ⇒ 1.28 |
| B | 0.006 ⇒ 0.02 | 0.38 ⇒ 1.28 |
| C | 0.01 ⇒ 0.02 | 0.64 ⇒ 1.28 |

### Ornamental Pests Grouped by Dilution Rates

**Dilution Rate A:** Ants, Aphids, Bagworms, Black Vine Weevil (adults), Brown Soft Scales, Broad Mites, Budworms, California Red Scales (crawlers), Centipedes, Clover Mites, Crickets, Cutworms, Earwigs, Elm Leaf Beetles, Fall Webworms, Flea Beetles, Fungus Gnats (adults), Grasshoppers, Lace Bugs, Leafhoppers, Leaf feeding Caterpillars, Mealybugs, Millipedes, Mole Crickets, Orchid Weevil, Pillbugs, Pine Needle Scales (crawlers), Plant Bugs (incl. Lygus spp.), San Jose scales (crawlers), Sowbugs, Spiders, Spittlebugs, Tent Caterpillars, Tip Moths, Weevils, Whiteflies

**Dilution Rate B:** Citrus Thrips, Beet Armyworm, Diaprepes (larvae, adult), European Red Mite, Leafrollers, Spider Mites, Thrips, Twig Borers

**Dilution Rate C:** Japanese Beetles (adult), Leafminers, Pecan Leaf Scorch Mite, Black Vine Weevil (larvae), Fungus Gnats (larvae)

| Mixing Table for MAXXTHOR EC for Ornamental Applications | | | | |
|---|---|---|---|---|
| Application Volume: Gallons/4356 sq. ft. | Use Rate: Fluid ounces / 4356 sq. ft. | Add these amounts of MAXXTHOR EC to the indicated volumes of water | | |
| | | 5 gal. | 10 gal. | 25 gal. |
| 2 | 0.26 | 0.650 | 1.30 | 3.25 |
| | 0.38 | 0.950 | 1.90 | 4.75 |
| | 0.64 | 1.600 | 3.20 | 8.0 |
| | 1.28 | 3.200 | 6.40 | 16.00 |
| 5 | 0.26 | 0.260 | 0.52 | 1.30 |
| | 0.38 | 0.380 | 0.76 | 1.90 |
| | 0.64 | 0.640 | 1.28 | 3.20 |
| | 1.28 | 1.280 | 2.56 | 6.40 |
| 10 | 0.26 | -- | 0.26 | 0.65 |
| | 0.38 | -- | 0.38 | 0.95 |
| | 0.64 | -- | 0.64 | 1.60 |
| | 1.28 | -- | 1.28 | 3.20 |

### Calculating Amounts of MAXXTHOR EC to Mix for Ornamental Pests

To mix and apply any amount of MAXXTHOR EC for ornamental pests, determine:

A = Square feet of area to be treated /4,356

B = Use Rate per 4,356 square feet for the target pest(s) in fluid ounces MAXXTHOR EC taken from the Dilution Rate Table. If treating for more than one pest, select the highest rate.

Calculate the amount of MAXXTHOR to mix for ornamental pests as follows:

Fluid Ounces MAXXTHOR EC to use = A X B

Mix this amount of MAXXTHOR EC in the amount of water needed to make the application.

### Application Recommendations Against Specific Ornamental Pests

**Bagworms:** Spray when bagworms first begin to hatch. Apply directly to the larvae. Treatment is most effective against young larvae.

**Scale crawlers and twig borers**: Treat trunks, stems and twigs in addition to plant foliage.

**Black Vine Weevil and Fungus Gnat larvae:** Apply as a drench at the rate of approximately 8 ounces of finished spray per 6 inch pot.

## ORNAMENTAL TREE TRUNK SPRAY TO CONTROL BARK BEETLES

### Control of Dendroctonus bark beetles including mountain pine beetle, southern pine beetle, western pine beetle, Black turpentine beetle, and engraver beetles (Ips spp.)

**Preventative treatment:** Spray an aqueous solution containing 1.0 to 2.0 pints of MAXXTHOR EC per 100 gallons (0.25 to 0.5 lbs. ai/100 gallons) of water to the trunk of the tree in the spring or whenever nearby infested trees create the threat of an infestation. Apply spray directly to the main trunk from the base of the tree to at least half way into the live crown. Wet the bark with the spray thoroughly (usually 1 to 4 gallons of spray per tree). Do not apply more than 0.2 lbs. ai (12.8 fl. Oz.) of this product per acre of trees. Repeat application if infestation occurs. Application rates and application timing differ according to the target pest and other factors. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

**Treatment of infested trees to control emerging brood:** Make applications of a spray mixture containing 2.0 pints of this product per 100 gallons 0.5 lbs. ai/100 gallons) of water to trees that have beetles in their bark. Apply spray directly to the main trunk from the base of the tree to at least half way into the live crown. Spray until the bark is thoroughly wetted by the spray (usually 1 to 4 gallons of spray per tree). Do not apply more than 0.2 lbs. ai (12.8 fl. oz.) of this product per acre of trees.

Beetles are normally no longer present in trees in which all needles have turned brown. Trees in this condition should be sprayed only if a continuing infestation is confirmed. Confirm an infestation by removing bark. If live infestations remain in the trunks, fell the trees and cut into sections. Spray the trunk and large limbs, rotating the trunks as they are sprayed in order to thoroughly treat the exterior of the entire trunk. Do not apply more than 0.2 lbs. ai (12.8 fl. oz.) of this product per acre.

### Control of other bark beetles such as Ambrosia beetles, elm bark beetles and Emerald Ash borer

**Preventative control:** Spray an aqueous solution containing 1.0 to 2.0 pints of MAXXTHOR EC per 100 gallons (0.25 to 0.5 lbs. ai/100 gallons) of water to the trunk, scaffolding and limbs of the tree in the early spring or prior to adult beetle flight and tree infestation. Spray until the bark is thoroughly wetted by the spray (usually 6 to 12 gallons of spray per tree).

Do not apply more than 0.2 lbs. ai of this product per acre of trees. Repeat application may be necessary if reinfestation is likely or for extended adult emergence and flight. Application rates and application timing differ according to the target pest and other factors. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

## CONTROL OF OTHER BORERS ON ORNAMENTAL TREES

Consult the table below for other boring insects. Geographic location and environmental conditions will affect application rate and timing. Spray bark until it is thoroughly wetted by the spray (usually 1 to 4 gallons of spray per tree). Do not apply more than 100 gallons of solution per acre of trees. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

| Pest | Recommended Dilution Rate (Range) | Specific Instructions |
|---|---|---|
| **Clearwing Moth borers**<br>Ash borer, banded ash clearwing, Dogwood borer, Lesser peachtree borer, Lilac borer, Oak borer<br>**Coleopteran borers**<br>Bronze birch borer, Flatheaded appletree borer | 6.4 to 12.8 fl. oz. per 100 gallons | Apply to the lower branches and trunks prior to adult emergence<br><br>Apply 12.8 fl. oz. per 100 gallons for maximum residual control |

## CONTROL OF STRUCTURAL PESTS (OTHER THAN WOOD INFESTING INSECTS) ON AND AROUND BUILDINGS

MAXXTHOR EC controls a wide range of structural pests including nuisance pests outside of structures. MAXXTHOR EC can be applied around any type of residential or commercial structure or building. Permitted sites include but are not limited to the exterior of homes, office buildings, mobile and modular homes, apartments and stores.

### Dilution of MAXXTHOR EC for Structural Pests

For structural pests, use rates for MAXXTHOR EC are expressed and mixed according to the percentage (%) concentration solution it forms when mixed in water. Each 0.166 fluid ounce (1 teaspoon) of MAXXTHOR EC that is added to one gallon of water increases the concentration of MAXXTHOR EC in that one gallon of water by 0.03%. For example, to make a 0.06% solution in one gallon of water, mix 0.333 fluid ounce (2 teaspoons) of MAXXTHOR EC in one gallon of water. Use the conversion table and formulas below to determine the amount of MAXXTHOR EC to add to any quantity of water.

| Mixing Table for MAXXTHOR EC for Structural Pests | | |
|---|---|---|
| % to mix | Fluid ounces to add per gallon of water to mix this % | Teaspoons to add per gallon of water to mix this % |
| 0.03 | 0.166 | 1 |
| 0.06 | 0.333 | 2 |

29.57 milliliters = 2 tablespoons = 6 teaspoons=1 Fluid ounce

### Calculating Amount of MAXXTHOR EC to Mix for Structural Pests

Calculate the amount of MAXXTHOR EC to mix for structural pests as follows:

A = Volume of water, in gallons, into which the MAXXTHOR EC will be mixed. Express any partial gallons as decimal fractions (1/2 = .5)

B = Fluid ounces (or teaspoons) MAXXTHOR EC per gallon from Mixing Table. Select the desired % concentration based on the site of application and the pest(s) to be controlled. Read across to find amount of MAXXTHOR EC to add per gallon in fluid ounces or teaspoons.

Fluid ounces (or teaspoons) MAXXTHOR EC to mix = A X B

Mix this amount of MAXXTHOR EC in the predetermined amount of water (A). Food utensils such as teaspoons and measuring cups should not be used for food purposes after use with pesticides.

### Pests Controlled

Ants, including Carpenter Ants, Armyworms, Bees, Boxelder Bugs, Centipedes, Chiggers, Chinch Bugs, Clover Mites, Crickets, Cutworms, Dichondra Flea Beetles, Earwigs, Elm Leaf Beetles, European Craneflies, Fleas, Flies, Grasshoppers, Hornets, Millipedes, Mosquitoes, Moths, Roaches, including Cockroaches, Scorpions, Silverfish, Sod Webworms, Sowbugs (Pillbugs), spiders including Black Widow Spiders, Springtails and Wasps.

### Application Methods

Apply MAXXTHOR EC as a solution in the form of a general surface, spot, crack and crevice, pinstream or coarse spray. Do not apply as a space spray. May also be applied with a paintbrush.

### Application Use Rates and Volumes

Use a 0.03% to 0.06% solution of MAXXTHOR EC. Use a spray volume of between 2 and 10 gallons of solution per 1,000 square feet. Higher application volumes may be used if necessary to sufficiently wet vegetation and landscaping with the spray solution.

### Re-Application

Treatments should not be repeated more often than once every 7 days. The best efficacy and longest residual control is achieved when the highest concentration is used.

### Application Locations

Apply spray to the exterior surfaces of structures and to grounds, lawns, landscaping, plants and hard surface areas adjacent to structures. Can also be applied to any areas where pests congregate or have been seen.

### Perimeter Band Treatment

To help prevent pest infestation of structures, create a treated zone or band on the structure, soil and vegetation around the entire perimeter of a structure. Apply solution to all surfaces within a band beginning 6 to 10 feet from the exterior foundation of the structure that extends back to the structure and then continues 2 to 3 feet up the exterior surface of the structure from the ground. Application volume will depend upon the nature of the surface being treated. Mulch areas, for example, require more volume and hard surface areas requiring less.

### Control of Specific Structural Pests Outdoors

**Ants (Nuisance ants other than Carpenter Ants) Outdoors:** To achieve the highest level of control, locate and directly treat ant nests. Apply solution to ant trails, around doors and windows and at points where ants can be expected to forage or congregate.

**For Ant Mounds:** Treat mounds and area within a 2 foot radius of the center of the mound with 1-2 gallons of a 0.06% solution. When mounds exceed 12 inches in size use the highest volume of solution. Applications in cool weather (65 to 80 degrees F) or the cooler parts of the day are most effective. Do not apply treatment during the heat of the day.

**Bees, Wasps, Hornets, and Yellow Jackets:** Always use the highest rate. Make application in late evening when insects are at rest at the nest for best results and to avoid stings. Spray nest openings in ground, in bushes and wherever insects may be nesting. Spray to the point of saturation. Spray as many insects as possible. Remove and destroy treated nests to prevent emergence of newly hatched insects.

**Centipedes, Earwigs, Beetles, Millipedes, Pillbugs, Sowbugs:** Thoroughly treat mulch areas. The reduction of moisture in mulch areas may also aid in control of these pests.

**Mosquitoes:** Apply solution to lawns and landscaping, under decks and to building foundations. Refer to *APPLICATIONS FOR ORNAMENTAL PESTS* section for mixing and applying large amounts of solution against mosquitoes.

**Fleas:** Treat the entire area where insects could be present. Begin treatments in the spring. Insects may be re-introduced by host animals in the surrounding area. Retreatment may be necessary to achieve and maintain control during periods of high pest pressure.

## CONTROL OF NUISANCE INSECTS INSIDE BUILDINGS

MAXXTHOR EC can be used indoors to control bees, wasps, hornets and yellow jackets by liberally spraying a 0.06% emulsion in the late evening when insects are at rest into hiding and breeding places, especially under attic rafters, contacting as many insects as possible. Repeat application is necessary only if there are signs of renewed insect activity which is more likely in situations of high initial pest pressure. Repeat application should be limited to no more than once every seven days.

Refer to the *CONTROL OF STRUCTURAL PESTS (OTHER THAN WOOD INFESTING INSECTS) ON AND AROUND BUILDINGS* section of this label for directions on mixing MAXXTHOR EC for these types of applications.

**Important:** Do not apply emulsion until location of heat pipes, ducts, water and sewer lines and electrical conduits are known and identified. Caution must be taken to avoid puncturing and injection into these structural elements. Do not apply into electrical fixtures, switches or sockets.

Remove pets, birds and cover aquariums before spraying. Do not permit humans or pets to contact treated surfaces until the spray has dried.

Wear protective clothing, unvented goggles, gloves and respirator, when applying to overhead areas or in poorly ventilated areas. During any overhead applications to overhead interior areas of structures, cover surfaces below with plastic sheeting or similar materials.

In the home, cover all food handling/processing surfaces and cover or remove all food and cooking utensils, or wash thoroughly after treatment.

For use only in nonfood/feed areas of food/feed handling establishments. Do not use in food/feed areas of food/feed handling establishments, restaurants or other areas where food/feed is commercially prepared or processed. Do not use in serving areas while food is exposed or facility is in operation. Serving areas are areas where prepared foods are served such as dining rooms but excluding areas where food may be prepared or held. Nonfood/feed areas of food/feed areas are 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 (after bottling or canning).

Not for use in Federally inspected meat and poultry plants.

## APPLICATION UNDER SLABS TO CONTROL PESTS

Infestations of pests such as ants, cockroaches and scorpions inhabiting areas under slabs may be controlled by drilling and injecting or horizontal rodding and then injecting 1 gallon of a 0.06% to 0.12% emulsion per 10 square feet or 2 gallons of emulsion per 10 linear ft.

## ATTENTION

Use only in well ventilated areas.

Do not apply to pets, crops, sources of electricity or firewood.

During any application to overhead areas of structure, cover surfaces below with plastic sheeting or similar material, except for soil surfaces in crawlspaces.

Do not allow dripping or runoff to occur during indoor applications.

Do not treat areas where food is exposed.

Do not allow spray to contact food, foodstuffs, food contacting surfaces, food utensils or water supplies.

Thoroughly wash dishes and food handling utensils with soap and water if they become contaminated by application of this product.

Do not allow people or pets to touch or walk on treated surfaces until spray has dried.

Do not apply a broadcast application to interior surfaces of homes.

Do not apply in livestock buildings such as barns.

Do not allow spray to drift onto ponds, streams or lakes.

Do not apply in greenhouses or nurseries or by air.

## 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 must be followed carefully. However, because of manner of use and other factors beyond the control of Ensystex IV, Inc., it is impossible for Ensystex IV 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 Ensystex IV harmless for any claims relating to such factors.

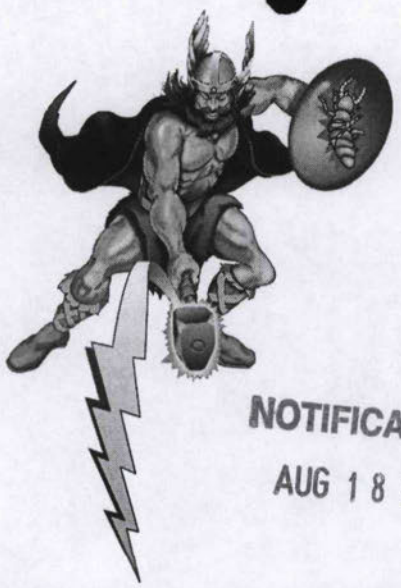
**DIECLAIMER OF WARRANTIES:** Seller warrants that this product conforms to the chemical description in the label and is reasonably fit for the purposes stated on the Directions for Use when used in accordance with the Directions for Use under normal conditions of use. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ENSYSTEX IV 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 Ensystex IV, Inc., and buyer assumes the risk of any such use.

**LIMITATIONS OF LIABILITY:** To the extent consistent with applicable law, Ensystex IV 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 ENSYSTEX IV 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 ENSYSTEX IV, 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.

MAXXTHOR is a registered trademark of Ensystex, Inc.

EPA 20100518



NOTIFICATION

AUG 18 2010

# MAXXTHOR EC

**For use only by individuals/firms licensed or registered by the state to apply termiticide products when applied as a termiticide. States may have more restrictive requirements regarding qualifications of persons using this product. Consult the structural pest control regulatory agency of your state prior to use of this product. For use by pest control operators or commercial operators to control pests on lawns and ornamental plants.**

| Active Ingredient: | By Wt. |
|---|---|
| Bifenthrin* | 23.4% |
| Other Ingredients**: | 76.6% |
| TOTAL: | 100.0% |

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

**Contains petroleum distillates

**EPA Reg. No. 83923-6 EPA Est. 81824-NC-001**

MAXXTHOR EC contains 2 pounds active ingredient per gallon.

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

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

**For product use information call 1-866-FOR-THOR (367-8467).**

## KEEP OUT OF REACH OF CHILDREN

# WARNING

## *ENSYSTEX IV, Inc.*

Fayetteville, NC 28303

**Net Contents: As marked on container**

## FIRST AID

| | |
|---|---|
| **If swallowed** | • Immediately call a poison control center or doctor.<br>• Do not induce vomiting unless told to do so by a poison control center or doctor.<br>• Do not give any liquid to the person.<br>• Do not give anything by mouth to an unconscious person. |
| **If inhaled** | • Move person to fresh air.<br>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.<br>• Call a poison control center or doctor for further treatment advice. |
| **If on skin or clothing** | • Take off contaminated clothing.<br>• Rinse skin immediately with plenty of water for 15 to 20 minutes.<br>• 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.<br>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.<br>• Call a poison control center or doctor for treatment advice. |

## HOTLINE NUMBER

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

## NOTE TO PHYSICIAN

This product is a pyrethroid. This product also contains aromatic hydrocarbons. Because of the risk of hydrocarbon pneumonitis if even tiny amounts are aspirated into the lung during emesis, consideration should be given to gastric lavage with endotracheal tube in place. Treatment is symptomatic and supportive. Animal and vegetable fats, milk, cream and alcohol may increase absorption and should not be administered.

## PRECAUTIONARY STATEMENTS

### Hazards to Humans and Domestic Animals

May be fatal if swallowed. Causes skin irritation and moderate eye irritation. Do not get on skin or on clothing. Avoid breathing vapors or spray mist, and contact with eyes. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Remove contaminated clothing and wash contaminated clothing before reuse.

**Personal Protective Equipment:** All pesticide handlers (mixers, loaders and applicators) must wear long-sleeved coveralls worn over a minimum of short-sleeved shirt and short pants, socks, chemical-resistant footwear, chemical-resistant gloves and protective eyewear. After the product is diluted in accordance with label directions for use (or if an in-line injector system is used) shirts, pants, socks, shoes and waterproof gloves are sufficient. All pesticide handlers must wear a respiratory protection device when handling the concentrate or when working in a non-ventilated space (such as a NIOSH approved respirator with any R, P or HE filter or a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any R, P or HE pre-filter). All pesticide handlers must wear protective eyewear, such as goggles, faceshield or safety glasses, when working in a non-ventilated space or when applying as a termiticide by rodding or sub-slab injection.

**Termite Control Treatment:** When treating adjacent to an existing structure, the applicator must check the area to be treated and immediately adjacent areas of the structure for visible and accessible cracks and holes to prevent any leaks or significant exposures to persons occupying the structure. People present or residing in the structure during application must be advised to remove their pets and themselves from the structure if they see any signs of leakage. After application, the applicator is required to check for leaks. All leaks resulting in the deposition of termiticide in locations other than those prescribed on this label must be cleaned up prior to leaving the application site. Do not allow people or pets to contact contaminated areas or to reoccupy contaminated areas of the structure until the clean-up is completed.

### Environmental Hazards

This pesticide is extremely toxic to fish and aquatic invertebrates. Do not apply when weather conditions favor drift from treated areas. Care should be used when spraying to avoid fish and reptile pets in/around ornamental ponds.

Do not apply this product or allow it to drift to crops or weeds on which bees are actively foraging. Additional information may be obtained from your Cooperative Extension Service.

To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies and drainage systems.

### Physical and Chemical Hazards

Do not use or store near heat or open flame.

Do not apply this product in or on electrical equipment 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.

Do not water the treated area to the point of run-off.

Do not make applications during rain.

Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during application.

**Additional Application Restrictions for Pre-Construction Termiticide Applications:**

The treatment site must be covered prior to a rain event in order to prevent run-off of the pesticide into non-target areas.

The applicator must either cover the soil him/herself or provide written notification of the above requirement to the contractor on site and to the person commissioning the application (if different from the contractor). If notice is provided to the contractor or the person

commissioning the application, then they are responsible under FIFRA to ensure that: 1) if the concrete slab cannot be poured over the treated soil within 24 hours of application the treated soil is covered with a waterproof covering (such as polyethylene sheeting), and 2) the treated soil is covered if precipitation is predicted to occur before the concrete slab is scheduled to be poured.

Do not treat soil that is water-saturated or frozen.

Do not treat when raining.

Do not allow treatment to run off from the target area.

Do not apply within 10 feet of storm drains. Do not apply within 25 feet of aquatic habitats (such as, but not limited to, lakes; reservoirs; rivers; permanent streams; marshes or ponds; estuaries; and commercial fish farm ponds).

Do not make on-grade applications when sustained wind sweeps are above 10 mph (at application site) at nozzle end height.

**Additional Application Restrictions for Residential Outdoor Surface and Space Sprays:**

All outdoor applications must be limited to spot or crack-and-crevice treatments only, except for the following permitted uses:

(1) Treatment to soil or vegetation around structures;

(2) Applications to lawns, turf, and other vegetation;

(3) Applications to building foundations, up to a maximum height of 3 feet.

Other than applications to building foundations, all outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches and structural surfaces (such as windows, doors and eaves) are limited to spot and crack-and-crevice applications only.

## STORAGE AND DISPOSAL

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

**Pesticide Storage:** If crystals are observed, warm material to above 60°F by placing container in warm location. Shake or roll container periodically to redissolve solids. Do not use external source of heat for warming container.

Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use, replace lids and close tightly. Do not put concentrate or dilute material into food or drink containers. Do not contaminate other pesticides, fertilizers, water, food, or feed by storage or disposal.

**In Case of Spill:** Confine it, avoid contact, isolate area and keep animals and unprotected persons away. If spill is liquid, form dike around spill area and/or absorb spill with absorbent materials, such as sand, cat litter or clay. If spill is dry material, cover to prevent dispersal. Place damaged package in a holding container and identify contents. Contact Ensystex at 1-866-367-8467 or Chemtrec at 1-800-424-9300 for any assistance

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

**Container Disposal:** Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) 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. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

## APPLICATION FOR CONTROL OF SUBTERRANEAN TERMITES

### General

MAXXTHOR EC, in the form of a dilute insecticidal solution, prevents and controls subterranean termite infestations in and around structures and other items by creating a continuous chemically treated zone (horizontal and/or vertical as needed) between the wood and other cellulose material in the structure and termite colonies in the soil. In order to establish a barrier between the wood in the structure and the termites in the soil, adequately disperse the solution of this product in the soil.

To effectively control termites with this product, the service technician should be familiar with current termite control practices including trenching, rodding, sub-slab and void injection, soil surface fan spraying, excavated soil treatment and brush, spray and injection applications to wood. Correct use of these techniques is necessary to effectively control infestations by subterranean termites such as *Coptotermes, Heterotermes, Reticulitermes* and *Zootermopsis*. The service technician should consider the biology and behavior of the termite specie(s) to be controlled to determine which control practices to use.

Treatment standards and procedures for subterranean termite control may vary due to regulations, water table level, structure design, soil types, construction practices and other factors. For advice concerning current control practices with respect to specific local conditions, consult resources in structural pest control and state cooperative extension and regulatory agencies. Follow all federal, state and local regulations and treatment standards for protection of a structure from subterranean termites.

Effective termite control may also include mechanical alteration 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 is advised. Removal of non-essential cellulose containing materials that are in contact with the ground under or around the structure can reduce termite foraging in the area. When untreated wooden parts of the structure touch the ground and such contact cannot be broken, creating a barrier between the soil and such components using a solution of the product may protect the components and the structure against termite attack.

MAXXTHOR EC is labeled for use against subterranean termites as a 0.06% or 0.12% solution in water, however the 0.06% finished solution should be used for typical control situations. When difficult or problem soils or construction types are encountered, it may be necessary to use 0.12% MAXXTHOR EC mixed in reduced volumes of water.

Avoid contamination of water supplies due to backflow under reduced water system pressure by using anti-backflow equipment or procedures to prevent siphoning of any solution back into a water supply. Do not contaminate cisterns or wells. Do not treat soil that is water saturated or frozen. Do not treat while precipitation is occurring. Do not apply solution to an area or site if the soil at the area or site is in such a state or condition that runoff or movement of the solution from the treated area or site is likely to occur. Consult state and local specifications for recommended distances or limits from treated areas, or if such regulations do not exist, refer to Federal Housing Administration Specifications (H.U.D.) for guidance.

For the purposes of this label and its directions, crawl spaces are to be considered to be inside of the structure. Critical areas include areas where the foundation is penetrated by utility services, cracks and expansion joints, bath traps and areas where construction elements such as stairs, patios and slab additions abut the foundation.

### Mixing Directions For MAXXTHOR EC For Use As A Termiticide

Mix MAXXTHOR EC for use as a termiticide in the following manner:

1. Fill tank 1/4 to 1/3 full.
2. Start pump to begin by-pass agitation and place end of treating tool in tank to allow circulation through hose.
3. Add appropriate amount of MAXXTHOR EC.
4. Add remaining amount of water.
5. Let pump run and allow recirculation through the hose for 2 to 3 minutes.

MAXXTHOR EC may also be mixed into full tanks of water, but substantial agitation is required to ensure uniformity of the solution.

### Dilution of MAXXTHOR EC for Use as a Termiticide

For termite control, use rates for MAXXTHOR EC are expressed and the solution is mixed according to the percentage (%) concentration it forms when mixed in water. Use the mixing table or alternately the formulas below to determine the amount of MAXXTHOR EC to add to any quantity of water.

To prepare a 0.06% water solution, ready to use, dilute 1 quart of MAXXTHOR EC with 99.75 gallons of water. To prepare a 0.12% water solution, ready to use, dilute 2 quarts of MAXXTHOR EC with 99.5 gallons of water.

**Mixing Table for MAXXTHOR EC for Use as a Termiticide**

| Solution Percentage Concentration Desired | Gallons of Finished Solution Desired | Amount of MAXXTHOR EC to add | Water to mix with MAXXTHOR EC |
|---|---|---|---|
| 0.06% | 1 | 0.32 oz | 127.68 oz |
| | 5 | 1.60 oz | 4.99 gallons |
| | 10 | 3.2 oz | 9.975 gallons |
| | 25 | 8.0 oz. | 24.94 gallons |
| | 50 | 0.50 quart | 49.875 gallons |
| | 75 | 0.75 quart | 74.8125 gallons |
| | 100 | 1.00 quart | 99.75 gallons |
| | 150 | 1.50 quart | 149.62 gallons |
| | 200 | 2.00 quart | 199.5 gallons |
| 0.12%* | 1 | 0.64 oz | 127.36 oz |
| | 5 | 3.2 oz | 4.975 gallons |
| | 10 | 6.4 oz. | 9.95 gallons |
| | 25 | 0.5 quart | 24.875 gallons |
| | 50 | 1.0 quart | 49.75 gallons |
| | 75 | 1.5 quart | 74.625 gallons |
| | 100 | 2.0 quart | 99.5 gallons |
| | 150 | 3.0 quart | 149.25 gallons |
| | 200 | 1 gallon | 199.0 gallons |

*Only use the 0.12% rate in accordance with the *Adjustments to Application Volume* section. May also be used in accordance with the *FOAM APPLICATION* and *APPLICATIONS TO PROTECT UNDERGROUND ITEMS FROM TERMITE ATTACK* sections.

### Calculating an Amount of MAXXTHOR EC to Mix

To mix any amount of MAXXTHOR EC for termite control, determine:

A = Units of water into which the MAXXTHOR EC will be mixed. Express any partial units as decimal fractions (1/2 = .5). Any unit of measure, such as gallons or quarts, can be used for A. Answers to equations below are in same units as A.

MAXXTHOR EC to add to A for 0.06% = A / 399

MAXXTHOR EC to add to A for 0.12% = A / 199.5

To convert gallons to fluid ounces, multiply number of gallons X 128

128 fluid ounces = 16 cups = 8 pints = 4 quarts = 1 gallon

32 fluid ounces = 1 quart

### Application Volume

To provide maximum control and protection against termite infestation, apply the specified volume of the finished water solution containing the specified amount of MAXXTHOR EC as set out below or as otherwise directed in this label.

**Prescribed Horizontal Barrier Rate:** Unless otherwise directed, horizontal barriers are created by applying a 0.06% solution at a rate of one gallon of solution per 10 square feet. (One gallon of 0.06% solution contains 0.32 fluid ounce of MAXXTHOR EC.)

**Prescribed Vertical Barrier Rate:** Unless otherwise directed, vertical barriers are created by applying a 0.06% solution at a rate of four gallons of solution per 10 linear feet per foot of depth. (Four gallons of 0.06% solution contains 1.28 fluid ounces of MAXXTHOR EC.)

### Adjustments to Application Volume

If soil will not accept the labeled application volumes, the volume may be reduced provided there is a corresponding increase in concentration so that the amount of active ingredient applied to the soil remains the same.

Note: Large reductions of application volume reduce the likelihood of obtaining a continuous barrier. Variance is allowed when volume and concentration are consistent with label directed rates and a continuous barrier can still be achieved. When volume is reduced, the spacing of holes created for sub slab injection and soil rodding may need to be reduced to account for decreased dispersion of the solution in the soil.

For example, adjust the amount of solution applied to deliver a horizontal barrier of 10 square feet from 1 gallon to as low as 0.5 gallons and as high as 2 gallons while maintaining the amount of MAXXTHOR EC (.32 fluid ounce) applied per 10 square feet.

For example, adjust the amount of solution applied to deliver a vertical barrier 10 feet long by one foot deep from 4 gallons to as low as 2 gallons and as high as 8 gallons while maintaining the amount of MAXXTHOR EC (1.28 fluid ounces) applied per 10 linear feet.

## PRE-CONSTRUCTION TREATMENT

### All Structures

**Pre-construction treatment: Do not apply at a lower dosage and/or concentration than specified on this label for applications prior to the installation of the finished grade.**

Prior to each application, applicators must notify the general contractor, construction superintendent, or similar responsible party, of the intended termiticide application and intended sites of application and instruct the responsible person to notify construction workers and other individuals to leave the area to be treated during application and until the termiticide is absorbed into the soil.

Effective control of subterranean termites can be accomplished during construction by using a 0.06% solution of MAXXTHOR EC to establish vertical and/or horizontal barriers between the structure and the soil as directed. Applications should be made as a coarse low pressure spray (less than 50 psi). To meet current termite proofing requirements, follow the procedures in the latest edition of the Housing and Urban Development Minimum Property Standards.

### Horizontal Barriers Under Slabs on Ground Including Basements

Create a horizontal barrier on the entire surface of soil or substrate that will be covered by a slab, including, but not limited to, slab floors, footing trenches, garages, carports, basements, porches and entrance platforms by treating the soil or substrate with the solution at the Prescribed Horizontal Barrier Rate.

If the fill under the slab is a coarse material such as washed gravel, apply at 1.5 times the Prescribed Horizontal Barrier Rate to make sure that a sufficient enough amount of dilution is applied that the solution reaches the soil beneath the fill.

Apply solution using a coarse spray nozzle. If the slab over the treated area will not be poured on the same day as the application (and there are no foundation walls in place around the treated soil) cover treated soil with a water-proof barrier such as polyethylene sheeting.

### Vertical Barriers

Create a vertical barrier along the inside and outside of foundation walls, around piers, plumbing and utility service entrances and other points of possible future termite access and entry by treating the soil at these points at the Prescribed Vertical Barrier Rate. When trenching and rodding into the trench, or trenching alone, it is important that the solution reaches the top of the footing. Rod holes must be spaced so as to achieve a continuous termiticidal barrier, but they should in no case be more than 12 inches apart. Trenches need not be wider than 6 inches. Mix the solution into the soil as it is being replaced in the trench. Care should be taken to avoid washing soil out from around footings thereby undermining the stability of the structure. An inside vertical barrier may not be required for a monolithic slab.

When treating foundations deeper than 4 feet, apply the termiticide as the backfill is being replaced, or if the construction contractor fails to notify the applicator in time to permit this, treat the foundation to a minimum depth of 4 feet after the backfill has been installed. The applicator must trench and rod into the trench or trench along the foundation walls and around pillars and other foundation elements, at the rate prescribed from grade to a minimum depth of 4 feet. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. However, in no case should a structure be treated below the footing.

### Hollow Block Foundations and Voids

Hollow block foundations and voids may be treated at a rate of 2 gallons of solution per 10 linear feet to create a continuous treated zone within the voids at the footing.

## POST CONSTRUCTION TREATMENT

### All Structures

Post construction soil applications shall be made by injection, rodding, trenching or coarse fan spray with pressures not exceeding 25 p. s. i. at the nozzle. Care should be taken to avoid washing soil out from around footings thereby undermining the stability of the structure.

Do not apply treatment until the identity and location of all wells, radiant heat pipes, water and sewer lines, electrical conduits and sub-slab heating and air conditioning ducts is established. Caution must be taken to avoid puncturing these elements and/or injecting solution into them. All holes in commonly occupied areas into which material has been applied must be plugged. Plugs must be of a non-cellulose material or covered by an impervious, non-cellulose material.

**Vertical Barrier Depth:** For applications made after the final grade is installed, the applicator must trench and rod into the trench or trench along the foundation walls and around pillars and other foundation elements and treat at the rate prescribed from grade to the top of the footing. When the footing is more than four (4) feet below grade, the applicator must trench and rod into the trench or trench along the foundation walls and treat at the rate prescribed to a minimum depth of four feet. The actual depth of treatment will vary depending on the soil type, degree of compaction, and location of termite activity. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. However, in no case should a structure be treated below the footing.

### Structures Containing Concrete Slabs on Ground (Monolithic/Floating/Supported) including Basements

To make an application beneath existing slabs, it may be necessary to drill holes in the slab or adjacent foundation and to apply solution. Holes should be spaced such that when treatment is applied through them, a continuous treated zone is applied beneath the slab.

**Vertical Barriers Along Exterior of Foundation Walls:** Trench and rod into the trench or trench along the outside of foundation walls and treat at the Prescribed Vertical Barrier Rate to the depth specified under Vertical Barrier Depth. Where physical obstructions such as concrete walkways adjacent to foundation elements or soil type and/or conditions make trenching prohibitive, treatment may be made by rodding alone.

**Vertical Barriers Along Interior of Foundation Walls:** Vertical barriers may be established on the interior side of foundation walls by sub-slab injection of the solution at the Prescribed Vertical Barrier Rate. Injection openings can be drilled either vertically through the slab along the interior of the foundation wall or horizontally from the exterior through the foundation wall low enough on the wall to allow for the deposition of the solution beneath the slab along the interior side of the foundation wall. Drill holes should be spaced so as to achieve a continuous chemical barrier but in no case farther apart than 12 inches. Special care must be taken to distribute the solution evenly. Vertical barriers may also be established beneath the slab along both sides of interior footing-supported walls, one side of interior partitions and along all cracks and expansion joints and utility service entrances and bath traps.

**Horizontal Barriers Beneath Slabs on Ground:** Create a horizontal barrier by treating at the Prescribed Horizontal Barrier Rate beneath slabs by either drilling and long rodding from the exterior or by grid pattern drilling and injection vertically through the slab. Long rodding should be used only when grid pattern drilling and injection and horizontal short rodding and injection cannot be used to deliver the sub slab treatment.

**Bath Traps:** Exposed soil beneath and around areas where plumbing and utility services penetrate the slab should be treated at the rate of 1 gallon of solution per square foot of soil.

### Structures Containing Accessible Crawl Spaces

For crawl spaces, apply vertical termiticide barriers at the rate of 4 gallons of solution per 10 linear feet per foot of depth from grade to the top of the footing, or if the footing is more than 4 feet below grade, to a minimum depth of 4 feet. Apply by trenching and rodding into the trench, or trenching. Treat both sides of foundation and around all piers and pipes. Where physical obstructions such as concrete walkways adjacent to foundation elements prevent trenching, treatment may be made by rodding alone. When soil type and/or conditions make trenching prohibitive, rodding may be used. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. Read and follow the mixing and use section of the label if situations are encountered where the soil will not accept the full application volume.

1. Rod holes and trenches must not extend below the bottom of the footing.

2. Rod holes must be spaced so as to achieve a continuous termiticide barrier but in no case more than 12 inches apart.

3. Trenches must be a minimum of 6 inches deep or to the bottom of the footing, whichever is less, and need not be wider than 6 inches. When trenching in sloping (tiered) soil, the trench must be stepped to ensure adequate distribution and to prevent termiticide from running off. The solution must be mixed with the soil as it is replaced in the trench.

4. When treating plenums or crawl spaces, turn off the air circulation system of the structure until application has been completed and all solution has been absorbed by the soil.

### Structures Containing Inaccessible Crawl Spaces

For inaccessible interior areas, such as areas where there is insufficient clearance between floor joists and ground surfaces to allow operator access, excavate, if possible, and treat according to the instructions for accessible crawl spaces. Otherwise, apply one, or a combination of the following two methods.

1. To establish a horizontal barrier, apply to the soil surface, 1 gallon of solution per 10 square feet overall using a nozzle pressure of less than 25 p.s.i. and a coarse application nozzle (e.g., Delavan Type RD Raindrop, RD-7 or larger, or Spraying Systems Co. 8010LP TeeJet or comparable nozzle). For an area that cannot be reached with the application wand, use one or more extension rods to make the application to the soil. Do not broadcast or power spray with higher pressures.

2. To establish a horizontal barrier, drill through the foundation wall or through the floor above and treat the soil perimeter at a rate of 1 gallon of solution per 10 square feet. Drill spacing must be at intervals not to exceed 16 inches. Many states have smaller intervals, so check state regulations which may apply.

When treating plenums or crawl spaces, turn off the air circulation system of the structure until application has been completed and all termiticide has been absorbed by the soil.

### Masonry Voids

Drill and treat voids in multiple masonry elements of the structure extending from the structure to the soil in order to create a continuous treatment barrier in the area to be treated. Apply at the rate of 2 gallons of solution per 10 linear feet of footing using a nozzle pressure of less than 25 p.s.i. When using this treatment access holes must be drilled below the sill plate and should be as close as possible to the footing as is practical. Treatment of voids in block or rubble foundation walls must be closely monitored: Applicators must inspect areas of possible runoff as a precaution against application leakage in the treated areas. Some areas may not be treatable or may require mechanical alteration prior to treatment.

All leaks resulting in the deposition of termiticide in locations other than those prescribed on this label must be cleaned up prior to leaving the application site. Do not allow people or pets to contact contaminated areas or to reoccupy the contaminated areas of the structure until the clean-up is completed.

Note: When drilling veneer walls, care should be taken to not drill beyond the depth of the void behind the veneer into another construction layer behind the veneer. It is however permissible to drill through the veneer and into concrete blocks behind the veneer and to treat the veneer and the concrete blocks at the same time.

Note: Not for use in voids insulated with rigid foam.

## TREATMENT OF STRUCTURES WITH WELLS AND CISTERNS

Do not contaminate wells or cisterns.

### Structures with Wells/Cisterns Inside Foundations

Structures that contain wells or cisterns within the foundation of a structure can only be treated using the following techniques:

1. Do not treat soil while it is beneath or within the foundation or along the exterior perimeter of a structure that contains a well or cistern. The treated backfill method must be used if soil is removed and treated outside/away from the foundation. The treated backfill technique is described as follows:

a. Trench and remove soil to be treated onto heavy plastic sheeting or similar material or into a wheelbarrow.

b. Treat the soil at the rate of 4 gallons of dilute solution per 10 linear feet per foot of depth of the trench, or 1 gallon per 1.0 cubic feet of soil. See *Mixing Directions for MAXXTHOR EC for Use as a Termiticide* section of the label. Mix thoroughly into the soil taking care to contain the liquid and prevent runoff or spillage.

c. After the treated soil has absorbed the solution, replace the soil into the trench.

2. Treat infested and/or damaged wood in place using an injection technique such as described in the *APPLICATION TO WOOD INDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS* or *APPLICATION TO WOOD OUTDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS* sections of this label.

### Structures with Adjacent Wells/Cisterns and/or Other Water Bodies

Applicators must inspect all structures with nearby water sources such as wells, cisterns, surface ponds, streams, and other bodies of water and evaluate, at a minimum, the treatment recommendations listed below prior to making an application.

1. Prior to treatment, if feasible, expose the water pipe(s) coming from a well to the structure, if the pipe(s) enter the structure within 3 feet of grade.

2. Prior to treatment, applicators are advised to take precautions to limit the risk of applying the termiticide into subsurface drains that could empty into any bodies of water. These precautions include evaluating whether application of the termiticide to the top of the footer may result in contamination of the subsurface drain. Factors such as depth to the drain system and soil type and degree of compaction should be taken into account in determining the depth of treatment.

3. When appropriate (for example, on the water side of the structure), the treated backfill technique (described above) can also be used to minimize offsite movement of termiticide.

## FOAM APPLICATION

MAXXTHOR EC, in the form of a foam, can be used to deliver MAXXTHOR EC as a termiticide any time it appears likely this form of delivery will improve the dispersal of MAXXTHOR EC into and within the intended target area. Foam can be particularly useful to deliver MAXXTHOR EC where it either cannot be depended upon to be delivered as just a solution or due to a need to reduce the amount of water used in order to avoid water damage to the target or adjacent areas. In some situations, for example under some slabs, a solution cannot be depended upon to disperse as completely as a foam because of deflection of the liquid stream or some other structural obstacle or defect.

Depending on the circumstances, foam applications of MAXXTHOR EC may be used alone or in combination with liquid solution applications, provided that the cumulative amount of active ingredient per unit of area applied is equivalent to that which would be contained in a 0.06% solution-only application applied to the same area. Mix and apply foam and or foam/liquid emulsion in combination such that at least 1.28 ounces of MAXXTHOR EC concentrate is applied per 10 linear feet when creating vertical barriers or 0.32 ounces of MAXXTHOR EC concentrate is applied per 10 square feet when creating horizontal barriers. Typically, at least

75% of the labeled liquid emulsion volume of product should be applied as a liquid, with the remaining percent delivered as a foam. Foam may be used alone in difficult situations.

Using foam generating equipment, a solution of MAXXTHOR EC, ranging in concentration from 0.06% to 0.12%, may be converted into a foam 2 to 40 times the volume of its liquid equivalent according to the foaming agent and foaming equipment manufacturer's recommendations.

First, form a solution of MAXXTHOR EC of the appropriate percentage concentration and volume. Then add the recommended volume of a foaming agent. Verify that the foaming agent is compatible with MAXXTHOR EC.

Applications may be made behind veneers, piers, chimney bases, into rubble foundations, into block voids, structural voids or other similar voids, under slabs, stoops, porches or to the soil in crawlspaces.

## RETREATMENT

Retreatments for subterranean termites can only be performed if there is clear evidence of reinfestation or disruption of the barrier due to construction, excavation or landscaping and/or evidence of the breakdown of the termiticide barrier in the soil. These vulnerable or reinfested areas may be retreated in accordance with application techniques described in this product's labeling. The timing and type of these retreatments will vary, depending on factors such as termite pressure, soil types, soil conditions and other factors which may reduce the effectiveness of the barrier.

Annual retreatment of the structure is prohibited unless there is clear evidence that reinfestation or barrier disruption has occurred.

## APPLICATION IN CONJUNCTION WITH TERMITE BAITS

Spot only applications of MAXXTHOR EC can be used as a supplement to termite baiting systems. For the purposes of this section, spot only applications are defined as the use of MAXXTHOR EC according to any of the permitted and applicable post-treatment application techniques contained in this label, alone or in combination, to the extent needed or deemed necessary or useful as an adjunct to a termite bait product labeled as a stand alone protection against termite attack. Stand alone termite bait product is defined as a termite bait product that provides sufficient structural protection when applied without other termite control products.

## APPLICATION TO PROTECT UNDERGROUND ITEMS FROM SUBTERRANEAN TERMITE ATTACK

To protect components installed underground such as wires, conduits, cables and pipes buried in soil against termite attack, create an envelope of MAXXTHOR EC treated soil around the components along the entire underground length of the component. First, treat soil through which components will be run with 0.06% to 0.12% solution of MAXXTHOR EC at a rate of 2 gallons of solution per 10 linear feet. Install components, laying them on the treated soil. Cover components with untreated soil and then treat this covering soil using the same percent solution at 2 gallons of solution per 10 linear feet.

Underground components to be protected may be located within the foundation of a structure or outside of a structure such as within a utility right of way, for example. Do not treat items that are electrically energized at the time of application. If the soil will not absorb the indicated amount of solution, as little as 1 gallon of 0.12% solution per 10 linear feet can be used. Treat points where services emerge from the ground at a rate of 1 to 2 gallons of solution at the point of emergence.

## APPLICATIONS TO PROTECT POLES, POSTS AND OTHER WOODEN ITEMS FROM SUBTERRANEAN TERMITE ATTACK

MAXXTHOR EC can be used to protect the below ground portions of wooden structural components from termites. Form a treated zone around components below ground by vertically rodding the soil around their perimeter to a depth of six inches below their maximum depth of placement in the soil and applying a 0.06% solution of MAXXTHOR EC at a rate of 0.4 gallons of solution per linear foot of perimeter around the component per foot of treated depth. Measure the perimeter of the component six inches from the outside of the component.

# APPLICATIONS TO CONTROL WOOD INFESTING INSECTS

Mix and dilute MAXXTHOR EC according to the instructions contained in the *APPLICATION FOR CONTROL OF SUBTERRANEAN TERMITES* section.

## APPLICATIONS TO CONTROL EXPOSED WOOD INFESTING INSECTS LOCATED ABOVE GROUND

MAXXTHOR EC can be applied above ground as a non-soil treatment to control and kill exposed worker and winged reproductive (swarmer) termites and Carpenter ants. This type of application is only supplementary to and should not be considered as a replacement for soil treatment in the case of termite infestation.

Apply a 0.06% solution as a general fan spray within attics, crawl spaces, unfinished basements and other void areas where termites have been found. Apply treatment directly to swarming termites and areas where they congregate.

## APPLICATIONS TO TERMITE CARTON NESTS LOCATED IN ABOVE GROUND WALL VOIDS

Apply a 0.06% solution of MAXXTHOR EC directly into above ground termite carton nests including nests located in wall voids using a directional injector. Apply as a solution or foam under pressure to distribute solution thoroughly throughout the nest. It may be necessary to inject solution at one or more points and at varying depths within the nest to adequately distribute solution within the interior of the nest.

## APPLICATION TO WOOD INDOORS TO PROTECT AGAINST WOOD INFESTING INSECTS

A 0.06% solution of MAXXTHOR EC applied as a liquid or foam to wooden structural components within structures can be used to protect them against attack from wood infesting insects such as termites, Carpenter ants and wood boring beetles or borers. This type of application is only supplementary to and should not be considered a replacement for soil treatment in the case of termite infestation.

Apply solution as a general fan spray onto the surface of the wood or inject solution under pressure into the wood as a liquid or foam. Inject by either injecting solution through a directional injector directly into existing voids and galleries or by drilling wood to form treatment channels through which the solution can be injected into the insect galleries. Multiple treatment channels of varying depth may need to be drilled to adequately distribute the solution within the wood interior. Application can also be made with a paintbrush.

Before application, locate heat pipes, ducts, water and sewer lines and electrical conduits. Take precautions to avoid puncturing and/or injecting solution into these items. Do not apply solution inside of electrified enclosures, switches or sockets.

Plastic sheeting must be placed below any indoor overhead surfaces being treated that are located anywhere except within a soil-based crawl space. Wear protective clothing, unvented goggles, gloves and respirator when making an overhead application or when applying in poorly ventilated indoor areas. Do not touch surfaces until spray has dried.

When treating in home food preparation and storage areas, cover all food preparation surfaces and utensils prior to beginning treatment. Surfaces or items that cannot be covered or removed should be thoroughly washed after treatment and before use. Food that cannot be covered should be removed. Before application, remove pets, birds and cover and disconnect aquariums. Do not allow humans and pets to touch treated surfaces until they have dried.

## APPLICATION TO WOOD OUTDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS

### On and around structures

A 0.06% solution of MAXXTHOR EC applied as a liquid or foam to exterior structural components can be used to protect them from the attack of wood infesting insects such as termites, Carpenter ants and wood boring beetles or borers. Apply solution by general fan spray to the point of runoff onto the surface of the wood or inject solution under pressure into the wood as a liquid or foam. Inject by either injecting solution directly into existing voids and galleries or drilling wood to form treatment channels through which the solution can be injected into the insect galleries. Multiple treatment channels of varying depth may need to be drilled to adequately distribute the solution within the wood interior. Application can also be made with a paintbrush.

To control Carpenter ants, also apply solution around doors and windows and other areas Carpenter ants have been observed or can be expected to forage.

### Within wooden components and trees

Locate the cavity that the insects (such as Carpenter ants) are inhabiting, drilling to find the interior infested cavity if necessary. Inject a 0.06% solution of MAXXTHOR EC into the cavity as a solution or foam. Apply a sufficient volume of solution to completely flood or fill the cavity. Drill injection channels if necessary.

# APPLICATION TO CONTROL LAWN PESTS

MAXXTHOR EC controls a wide range of turfgrass insect and mite pests. MAXXTHOR EC is not for use on turfgrass being grown for sale, for commercial seed production, for other commercial use or for research.

### Application Sites

For use on any type of landscape or recreational turfgrass in any type of setting or at any type of site except as otherwise prohibited. Permitted sites include but are not limited to lawns, grounds, recreational areas, parks, landscapes and athletic fields. **New York State only: Do not apply MAXXTHOR EC containing solutions to grass or turf within 100 feet of a body of water (lake, pond, river, stream, wetland or drainage ditch).**

### Application Precautions and Preparations

Keep children and pets off treated areas until spray has dried.

If necessary, test the effects of applications of different rates and volumes of mixed solution on a small patch of a type of grass (with observations over one week to detect the occurrence of negative effects) before application of solutions to large areas of that type of grass.

MAXXTHOR EC can be mixed with other pesticides, including insect growth regulators. Follow the label directions of all the products mixed, making sure not to exceed the labeled application rate of any individual product in the mixture. Any tank mixture that has not been tested before should be tested before full scale use by first mixing a small quantity of the mixture to ensure there is no physical or chemical incompatibility.

Do not apply when wind conditions favor downwind drift to nearby water bodies or when wind velocity exceeds 10 miles per hour.

### Application Methods

Apply solution as a broadcast treatment in a quantity sufficient to wet all foliage. Apply using nozzles that provide the largest droplet size compatible with adequate coverage.

To maximize efficacy against sub-surface pests such as mole crickets or chinch bugs, MAXXTHOR EC should be applied with a non-ionic or silicone based surfactant (0.25% v/v) in sufficient water to ensure good penetration of spray into the soil-thatch matrix. Treated areas should then be irrigated with 0.25 to 0.5 inches of water immediately afterwards paying special attention so that run-off or puddling does not occur.

If necessary, consult resources in horticulture in your area (such as your Cooperative Extension Service) to determine appropriate application timing and cultural practices to control different types of pests.

### Reapplication

Reapplications may be necessary particularly in the event of high pest pressure. Do not apply more often than every 7 days. **New York State only: Do make a single reapplication of MAXXTHOR EC if there is renewed insect activity, but not sooner than two weeks after first application.**

### Lawn Application Use Rates and Volumes

Use rates for MAXXTHOR EC for lawn pests are stated in fluid ounces of MAXXTHOR EC per 1000 square feet.

Apply MAXXTHOR EC at 0.07 to 0.30 fluid ounces per 1000 square feet depending on the target pest. Recommended rates for specific pests within this range are given below.

Depending on the length and/or density of grass being treated, application volumes of up to 10 gallons per 1000 square feet can be made in order to obtain uniform coverage. If a minimal volume application is made (2 gallons per 1000 square feet) and the target pest, such as mole crickets or chinch bugs for example, are located in the thatch or below the surface, irrigate the treated area with at least 0.25 to 0.50 inches of water immediately after the application. The addition of a non-ionic or silicone based surfactant (0.25% v/v) is also recommended when making a minimal volume application.

The calculated amount of MAXXTHOR EC can be applied in any volume of water as long as the maximum label rate per 1000 feet is not exceeded. Do not exceed the maximum label rate by applying solution to an area smaller than intended when it was mixed and diluted unless such under dosing will not result in an application rate per 1000 square feet in excess of the maximum label rate.

### Lawn Pest Application Use Rates

The application rates listed below provide control of the listed pests under normal conditions. Use the higher application rates when maximum residual control is needed.

| Use Rate Table for MAXXTHOR EC for Lawn Applications | |
|---|---|
| Use Rate | Fluid ounces MAXXTHOR EC per 1,000 Square feet (Range) |
| A | 0.07⇒0.15 |
| B | 0.07⇒0.30 |
| C | 0.15 |

### Lawn Pests Grouped by Use Rates

**Use Rate A:** Ants, Armyworms, Billbugs, Chinch Bugs, Crane Flies, Crickets, Cutworms, Earwigs, Fall Webworms, Fleas (adults, larvae), Grasshoppers, Mites, Mole Crickets, Sod Webworms, Spittlebugs

**Use Rate B:** Japanese Beetles (adult)

**Use Rate C:** Crane Flies

| Mixing Table for MAXXTHOR EC for Lawn Applications | | | | |
|---|---|---|---|---|
| Application Volume: Gallons/1000 sq. ft. | Use Rate: Fluid oz. / 1000 sq. ft. (select from Use Rate Table) | Add these amounts of MAXXTHOR EC to the indicated volumes of water | | |
| | | 5 gal. | 10 gal. | 25 gal. |
| 2 | .07 | .175 | .35 | 0.875 |
| | .15 | .375 | .75 | 1.875 |
| | .22 | .550 | 1.10 | 2.750 |
| | .30 | .75 | 1.50 | 3.750 |
| 5 | .07 | .07 | .14 | 0.350 |
| | .15 | .15 | .30 | 0.750 |
| | .22 | .22 | .44 | 1.100 |
| | .30 | .30 | .60 | 1.500 |
| 10 | .07 | - | .07 | .175 |
| | .15 | - | .15 | .375 |
| | .22 | - | .22 | .550 |
| | .30 | - | .30 | .750 |

### Calculating Amounts of MAXXTHOR EC to Mix for Lawn Pests

To mix and apply any amount of MAXXTHOR EC for lawn pests, determine:

A = Square feet of area to be treated / 1000

B = Use Rate per 1000 square feet for the target pest(s) in fluid ounces MAXXTHOR EC taken from the Use Rate Table. If treating for more than one type of pest, select the highest rate.

Calculate the amount of MAXXTHOR EC to mix for lawn pests as follows:

Fluid Ounces MAXXTHOR EC to use = A X B

Mix this amount of MAXXTHOR EC in the amount of water needed to make the application.

### Application Recommendations Against Specific Lawn Pests

**Armyworms, Cutworms, Sod Webworms:** Do not water or mow grass within 24 hours of application for optimum control of these surface feeding insects.

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

**Mole Crickets:** For control of overwintering Mole Crickets, apply the lower rate in early Spring. For the control of adult Mole Crickets in late-Summer or early Fall, apply the higher rate.

**Crane Flies:** Treatments can be made to control early to midseason larvae (approximately August - February) as they feed on plant crowns. Treatments made to late-season larvae (approximately March, April) may only provide suppression.

## APPLICATION TO CONTROL ORNAMENTAL PESTS

MAXXTHOR EC controls a wide range of insects and mites on trees, shrubs, foliage plants, non-bearing fruit and nut trees and flowers. Non-bearing trees are perennial plants that will not produce a harvestable agricultural commodity within the next 12 months. MAXXTHOR EC is not for use on plants being grown for sale, for commercial seed production or for research.

### Application Sites

For use on ornamental plants including but not limited to trees, shrubs, ground covers, bedding plants and foliage plants being used for decorative or climate modification purposes. Plants on which use is permitted include those being grown in any type of setting or at any type of site not otherwise prohibited. Permitted sites include but are not limited to ornamental gardens, parks, landscapes, lawns, grounds and interior plantscapes.

### Application Preparation

If necessary, test the effects of applications of different rates and volumes of mixed solution on a small number of a type of plant (with observations over one week to detect the occurrence of negative effects) before application of solution to large numbers of that type of plant.

MAXXTHOR EC can be mixed with other pesticides, including insect growth regulators. Follow the label directions of all the products mixed, making sure not to exceed the label rate of any individual product in the mixture. Any tank mixture that has not been tested before should be tested before full scale use by first mixing a small quantity of the mixture to ensure there is no physical or chemical incompatibility.

### Application Methods

Apply solution in a quantity sufficient to wet all foliage. It may also be necessary to treat non-foliage parts of plants such as trunks and bark to control some pests based on where the pest may be located on the plant at a particular life stage.

For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

### Reapplication

Reapplications may be necessary as plant growth occurs and new foliage appears or in the event of high pest pressure. Do not apply more often than every 7 days.

### Ornamental Application Use Rates and Volumes

Use rates for MAXXTHOR EC for ornamental pests are stated in fluid ounces of MAXXTHOR EC per 4,356 square feet. Recommended ornamental application use rates, based on the target pest, range between 0.26 to 1.28 fluid ounce of MAXXTHOR EC per 4,356 square feet. Recommended rates for specific pests within this range are given below.

The calculated amount of MAXXTHOR EC can be applied in any volume of water as long as the applicable label rate per 4,356 feet is not exceeded. Do not exceed the maximum label rate by applying solution to an area smaller than intended when it was mixed and diluted unless such underdosing will not result in an application rate per 4,356 square feet in excess of the maximum label rate.

### Ornamental Pest Dilution Rates

The dilution rates listed below provide control of the listed pests under normal conditions. Use the higher dilution rate when maximum residual control is needed.

| Dilution Rate Table for MAXXTHOR EC for Ornamental Applications | | |
|---|---|---|
| Dilution Rate | Lbs. a. i. per 10 gallons<br>Lbs. a. i. per 4,356 sq. ft. | Fl. oz. per 10 gallons<br>Fl. oz. per 4,356 sq. ft. |
| A | 0.004 ⇒ 0.02 | 0.26 ⇒ 1.28 |
| B | 0.006 ⇒ 0.02 | 0.38 ⇒ 1.28 |
| C | 0.01 ⇒ 0.02 | 0.64 ⇒ 1.28 |

### Ornamental Pests Grouped by Dilution Rates

**Dilution Rate A:** Ants, Aphids, Bagworms, Black Vine Weevil (adults), Brown Soft Scales, Broad Mites, Budworms, California Red Scales (crawlers), Centipedes, Clover Mites, Crickets, Cutworms, Earwigs, Elm Leaf Beetles, Fall Webworms, Flea Beetles, Fungus Gnats (adults), Grasshoppers, Lace Bugs, Leafhoppers, Leaf feeding Caterpillars, Mealybugs, Millipedes, Mole Crickets, Orchid Weevil, Pillbugs, Pine Needle Scales (crawlers), Plant Bugs (incl. Lygus spp.), San Jose scales (crawlers), Sowbugs, Spiders, Spittlebugs, Tent Caterpillars, Tip Moths, Weevils, Whiteflies

**Dilution Rate B:** Citrus Thrips, Beet Armyworm, Diaprepes (larvae, adult), European Red Mite, Leafrollers, Spider Mites, Thrips, Twig Borers

**Dilution Rate C:** Japanese Beetles (adult), Leafminers, Pecan Leaf Scorch Mite, Black Vine Weevil (larvae), Fungus Gnats (larvae)

| Mixing Table for MAXXTHOR EC for Ornamental Applications | | | | |
|---|---|---|---|---|
| Application Volume: Gallons/4356 sq. ft. | Use Rate: Fluid ounces / 4356 sq. ft. | Add these amounts of MAXXTHOR EC to the indicated volumes of water | | |
| | | 5 gal. | 10 gal. | 25 gal. |
| 2 | 0.26 | 0.650 | 1.30 | 3.25 |
| | 0.38 | 0.950 | 1.90 | 4.75 |
| | 0.64 | 1.600 | 3.20 | 8.0 |
| | 1.28 | 3.200 | 6.40 | 16.00 |
| 5 | 0.26 | 0.260 | 0.52 | 1.30 |
| | 0.38 | 0.380 | 0.76 | 1.90 |
| | 0.64 | 0.640 | 1.28 | 3.20 |
| | 1.28 | 1.280 | 2.56 | 6.40 |
| 10 | 0.26 | -- | 0.26 | 0.65 |
| | 0.38 | -- | 0.38 | 0.95 |
| | 0.64 | -- | 0.64 | 1.60 |
| | 1.28 | -- | 1.28 | 3.20 |

### Calculating Amounts of MAXXTHOR EC to Mix for Ornamental Pests

To mix and apply any amount of MAXXTHOR EC for ornamental pests, determine:

A = Square feet of area to be treated /4,356

B = Use Rate per 4,356 square feet for the target pest(s) in fluid ounces MAXXTHOR EC taken from the Dilution Rate Table. If treating for more than one pest, select the highest rate.

Calculate the amount of MAXXTHOR to mix for ornamental pests as follows:

Fluid Ounces MAXXTHOR EC to use = A X B

Mix this amount of MAXXTHOR EC in the amount of water needed to make the application.

### Application Recommendations Against Specific Ornamental Pests

**Bagworms:** Spray when bagworms first begin to hatch. Apply directly to the larvae. Treatment is most effective against young larvae.

**Scale crawlers and twig borers**: Treat trunks, stems and twigs in addition to plant foliage.

**Black Vine Weevil and Fungus Gnat larvae:** Apply as a drench at the rate of approximately 8 ounces of finished spray per 6 inch pot.

## ORNAMENTAL TREE TRUNK SPRAY TO CONTROL BARK BEETLES

### Control of Dendroctonus bark beetles including mountain pine beetle, southern pine beetle, western pine beetle, Black turpentine beetle, and engraver beetles (Ips spp.)

**Preventative treatment:** Spray an aqueous solution containing 1.0 to 2.0 pints of MAXXTHOR EC per 100 gallons (0.25 to 0.5 lbs. ai/100 gallons) of water to the trunk of the tree in the spring or whenever nearby infested trees create the threat of an infestation. Apply spray directly to the main trunk from the base of the tree to at least half way into the live crown. Wet the bark with the spray thoroughly (usually 1 to 4 gallons of spray per tree). Do not apply more than 0.2 lbs. ai (12.8 fl. Oz.) of this product per acre of trees. Repeat application if infestation occurs. Application rates and application timing differ according to the target pest and other factors. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

**Treatment of infested trees to control emerging brood:** Make applications of a spray mixture containing 2.0 pints of this product per 100 gallons 0.5 lbs. ai/100 gallons) of water to trees that have beetles in their bark. Apply spray directly to the main trunk from the base of the tree to at least half way into the live crown. Spray until the bark is thoroughly wetted by the spray (usually 1 to 4 gallons of spray per tree). Do not apply more than 0.2 lbs. ai (12.8 fl. oz.) of this product per acre of trees.

Beetles are normally no longer present in trees in which all needles have turned brown. Trees in this condition should be sprayed only if a continuing infestation is confirmed. Confirm an infestation by removing bark. If live infestations remain in the trunks, fell the trees and cut into sections. Spray the trunk and large limbs, rotating the trunks as they are sprayed in order to thoroughly treat the exterior of the entire trunk. Do not apply more than 0.2 lbs. ai (12.8 fl. oz.) of this product per acre.

### Control of other bark beetles such as Ambrosia beetles, elm bark beetles and Emerald Ash borer

**Preventative control:** Spray an aqueous solution containing 1.0 to 2.0 pints of MAXXTHOR EC per 100 gallons (0.25 to 0.5 lbs. ai/100 gallons) of water to the trunk, scaffolding and limbs of the tree in the early spring or prior to adult beetle flight and tree infestation. Spray until the bark is thoroughly wetted by the spray (usually 6 to 12 gallons of spray per tree).

Do not apply more than 0.2 lbs. ai of this product per acre of trees. Repeat application may be necessary if reinfestation is likely or for extended adult emergence and flight. Application rates and application timing differ according to the target pest and other factors. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

## CONTROL OF OTHER BORERS ON ORNAMENTAL TREES

Consult the table below for other boring insects. Geographic location and environmental conditions will affect application rate and timing. Spray bark until it is thoroughly wetted by the spray (usually 1 to 4 gallons of spray per tree). Do not apply more than 100 gallons of solution per acre of trees. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

| Pest | Recommended Dilution Rate (Range) | Specific Instructions |
|---|---|---|
| **Clearwing Moth borers**<br>Ash borer, banded ash clearwing, Dogwood borer, Lesser peachtree borer, Lilac borer, Oak borer<br>**Coleopteran borers**<br>Bronze birch borer, Flatheaded appletree borer | 6.4 to 12.8 fl. oz. per 100 gallons | Apply to the lower branches and trunks prior to adult emergence<br><br>Apply 12.8 fl. oz. per 100 gallons for maximum residual control |

## CONTROL OF STRUCTURAL PESTS (OTHER THAN WOOD INFESTING INSECTS) ON AND AROUND BUILDINGS

MAXXTHOR EC controls a wide range of structural pests including nuisance pests outside of structures. MAXXTHOR EC can be applied around any type of residential or commercial structure or building. Permitted sites include but are not limited to the exterior of homes, office buildings, mobile and modular homes, apartments and stores.

### Dilution of MAXXTHOR EC for Structural Pests

For structural pests, use rates for MAXXTHOR EC are expressed and mixed according to the percentage (%) concentration solution it forms when mixed in water. Each 0.166 fluid ounce (1 teaspoon) of MAXXTHOR EC that is added to one gallon of water increases the concentration of MAXXTHOR EC in that one gallon of water by 0.03%. For example, to make a 0.06% solution in one gallon of water, mix 0.333 fluid ounce (2 teaspoons) of MAXXTHOR EC in one gallon of water. Use the conversion table and formulas below to determine the amount of MAXXTHOR EC to add to any quantity of water.

| Mixing Table for MAXXTHOR EC for Structural Pests | | |
|---|---|---|
| % to mix | Fluid ounces to add per gallon of water to mix this % | Teaspoons to add per gallon of water to mix this % |
| 0.03 | 0.166 | 1 |
| 0.06 | 0.333 | 2 |

29.57 milliliters = 2 tablespoons = 6 teaspoons=1 Fluid ounce

### Calculating Amount of MAXXTHOR EC to Mix for Structural Pests

Calculate the amount of MAXXTHOR EC to mix for structural pests as follows:

A = Volume of water, in gallons, into which the MAXXTHOR EC will be mixed. Express any partial gallons as decimal fractions (1/2 = .5)

B = Fluid ounces (or teaspoons) MAXXTHOR EC per gallon from Mixing Table. Select the desired % concentration based on the site of application and the pest(s) to be controlled. Read across to find amount of MAXXTHOR EC to add per gallon in fluid ounces or teaspoons.

Fluid ounces (or teaspoons) MAXXTHOR EC to mix = A X B

Mix this amount of MAXXTHOR EC in the predetermined amount of water (A). Food utensils such as teaspoons and measuring cups should not be used for food purposes after use with pesticides.

### Pests Controlled

Ants, including Carpenter Ants, Armyworms, Bees, Boxelder Bugs, Centipedes, Chiggers, Chinch Bugs, Clover Mites, Crickets, Cutworms, Dichondra Flea Beetles, Earwigs, Elm Leaf Beetles, European Craneflies, Fleas, Flies, Grasshoppers, Hornets, Millipedes, Mosquitoes, Moths, Roaches, including Cockroaches, Scorpions, Silverfish, Sod Webworms, Sowbugs (Pillbugs), spiders including Black Widow Spiders, Springtails and Wasps.

### Application Methods

Apply MAXXTHOR EC as a solution in the form of a general surface, spot, crack and crevice, pinstream or coarse spray. Do not apply as a space spray. May also be applied with a paintbrush.

### Application Use Rates and Volumes

Use a 0.03% to 0.06% solution of MAXXTHOR EC. Use a spray volume of between 2 and 10 gallons of solution per 1,000 square feet. Higher application volumes may be used if necessary to sufficiently wet vegetation and landscaping with the spray solution.

### Re-Application

Treatments should not be repeated more often than once every 7 days. The best efficacy and longest residual control is achieved when the highest concentration is used.

### Application Locations

Apply spray to the exterior surfaces of structures and to grounds, lawns, landscaping, plants and hard surface areas adjacent to structures. Can also be applied to any areas where pests congregate or have been seen.

### Perimeter Band Treatment

To help prevent pest infestation of structures, create a treated zone or band on the structure, soil and vegetation around the entire perimeter of a structure. Apply solution to all surfaces within a band beginning 6 to 10 feet from the exterior foundation of the structure that extends back to the structure and then continues 2 to 3 feet up the exterior surface of the structure from the ground. Application volume will depend upon the nature of the surface being treated. Mulch areas, for example, require more volume and hard surface areas requiring less.

### Control of Specific Structural Pests Outdoors

**Ants (Nuisance ants other than Carpenter Ants) Outdoors:** To achieve the highest level of control, locate and directly treat ant nests. Apply solution to ant trails, around doors and windows and at points where ants can be expected to forage or congregate.

**For Ant Mounds:** Treat mounds and area within a 2 foot radius of the center of the mound with 1-2 gallons of a 0.06% solution. When mounds exceed 12 inches in size use the highest volume of solution. Applications in cool weather (65 to 80 degrees F) or the cooler parts of the day are most effective. Do not apply treatment during the heat of the day.

**Bees, Wasps, Hornets, and Yellow Jackets:** Always use the highest rate. Make application in late evening when insects are at rest at the nest for best results and to avoid stings. Spray nest openings in ground, in bushes and wherever insects may be nesting. Spray to the point of saturation. Spray as many insects as possible. Remove and destroy treated nests to prevent emergence of newly hatched insects.

**Centipedes, Earwigs, Beetles, Millipedes, Pillbugs, Sowbugs:** Thoroughly treat mulch areas. The reduction of moisture in mulch areas may also aid in control of these pests.

**Mosquitoes:** Apply solution to lawns and landscaping, under decks and to building foundations. Refer to *APPLICATIONS FOR ORNAMENTAL PESTS* section for mixing and applying large amounts of solution against mosquitoes.

**Fleas:** Treat the entire area where insects could be present. Begin treatments in the spring. Insects may be re-introduced by host animals in the surrounding area. Retreatment may be necessary to achieve and maintain control during periods of high pest pressure.

## CONTROL OF NUISANCE INSECTS INSIDE BUILDINGS

MAXXTHOR EC can be used indoors to control bees, wasps, hornets and yellow jackets by liberally spraying a 0.06% emulsion in the late evening when insects are at rest into hiding and breeding places, especially under attic rafters, contacting as many insects as possible. Repeat application is necessary only if there are signs of renewed insect activity which is more likely in situations of high initial pest pressure. Repeat application should be limited to no more than once every seven days.

Refer to the *CONTROL OF STRUCTURAL PESTS (OTHER THAN WOOD INFESTING INSECTS) ON AND AROUND BUILDINGS* section of this label for directions on mixing MAXXTHOR EC for these types of applications.

**Important:** Do not apply emulsion until location of heat pipes, ducts, water and sewer lines and electrical conduits are known and identified. Caution must be taken to avoid puncturing and injection into these structural elements. Do not apply into electrical fixtures, switches or sockets.

Remove pets, birds and cover aquariums before spraying. Do not permit humans or pets to contact treated surfaces until the spray has dried.

Wear protective clothing, unvented goggles, gloves and respirator, when applying to overhead areas or in poorly ventilated areas. During any overhead applications to overhead interior areas of structures, cover surfaces below with plastic sheeting or similar materials.

In the home, cover all food handling/processing surfaces and cover or remove all food and cooking utensils, or wash thoroughly after treatment.

For use only in nonfood/feed areas of food/feed handling establishments. Do not use in food/feed areas of food/feed handling establishments, restaurants or other areas where food/feed is commercially prepared or processed. Do not use in serving areas while food is exposed or facility is in operation. Serving areas are areas where prepared foods are served such as dining rooms but excluding areas where food may be prepared or held. Nonfood/feed areas of food/feed areas are 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 (after bottling or canning).

Not for use in Federally inspected meat and poultry plants.

## APPLICATION UNDER SLABS TO CONTROL PESTS

Infestations of pests such as ants, cockroaches and scorpions inhabiting areas under slabs may be controlled by drilling and injecting or horizontal rodding and then injecting 1 gallon of a 0.06% to 0.12% emulsion per 10 square feet or 2 gallons of emulsion per 10 linear ft.

## ATTENTION

Use only in well ventilated areas.

Do not apply to pets, crops, sources of electricity or firewood.

During any application to overhead areas of structure, cover surfaces below with plastic sheeting or similar material, except for soil surfaces in crawlspaces.

Do not allow dripping or runoff to occur during indoor applications.

Do not treat areas where food is exposed.

Do not allow spray to contact food, foodstuffs, food contacting surfaces, food utensils or water supplies.

Thoroughly wash dishes and food handling utensils with soap and water if they become contaminated by application of this product.

Do not allow people or pets to touch or walk on treated surfaces until spray has dried.

Do not apply a broadcast application to interior surfaces of homes.

Do not apply in livestock buildings such as barns.

Do not allow spray to drift onto ponds, streams or lakes.

Do not apply in greenhouses or nurseries or by air.

## 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 must be followed carefully. However, because of manner of use and other factors beyond the control of Ensystex IV, Inc., it is impossible for Ensystex IV 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 Ensystex IV harmless for any claims relating to such factors.

**DIECLAIMER OF WARRANTIES:** Seller warrants that this product conforms to the chemical description in 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. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ENSYSTEX IV 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, have 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 Ensystex IV, Inc., and buyer assumes the risk of any such use.

**LIMITATIONS OF LIABILITY:** To the extent consistent with applicable law, Ensystex IV 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 ENSYSTEX IV 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 ENSYSTEX IV, 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.

MAXXTHOR is a registered trademark of Ensystex, Inc.

EPA 20100518

# MAXXTHOR EC

**For use only by individuals/firms licensed or registered by the state to apply termiticide products when applied as a termiticide. States may have more restrictive requirements regarding qualifications of persons using this product. Consult the structural pest control regulatory agency of your state prior to use of this product. For use by pest control operators or commercial operators to control pests on lawns and ornamental plants.**

| **Active Ingredient:** | **By Wt.** |
|---|---|
| Bifenthrin* | 23.4% |
| **Other Ingredients**:** | 76.6% |
| **TOTAL:** | 100.0% |

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

**Contains petroleum distillates

**EPA Reg. No. 83923-6 EPA Est. 81824-NC-001**

MAXXTHOR EC contains 2 pounds active ingredient per gallon.

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

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

**For product use information call 1-866-FOR-THOR (367-8467).**

## KEEP OUT OF REACH OF CHILDREN

# WARNING

## *ENSYSTEX IV, Inc.*

Fayetteville, NC 28303

**Net Contents: As marked on container**

## FIRST AID

| | |
|---|---|
| **If swallowed** | • Immediately call a poison control center or doctor.<br>• Do not induce vomiting unless told to do so by a poison control center or doctor.<br>• Do not give any liquid to the person.<br>• Do not give anything by mouth to an unconscious person. |
| **If inhaled** | • Move person to fresh air.<br>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.<br>• Call a poison control center or doctor for further treatment advice. |
| **If on skin or clothing** | • Take off contaminated clothing.<br>• Rinse skin immediately with plenty of water for 15 to 20 minutes.<br>• 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.<br>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.<br>• Call a poison control center or doctor for treatment advice. |

## HOTLINE NUMBER

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

## NOTE TO PHYSICIAN

This product is a pyrethroid. This product also contains aromatic hydrocarbons. Because of the risk of hydrocarbon pneumonitis if even tiny amounts are aspirated into the lung during emesis, consideration should be given to gastric lavage with endotracheal tube in place. Treatment is symptomatic and supportive. Animal and vegetable fats, milk, cream and alcohol may increase absorption and should not be administered.

## PRECAUTIONARY STATEMENTS

### Hazards to Humans and Domestic Animals

May be fatal if swallowed. Causes skin irritation and moderate eye irritation. Do not get on skin or on clothing. Avoid breathing vapors or spray mist, and contact with eyes. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Remove contaminated clothing and wash contaminated clothing before reuse.

**Personal Protective Equipment:** All pesticide handlers (mixers, loaders and applicators) must wear long-sleeved coveralls worn over a minimum of short-sleeved shirt and short pants, socks, chemical-resistant footwear, chemical-resistant gloves and protective eyewear. After the product is diluted in accordance with label directions for use (or if an in-line injector system is used) shirts, pants, socks, shoes and waterproof gloves are sufficient. All pesticide handlers must wear a respiratory protection device when handling the concentrate or when working in a non-ventilated space (such as a NIOSH approved respirator with any R, P or HE filter or a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any R, P or HE pre-filter). All pesticide handlers must wear protective eyewear, such as goggles, faceshield or safety glasses, when working in a non-ventilated space or when applying as a termiticide by rodding or sub-slab injection.

**Termite Control Treatment:** When treating adjacent to an existing structure, the applicator must check the area to be treated and immediately adjacent areas of the structure for visible and accessible cracks and holes to prevent any leaks or significant exposures to persons occupying the structure. People present or residing in the structure during application must be advised to remove their pets and themselves from the structure if they see any signs of leakage. After application, the applicator is required to check for leaks. All leaks resulting in the deposition of termiticide in locations other than those prescribed on this label must be cleaned up prior to leaving the application site. Do not allow people or pets to contact contaminated areas or to reoccupy contaminated areas of the structure until the clean-up is completed.

### Environmental Hazards

This pesticide is extremely toxic to fish and aquatic invertebrates. Do not apply when weather conditions favor drift from treated areas. Care should be used when spraying to avoid fish and reptile pets in/around ornamental ponds.

Do not apply this product or allow it to drift to crops or weeds on which bees are actively foraging. Additional information may be obtained from your Cooperative Extension Service.

To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies and drainage systems.

### Physical and Chemical Hazards

Do not use or store near heat or open flame.

Do not apply this product in or on electrical equipment 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.

Do not water the treated area to the point of run-off.

Do not make applications during rain.

Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. Do not allow the product to enter any drain during application.

**Additional Application Restrictions for Pre-Construction Termiticide Applications:**

The treatment site must be covered prior to a rain event in order to prevent run-off of the pesticide into non-target areas.

The applicator must either cover the soil him/herself or provide written notification of the above requirement to the contractor on site and to the person commissioning the application (if different from the contractor). If notice is provided to the contractor or the person

commissioning the application, then they are responsible under FIFRA to ensure that: 1) if the concrete slab cannot be poured over the treated soil within 24 hours of application the treated soil is covered with a waterproof covering (such as polyethylene sheeting), and 2) the treated soil is covered if precipitation is predicted to occur before the concrete slab is scheduled to be poured.

Do not treat soil that is water-saturated or frozen.

Do not treat when raining.

Do not allow treatment to run off from the target area.

Do not apply within 10 feet of storm drains. Do not apply within 25 feet of aquatic habitats (such as, but not limited to, lakes; reservoirs; rivers; permanent streams; marshes or ponds; estuaries; and commercial fish farm ponds).

Do not make on-grade applications when sustained wind sweeps are above 10 mph (at application site) at nozzle end height.

**Additional Application Restrictions for Residential Outdoor Surface and Space Sprays:**

All outdoor applications must be limited to spot or crack-and-crevice treatments only, except for the following permitted uses:

(1) Treatment to soil or vegetation around structures;

(2) Applications to lawns, turf, and other vegetation;

(3) Applications to building foundations, up to a maximum height of 3 feet.

Other than applications to building foundations, all outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches and structural surfaces (such as windows, doors and eaves) are limited to spot and crack-and-crevice applications only.

## STORAGE AND DISPOSAL

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

**Pesticide Storage:** If crystals are observed, warm material to above 60°F by placing container in warm location. Shake or roll container periodically to redissolve solids. Do not use external source of heat for warming container.

Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use, replace lids and close tightly. Do not put concentrate or dilute material into food or drink containers. Do not contaminate other pesticides, fertilizers, water, food, or feed by storage or disposal.

**In Case of Spill:** Confine it, avoid contact, isolate area and keep animals and unprotected persons away. If spill is liquid, form dike around spill area and/or absorb spill with absorbent materials, such as sand, cat litter or clay. If spill is dry material, cover to prevent dispersal. Place damaged package in a holding container and identify contents. Contact Ensystex at 1-866-367-8467 or Chemtrec at 1-800-424-9300 for any assistance

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

**Container Disposal:** Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) 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. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

## APPLICATION FOR CONTROL OF SUBTERRANEAN TERMITES

### General

MAXXTHOR EC, in the form of a dilute insecticidal solution, prevents and controls subterranean termite infestations in and around structures and other items by creating a continuous chemically treated zone (horizontal and/or vertical as needed) between the wood and other cellulose material in the structure and termite colonies in the soil. In order to establish a barrier between the wood in the structure and the termites in the soil, adequately disperse the solution of this product in the soil.

To effectively control termites with this product, the service technician should be familiar with current termite control practices including trenching, rodding, sub-slab and void injection, soil surface fan spraying, excavated soil treatment and brush, spray and injection applications to wood. Correct use of these techniques is necessary to effectively control infestations by subterranean termites such as *Coptotermes, Heterotermes, Reticulitermes* and *Zootermopsis.* The service technician should consider the biology and behavior of the termite specie(s) to be controlled to determine which control practices to use.

Treatment standards and procedures for subterranean termite control may vary due to regulations, water table level, structure design, soil types, construction practices and other factors. For advice concerning current control practices with respect to specific local conditions, consult resources in structural pest control and state cooperative extension and regulatory agencies. Follow all federal, state and local regulations and treatment standards for protection of a structure from subterranean termites.

Effective termite control may also include mechanical alteration 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 is advised. Removal of non-essential cellulose containing materials that are in contact with the ground under or around the structure can reduce termite foraging in the area. When untreated wooden parts of the structure touch the ground and such contact cannot be broken, creating a barrier between the soil and such components using a solution of the product may protect the components and the structure against termite attack.

MAXXTHOR EC is labeled for use against subterranean termites as a 0.06% or 0.12% solution in water, however the 0.06% finished solution should be used for typical control situations. When difficult or problem soils or construction types are encountered, it may be necessary to use 0.12% MAXXTHOR EC mixed in reduced volumes of water.

Avoid contamination of water supplies due to backflow under reduced water system pressure by using anti-backflow equipment or procedures to prevent siphoning of any solution back into a water supply. Do not contaminate cisterns or wells. Do not treat soil that is water saturated or frozen. Do not treat while precipitation is occurring. Do not apply solution to an area or site if the soil at the area or site is in such a state or condition that runoff or movement of the solution from the treated area or site is likely to occur. Consult state and local specifications for recommended distances or levels from treated areas, or if such regulations do not exist, refer to Federal Housing Administration Specifications (H.U.D.) for guidance.

For the purposes of this label and its directions, crawl spaces are to be considered to be inside of the structure. Critical areas include areas where the foundation is penetrated by utility services, cracks and expansion joints, bath traps and areas where construction elements such as stairs, patios and slab additions abut the foundation.

### Mixing Directions For MAXXTHOR EC For Use As A Termiticide

Mix MAXXTHOR EC for use as a termiticide in the following manner:

1. Fill tank 1/4 to 1/3 full.
2. Start pump to begin by-pass agitation and place end of treating tool in tank to allow circulation through hose.
3. Add appropriate amount of MAXXTHOR EC.
4. Add remaining amount of water.
5. Let pump run and allow recirculation through the hose for 2 to 3 minutes.

MAXXTHOR EC may also be mixed into full tanks of water, but substantial agitation is required to ensure uniformity of the solution.

### Dilution of MAXXTHOR EC for Use as a Termiticide

For termite control, use rates for MAXXTHOR EC are expressed and the solution is mixed according to the percentage (%) concentration it forms when mixed in water. Use the mixing table or alternately the formulas below to determine the amount of MAXXTHOR EC to add to any quantity of water.

To prepare a 0.06% water solution, ready to use, dilute 1 quart of MAXXTHOR EC with 99.75 gallons of water. To prepare a 0.12% water solution, ready to use, dilute 2 quarts of MAXXTHOR EC with 99.5 gallons of water.

**Mixing Table for MAXXTHOR EC for Use as a Termiticide**

| Solution Percentage Concentration Desired | Gallons of Finished Solution Desired | Amount of MAXXTHOR EC to add | Water to mix with MAXXTHOR EC |
|---|---|---|---|
| 0.06% | 1 | 0.32 oz | 127.68 oz |
| | 5 | 1.60 oz | 4.99 gallons |
| | 10 | 3.2 oz | 9.975 gallons |
| | 25 | 8.0 oz. | 24.94 gallons |
| | 50 | 0.50 quart | 49.875 gallons |
| | 75 | 0.75 quart | 74.8125 gallons |
| | 100 | 1.00 quart | 99.75 gallons |
| | 150 | 1.50 quart | 149.62 gallons |
| | 200 | 2.00 quart | 199.5 gallons |
| 0.12%* | 1 | 0.64 oz | 127.36 oz |
| | 5 | 3.2 oz | 4.975 gallons |
| | 10 | 6.4 oz. | 9.95 gallons |
| | 25 | 0.5 quart | 24.875 gallons |
| | 50 | 1.0 quart | 49.75 gallons |
| | 75 | 1.5 quart | 74.625 gallons |
| | 100 | 2.0 quart | 99.5 gallons |
| | 150 | 3.0 quart | 149.25 gallons |
| | 200 | 1 gallon | 199.0 gallons |

*Only use the 0.12% rate in accordance with the *Adjustments to Application Volume* section. May also be used in accordance with the *FOAM APPLICATION* and *APPLICATIONS TO PROTECT UNDERGROUND ITEMS FROM TERMITE ATTACK* sections.

### Calculating an Amount of MAXXTHOR EC to Mix

To mix any amount of MAXXTHOR EC for termite control, determine:

A = Units of water into which the MAXXTHOR EC will be mixed. Express any partial units as decimal fractions (1/2 = .5). Any unit of measure, such as gallons or quarts, can be used for A. Answers to equations below are in same units as A.

MAXXTHOR EC to add to A for 0.06% = A / 399

MAXXTHOR EC to add to A for 0.12% = A / 199.5

To convert gallons to fluid ounces, multiply number of gallons X 128

128 fluid ounces = 16 cups = 8 pints = 4 quarts = 1 gallon

32 fluid ounces = 1 quart

### Application Volume

To provide maximum control and protection against termite infestation, apply the specified volume of the finished water solution containing the specified amount of MAXXTHOR EC as set out below or as otherwise directed in this label.

**Prescribed Horizontal Barrier Rate:** Unless otherwise directed, horizontal barriers are created by applying a 0.06% solution at a rate of one gallon of solution per 10 square feet. (One gallon of 0.06% solution contains 0.32 fluid ounce of MAXXTHOR EC.)

**Prescribed Vertical Barrier Rate:** Unless otherwise directed, vertical barriers are created by applying a 0.06% solution at a rate of four gallons of solution per 10 linear feet per foot of depth. (Four gallons of 0.06% solution contains 1.28 fluid ounces of MAXXTHOR EC.)

### Adjustments to Application Volume

If soil will not accept the labeled application volumes, the volume may be reduced provided there is a corresponding increase in concentration so that the amount of active ingredient applied to the soil remains the same.

Note: Large reductions of application volume reduce the likelihood of obtaining a continuous barrier. Variance is allowed when volume and concentration are consistent with label directed rates and a continuous barrier can still be achieved. When volume is reduced, the spacing of holes created for sub slab injection and soil rodding may need to be reduced to account for decreased dispersion of the solution in the soil.

For example, adjust the amount of solution applied to deliver a horizontal barrier of 10 square feet from 1 gallon to as low as 0.5 gallons and as high as 2 gallons while maintaining the amount of MAXXTHOR EC (.32 fluid ounce) applied per 10 square feet.

For example, adjust the amount of solution applied to deliver a vertical barrier 10 feet long by one foot deep from 4 gallons to as low as 2 gallons and as high as 8 gallons while maintaining the amount of MAXXTHOR EC (1.28 fluid ounces) applied per 10 linear feet.

## PRE-CONSTRUCTION TREATMENT

### All Structures

**Pre-construction treatment: Do not apply at a lower dosage and/or concentration than specified on this label for applications prior to the installation of the finished grade.**

- Prior to each application, applicators must notify the general contractor, construction superintendent, or similar responsible party, of the intended termiticide application and intended sites of application and instruct the responsible person to notify construction workers and other individuals to leave the area to be treated during application and until the termiticide is absorbed into the soil.

Effective control of subterranean termites can be accomplished during construction by using a 0.06% solution of MAXXTHOR EC to establish vertical and/or horizontal barriers between the structure and the soil as directed. Applications should be made as a coarse low pressure spray (less than 50 psi). To meet current termite proofing requirements, follow the procedures in the latest edition of the Housing and Urban Development Minimum Property Standards.

### Horizontal Barriers Under Slabs on Ground Including Basements

Create a horizontal barrier on the entire surface of soil or substrate that will be covered by a slab, including, but not limited to, slab floors, footing trenches, garages, carports, basements, porches and entrance platforms by treating the soil or substrate with the solution at the Prescribed Horizontal Barrier Rate.

If the fill under the slab is a coarse material such as washed gravel, apply at 1.5 times the Prescribed Horizontal Barrier Rate to make sure that a sufficient enough amount of dilution is applied that the solution reaches the soil beneath the fill.

Apply solution using a coarse spray nozzle. If the slab over the treated area will not be poured on the same day as the application (and there are no foundation walls in place around the treated soil) cover treated soil with a water-proof barrier such as polyethylene sheeting.

### Vertical Barriers

Create a vertical barrier along the inside and outside of foundation walls, around piers, plumbing and utility service entrances and other points of possible future termite access and entry by treating the soil at these points at the Prescribed Vertical Barrier Rate. When trenching and rodding into the trench, or trenching alone, it is important that the solution reaches the top of the footing. Rod holes must be spaced so as to achieve a continuous termiticidal barrier, but they should in no case be more than 12 inches apart. Trenches need not be wider than 6 inches. Mix the solution into the soil as it is being replaced in the trench. Care should be taken to avoid washing soil out from around footings thereby undermining the stability of the structure. An inside vertical barrier may not be required for a monolithic slab.

When treating foundations deeper than 4 feet, apply the termiticide as the backfill is being replaced, or if the construction contractor fails to notify the applicator in time to permit this, treat the foundation to a minimum depth of 4 feet after the backfill has been installed. The applicator must trench and rod into the trench or trench along the foundation walls and around pillars and other foundation elements, at the rate prescribed from grade to a minimum depth of 4 feet. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. However, in no case should a structure be treated below the footing.

### Hollow Block Foundations and Voids

Hollow block foundations and voids may be treated at a rate of 2 gallons of solution per 10 linear feet to create a continuous treated zone within the voids at the footing.

## POST CONSTRUCTION TREATMENT

### All Structures

Post construction soil applications shall be made by injection, rodding, trenching or coarse fan spray with pressures not exceeding 25 p. s. i. at the nozzle. Care should be taken to avoid washing soil out from around footings thereby undermining the stability of the structure.

Do not apply treatment until the identity and location of all wells, radiant heat pipes, water and sewer lines, electrical conduits and sub-slab heating and air conditioning ducts is established. Caution must be taken to avoid puncturing these elements and/or injecting solution into them. All holes in commonly occupied areas into which material has been applied must be plugged. Plugs must be of a non-cellulose material or covered by an impervious, non-cellulose material.

**Vertical Barrier Depth:** For applications made after the final grade is installed, the applicator must trench and rod into the trench or trench along the foundation walls and around pillars and other foundation elements and treat at the rate prescribed from grade to the top of the footing. When the footing is more than four (4) feet below grade, the applicator must trench and rod into the trench or trench along the foundation walls and treat at the rate prescribed to a minimum depth of four feet. The actual depth of treatment will vary depending on the soil type, degree of compaction, and location of termite activity. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. However, in no case should a structure be treated below the footing.

### Structures Containing Concrete Slabs on Ground (Monolithic/Floating/Supported) including Basements

To make an application beneath existing slabs, it may be necessary to drill holes in the slab or adjacent foundation and to apply solution. Holes should be spaced such that when treatment is applied through them, a continuous treated zone is applied beneath the slab.

**Vertical Barriers Along Exterior of Foundation Walls:** Trench and rod into the trench or trench along the outside of foundation walls and treat at the Prescribed Vertical Barrier Rate to the depth specified under Vertical Barrier Depth. Where physical obstructions such as concrete walkways adjacent to foundation elements or soil type and/or conditions make trenching prohibitive, treatment may be made by rodding alone.

**Vertical Barriers Along Interior of Foundation Walls:** Vertical barriers may be established on the interior side of foundation walls by sub-slab injection of the solution at the Prescribed Vertical Barrier Rate. Injection openings can be drilled either vertically through the slab along the interior of the foundation wall or horizontally from the exterior through the foundation wall low enough on the wall to allow for the deposition of the solution beneath the slab along the interior side of the foundation wall. Drill holes should be spaced so as to achieve a continuous chemical barrier but in no case farther apart than 12 inches. Special care must be taken to distribute the solution evenly. Vertical barriers may also be established beneath the slab along both sides of interior footing-supported walls, one side of interior partitions and along all cracks and expansion joints and utility service entrances and bath traps.

**Horizontal Barriers Beneath Slabs on Ground:** Create a horizontal barrier by treating at the Prescribed Horizontal Barrier Rate beneath slabs by either drilling and long rodding from the exterior or by grid pattern drilling and injection vertically through the slab. Long rodding should be used only when grid pattern drilling and injection and horizontal short rodding and injection cannot be used to deliver the sub slab treatment.

**Bath Traps:** Exposed soil beneath and around areas where plumbing and utility services penetrate the slab should be treated at the rate of 1 gallon of solution per square foot of soil.

### Structures Containing Accessible Crawl Spaces

For crawl spaces, apply vertical termiticide barriers at the rate of 4 gallons of solution per 10 linear feet per foot of depth from grade to the top of the footing, or if the footing is more than 4 feet below grade, to a minimum depth of 4 feet. Apply by trenching and rodding into the trench, or trenching. Treat both sides of foundation and around all piers and pipes. Where physical obstructions such as concrete walkways adjacent to foundation elements prevent trenching, treatment may be made by rodding alone. When soil type and/or conditions make trenching prohibitive, rodding may be used. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. Read and follow the mixing and use [illegible]tion section of the label if situations are encountered where the soil will not accept the full application volume.

1. Rod holes and trenches must not extend below the bottom of the footing.
2. Rod holes must be spaced so as to achieve a continuous termiticide barrier but in no case more than 12 inches apart.
3. Trenches must be a minimum of 6 inches deep or to the bottom of the footing, whichever is less, and need not be wider than 6 inches. When trenching in sloping (tiered) soil, the trench must be stepped to ensure adequate distribution and to prevent termiticide from running off. The solution must be mixed with the soil as it is replaced in the trench.
4. When treating plenums or crawl spaces, turn off the air circulation system of the structure until application has been completed and all solution has been absorbed by the soil.

### Structures Containing Inaccessible Crawl Spaces

For inaccessible interior areas, such as areas where there is insufficient clearance between floor joists and ground surfaces to allow operator access, excavate, if possible, and treat according to the instructions for accessible crawl spaces. Otherwise, apply one, or a combination of the following two methods.

1. To establish a horizontal barrier, apply to the soil surface, 1 gallon of solution per 10 square feet overall using a nozzle pressure of less than 25 p.s.i. and a coarse application nozzle (e.g., Delavan Type RD Raindrop, RD-7 or larger, or Spraying Systems Co. 8010LP TeeJet or comparable nozzle). For an area that cannot be reached with the application wand, use one or more extension rods to make the application to the soil. Do not broadcast or power spray with higher pressures.
2. To establish a horizontal barrier, drill through the foundation wall or through the floor above and treat the soil perimeter at a rate of 1 gallon of solution per 10 square feet. Drill spacing must be at intervals not to exceed 16 inches. Many states have smaller intervals, so check state regulations which may apply.

When treating plenums or crawl spaces, turn off the air circulation system of the structure until application has been completed and all termiticide has been absorbed by the soil.

### Masonry Voids

Drill and treat voids in multiple masonry elements of the structure extending from the structure to the soil in order to create a continuous treatment barrier in the area to be treated. Apply at the rate of 2 gallons of solution per 10 linear feet of footing using a nozzle pressure of less than 25 p.s.i. When using this treatment access holes must be drilled below the sill plate and should be as close as possible to the footing as is practical. Treatment of voids in block or rubble foundation walls must be closely monitored: Applicators must inspect areas of possible runoff as a precaution against application leakage in the treated areas. Some areas may not be treatable or may require mechanical alteration prior to treatment.

All leaks resulting in the deposition of termiticide in locations other than those prescribed on this label must be cleaned up prior to leaving the application site. Do not allow people or pets to contact contaminated areas or to reoccupy the contaminated areas of the structure until the clean-up is completed.

Note: When drilling veneer walls, care should be taken to not drill beyond the depth of the void behind the veneer into another construction layer behind the veneer. It is however permissible to drill through the veneer and into concrete blocks behind the veneer and to treat the veneer and the concrete blocks at the same time.

Note: Not for use in voids insulated with rigid foam.

## TREATMENT OF STRUCTURES WITH WELLS AND CISTERNS

Do not contaminate wells or cisterns.

### Structures with Wells/Cisterns Inside Foundations

Structures that contain wells or cisterns within the foundation of a structure can only be treated using the following techniques:

1. Do not treat soil while it is beneath or within the foundation or along the exterior perimeter of a structure that contains a well or cistern. The treated backfill method must be used if soil is removed and treated outside/away from the foundation. The treated backfill technique is described as follows:

a. Trench and remove soil to be treated onto heavy plastic sheeting or similar material or into a wheelbarrow.

b. Treat the soil at the rate of 4 gallons of dilute solution per 10 linear feet per foot of depth of the trench, or 1 gallon per 1.0 cubic feet of soil. See *Mixing Directions for MAXXTHOR EC for Use as a Termiticide* section of the label. Mix thoroughly into the soil taking care to contain the liquid and prevent runoff or spillage.

c. After the treated soil has absorbed the solution, replace the soil into the trench.

2. Treat infested and/or damaged wood in place using an injection technique such as described in the *APPLICATION TO WOOD INDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS* or *APPLICATION TO WOOD OUTDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS* sections of this label.

### Structures with Adjacent Wells/Cisterns and/or Other Water Bodies

Applicators must inspect all structures with nearby water sources such as wells, cisterns, surface ponds, streams, and other bodies of water and evaluate, at a minimum, the treatment recommendations listed below prior to making an application.

1. Prior to treatment, if feasible, expose the water pipe(s) coming from a well to the structure, if the pipe(s) enter the structure within 3 feet of grade.
2. Prior to treatment, applicators are advised to take precautions to limit the risk of applying the termiticide into subsurface drains that could empty into any bodies of water. These precautions include evaluating whether application of the termiticide to the top of the footer may result in contamination of the subsurface drain. Factors such as depth to the drain system and soil type and degree of compaction should be taken into account in determining the depth of treatment.
3. When appropriate (for example, on the water side of the structure), the treated backfill technique (described above) can also be used to minimize offsite movement of termiticide.

## FOAM APPLICATION

MAXXTHOR EC, in the form of a foam, can be used to deliver MAXXTHOR EC as a termiticide any time it appears likely this form of delivery will improve the dispersal of MAXXTHOR EC into and within the intended target area. Foam can be particularly useful to deliver MAXXTHOR EC where it either cannot be depended upon to be delivered as just a solution or due to a need to reduce the amount of water used in order to avoid water damage to the target or adjacent areas. In some situations, for example under some slabs, a solution cannot be depended upon to disperse as completely as a foam because of deflection of the liquid stream or some other structural obstacle or defect.

Depending on the circumstances, foam applications of MAXXTHOR EC may be used alone or in combination with liquid solution applications, provided that the cumulative amount of active ingredient per unit of area applied is equivalent to that which would be contained in a 0.06% solution-only application applied to the same area. Mix and apply foam and or foam/liquid emulsion in combination such that at least 1.28 ounces of MAXXTHOR EC concentrate is applied per 10 linear feet when creating vertical barriers or 0.32 ounces of MAXXTHOR EC concentrate is applied per 10 square feet when creating horizontal barriers. Typically, at least

75% of the labeled liquid emulsion volume of product should be applied as a liquid, with the remaining percent delivered as a foam. Foam may be used alone in difficult situations.

Using foam generating equipment, a solution of MAXXTHOR EC, ranging in concentration from 0.06% to 0.12%, may be converted into a foam 2 to 40 times the volume of its liquid equivalent according to the foaming agent and foaming equipment manufacturer's recommendations.

First, form a solution of MAXXTHOR EC of the appropriate percentage concentration and volume. Then add the recommended volume of a foaming agent. Verify that the foaming agent is compatible with MAXXTHOR EC.

Applications may be made behind veneers, piers, chimney bases, into rubble foundations, into block voids, structural voids or other similar voids, under slabs, stoops, porches or to the soil in crawlspaces.

## RETREATMENT

Retreatments for subterranean termites can only be performed if there is clear evidence of reinfestation or disruption of the barrier due to construction, excavation or landscaping and/or evidence of the breakdown of the termiticide barrier in the soil. These vulnerable or reinfested areas may be retreated in accordance with application techniques described in this product's labeling. The timing and type of these retreatments will vary, depending on factors such as termite pressure, soil types, soil conditions and other factors which may reduce the effectiveness of the barrier.

Annual retreatment of the structure is prohibited unless there is clear evidence that reinfestation or barrier disruption has occurred.

## APPLICATION IN CONJUNCTION WITH TERMITE BAITS

Spot only applications of MAXXTHOR EC can be used as a supplement to termite baiting systems. For the purposes of this section, spot only applications are defined as the use of MAXXTHOR EC according to any of the permitted and applicable post-treatment application techniques contained in this label, alone or in combination, to the extent needed or deemed necessary or useful as an adjunct to a termite bait product labeled as a stand alone protection against termite attack. Stand alone termite bait product is defined as a termite bait product that provides sufficient structural protection when applied without other termite control products.

## APPLICATION TO PROTECT UNDERGROUND ITEMS FROM SUBTERRANEAN TERMITE ATTACK

To protect components installed underground such as wires, conduits, cables and pipes buried in soil against termite attack, create an envelope of MAXXTHOR EC treated soil around the components along the entire underground length of the component. First, treat soil through which components will be run with 0.06% to 0.12% solution of MAXXTHOR EC at a rate of 2 gallons of solution per 10 linear feet. Install components, laying them on the treated soil. Cover components with untreated soil and then treat this covering soil using the same percent solution at 2 gallons of solution per 10 linear feet.

Underground components to be protected may be located within the foundation of a structure or outside of a structure such as within a utility right of way, for example. Do not treat items that are electrically energized at the time of application. If the soil will not absorb the indicated amount of solution, as little as 1 gallon of 0.12% solution per 10 linear feet can be used. Treat points where services emerge from the ground at a rate of 1 to 2 gallons of solution at the point of emergence.

## APPLICATIONS TO PROTECT POLES, POSTS AND OTHER WOODEN ITEMS FROM SUBTERRANEAN TERMITE ATTACK

MAXXTHOR EC can be used to protect the below ground portions of wooden structural components from termites. Form a treated zone around components below ground by vertically rodding the soil around their perimeter to a depth of six inches below their maximum depth of placement in the soil and applying a 0.06% solution of MAXXTHOR EC at a rate of 0.4 gallons of solution per linear foot of perimeter around the component per foot of treated depth. Measure the perimeter of the component six inches from the outside of the component.

# APPLICATIONS TO CONTROL WOOD INFESTING INSECTS

Mix and dilute MAXXTHOR EC according to the instructions contained in the *APPLICATION FOR CONTROL OF SUBTERRANEAN TERMITES* section.

## APPLICATIONS TO CONTROL EXPOSED WOOD INFESTING INSECTS LOCATED ABOVE GROUND

MAXXTHOR EC can be applied above ground as a non-soil treatment to control and kill exposed worker and winged reproductive (swarmer) termites and Carpenter ants. This type of application is only supplementary to and should not be considered as a replacement for soil treatment in the case of termite infestation.

Apply a 0.06% solution as a general fan spray within attics, crawl spaces, unfinished basements and other void areas where termites have been found. Apply treatment directly to swarming termites and areas where they congregate.

## APPLICATIONS TO TERMITE CARTON NESTS LOCATED IN ABOVE GROUND WALL VOIDS

Apply a 0.06% solution of MAXXTHOR EC directly into above ground termite carton nests including nests located in wall voids using a directional injector. Apply as a solution or foam under pressure to distribute solution thoroughly throughout the nest. It may be necessary to inject solution at one or more points and at varying depths within the nest to adequately distribute solution within the interior of the nest.

## APPLICATION TO WOOD INDOORS TO PROTECT AGAINST WOOD INFESTING INSECTS

A 0.06% solution of MAXXTHOR EC applied as a liquid or foam to wooden structural components within structures can be used to protect them against attack from wood infesting insects such as termites, Carpenter ants and wood boring beetles or borers. This type of application is only supplementary to and should not be considered a replacement for soil treatment in the case of termite infestation.

Apply solution as a general fan spray onto the surface of the wood or inject solution under pressure into the wood as a liquid or foam. Inject by either injecting solution through a directional injector directly into existing voids and galleries or by drilling wood to form treatment channels through which the solution can be injected into the insect galleries. Multiple treatment channels of varying depth may need to be drilled to adequately distribute the solution within the wood interior. Application can also be made with a paintbrush.

Before application, locate heat pipes, ducts, water and sewer lines and electrical conduits. Take precautions to avoid puncturing and/or injecting solution into these items. Do not apply solution inside of electrified enclosures, switches or sockets.

Plastic sheeting must be placed below any indoor overhead surfaces being treated that are located anywhere except within a soil-based crawl space. Wear protective clothing, unvented goggles, gloves and respirator when making an overhead application or when applying in poorly ventilated indoor areas. Do not touch surfaces until spray has dried.

When treating in home food preparation and storage areas, cover all food preparation surfaces and utensils prior to beginning treatment. Surfaces or items that cannot be covered or removed should be thoroughly washed after treatment and before use. Food that cannot be covered should be removed. Before application, remove pets, birds and cover and disconnect aquariums. Do not allow humans and pets to touch treated surfaces until they have dried.

## APPLICATION TO WOOD OUTDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS

### On and around structures

A 0.06% solution of MAXXTHOR EC applied as a liquid or foam to exterior structural components can be used to protect them from the attack of wood infesting insects such as termites, Carpenter ants and wood boring beetles or borers. Apply solution by general fan spray to the point of runoff onto the surface of the wood or inject solution under pressure into the wood as a liquid or foam. Inject by either injecting solution directly into existing voids and galleries or drilling wood to form treatment channels through which the solution can be injected into the insect galleries. Multiple treatment channels of varying depth may need to be drilled to adequately distribute the solution within the wood interior. Application can also be made with a paintbrush.

To control Carpenter ants, also apply solution around doors and windows and other areas Carpenter ants have been observed or can be expected to forage.

### Within wooden components and trees

Locate the cavity that the insects (such as Carpenter ants) are inhabiting, drilling to find the interior infested cavity if necessary. Inject a 0.06% solution of MAXXTHOR EC into the cavity as a solution or foam. Apply a sufficient volume of solution to completely flood or fill the cavity. Drill injection channels if necessary.

# APPLICATION TO CONTROL LAWN PESTS

MAXXTHOR EC controls a wide range of turfgrass insect and mite pests. MAXXTHOR EC is not for use on turfgrass being grown for sale, for commercial seed production, for other commercial use or for research.

### Application Sites

For use on any type of landscape or recreational turfgrass in any type of setting or at any type of site except as otherwise prohibited. Permitted sites include but are not limited to lawns, grounds, recreational areas, parks, landscapes and athletic fields. **New York State only: Do not apply MAXXTHOR EC containing solutions to grass or turf within 100 feet of a body of water (lake, pond, river, stream, wetland or drainage ditch).**

### Application Precautions and Preparations

Keep children and pets off treated areas until spray has dried.

If necessary, test the effects of applications of different rates and volumes of mixed solution on a small patch of a type of grass (with observations over one week to detect the occurrence of negative effects) before application of solutions to large areas of that type of grass.

MAXXTHOR EC can be mixed with other pesticides, including insect growth regulators. Follow the label directions of all the products mixed, making sure not to exceed the labeled application rate of any individual product in the mixture. Any tank mixture that has not been tested before should be tested before full scale use by first mixing a small quantity of the mixture to ensure there is no physical or chemical incompatibility.

Do not apply when wind conditions favor downwind drift to nearby water bodies or when wind velocity exceeds 10 miles per hour.

### Application Methods

Apply solution as a broadcast treatment in a quantity sufficient to wet all foliage. Apply using nozzles that provide the largest droplet size compatible with adequate coverage.

To maximize efficacy against sub-surface pests such as mole crickets or chinch bugs, MAXXTHOR EC should be applied with a non-ionic or silicone based surfactant (0.25% v/v) in sufficient water to ensure good penetration of spray into the soil-thatch matrix. Treated areas should then be irrigated with 0.25 to 0.5 inches of water immediately afterwards paying special attention so that run-off or puddling does not occur.

If necessary, consult resources in horticulture in your area (such as your Cooperative Extension Service) to determine appropriate application timing and cultural practices to control different types of pests.

### Reapplication

Reapplications may be necessary particularly in the event of high pest pressure. Do not apply more often than every 7 days. **New York State only: Do make a single reapplication of MAXXTHOR EC if there is renewed insect activity, but not sooner than two weeks after first application.**

### Lawn Application Use Rates and Volumes

Use rates for MAXXTHOR EC for lawn pests are stated in fluid ounces of MAXXTHOR EC per 1000 square feet.

Apply MAXXTHOR EC at 0.07 to 0.30 fluid ounces per 1000 square feet depending on the target pest. Recommended rates for specific pests within this range are given below.

Depending on the length and/or density of grass being treated, application volumes of up to 10 gallons per 1000 square feet can be made in order to obtain uniform coverage. If a minimal volume application is made (2 gallons per 1000 square feet) and the target pest, such as mole crickets or chinch bugs for example, are located in the thatch or below the surface, irrigate the treated area with at least 0.25 to 0.50 inches of water immediately after the application. The addition of a non-ionic or silicone based surfactant (0.25% v/v) is also recommended when making a minimal volume application.

The calculated amount of MAXXTHOR EC can be applied in any volume of water as long as the maximum label rate per 1000 feet is not exceeded. Do not exceed the maximum label rate by applying solution to an area smaller than intended when it was mixed and diluted unless such under dosing will not result in an application rate per 1000 square feet in excess of the maximum label rate.

### Lawn Pest Application Use Rates

The application rates listed below provide control of the listed pests under normal conditions. Use the higher application rates when maximum residual control is needed.

| Use Rate Table for MAXXTHOR EC for Lawn Applications | |
|---|---|
| **Use Rate** | **Fluid ounces MAXXTHOR EC per 1,000 square feet (Range)** |
| A | 0.07⇒0.15 |
| B | 0.07⇒0.30 |
| C | 0.15 |

### Lawn Pests Grouped by Use Rates

**Use Rate A:** Ants, Armyworms, Billbugs, Chinch Bugs, Crane Flies, Crickets, Cutworms, Earwigs, Fall Webworms, Fleas (adults, larvae), Grasshoppers, Mites, Mole Crickets, Sod Webworms, Spittlebugs

**Use Rate B:** Japanese Beetles (adult)

**Use Rate C:** Crane Flies

**Mixing Table for MAXXTHOR EC for Lawn Applications**

| Application Volume: Gallons/1000 sq. ft. | Use Rate: Fluid oz. / 1000 sq. ft. (select from Use Rate Table) | Add these amounts of MAXXTHOR EC to the indicated volumes of water | | |
|---|---|---|---|---|
| | | 5 gal. | 10 gal. | 25 gal. |
| 2 | .07 | .175 | .35 | 0.875 |
| | .15 | .375 | .75 | 1.875 |
| | .22 | .550 | 1.10 | 2.750 |
| | .30 | .75 | 1.50 | 3.750 |
| 5 | .07 | .07 | .14 | 0.350 |
| | .15 | .15 | .30 | 0.750 |
| | .22 | .22 | .44 | 1.100 |
| | .30 | .30 | .60 | 1.500 |
| 10 | .07 | - | .07 | .175 |
| | .15 | - | .15 | .375 |
| | .22 | - | .22 | .550 |
| | .30 | - | .30 | .750 |

### Calculating Amounts of MAXXTHOR EC to Mix for Lawn Pests

To mix and apply any amount of MAXXTHOR EC for lawn pests, determine:

A = Square feet of area to be treated / 1000

B = Use Rate per 1000 square feet for the target pest(s) in fluid ounces MAXXTHOR EC taken from the Use Rate Table. If treating for more than one type of pest, select the highest rate.

Calculate the amount of MAXXTHOR EC to mix for lawn pests as follows:

Fluid Ounces MAXXTHOR EC to use = A X B

Mix this amount of MAXXTHOR EC in the amount of water needed to make the application.

### Application Recommendations Against Specific Lawn Pests

**Armyworms, Cutworms, Sod Webworms:** Do not water or mow grass within 24 hours of application for optimum control of these surface feeding insects.

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

**Mole Crickets:** For control of overwintering Mole Crickets, apply the lower rate in early Spring. For the control of adult Mole Crickets in late-Summer or early Fall, apply the higher rate.

**Crane Flies:** Treatments can be made to control early to midseason larvae (approximately August - February) as they feed on plant crowns. Treatments made to late-season larvae (approximately March, April) may only provide suppression.

## APPLICATION TO CONTROL ORNAMENTAL PESTS

MAXXTHOR EC controls a wide range of insects and mites on trees, shrubs, foliage plants, non-bearing fruit and nut trees and flowers. Non-bearing trees are perennial plants that will not produce a harvestable agricultural commodity within the next 12 months. MAXXTHOR EC is not for use on plants being grown for sale, for commercial seed production or for research.

### Application Sites

For use on ornamental plants including but not limited to trees, shrubs, ground covers, bedding plants and foliage plants being used for decorative or climate modification purposes. Plants on which use is permitted include those being grown in any type of setting or at any type of site not otherwise prohibited. Permitted sites include but are not limited to ornamental gardens, parks, landscapes, lawns, grounds and interior plantscapes.

### Application Preparation

If necessary, test the effects of applications of different rates and volumes of mixed solution on a small number of a type of plant (with observations over one week to detect the occurrence of negative effects) before application of solution to large numbers of that type of plant.

MAXXTHOR EC can be mixed with other pesticides, including insect growth regulators. Follow the label directions of all the products mixed, making sure not to exceed the label rate of any individual product in the mixture. Any tank mixture that has not been tested before should be tested before full scale use by first mixing a small quantity of the mixture to ensure there is no physical or chemical incompatibility.

### Application Methods

Apply solution in a quantity sufficient to wet all foliage. It may also be necessary to treat non-foliage parts of plants such as trunks and bark to control some pests based on where the pest may be located on the plant at a particular life stage.

For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

### Reapplication

Reapplications may be necessary as plant growth occurs and new foliage appears or in the event of high pest pressure. Do not apply more often than every 7 days.

### Ornamental Application Use Rates and Volumes

Use rates for MAXXTHOR EC for ornamental pests are stated in fluid ounces of MAXXTHOR EC per 4,356 square feet. Recommended ornamental application use rates, based on the target pest, range between 0.26 to 1.28 fluid ounce of MAXXTHOR EC per 4,356 square feet. Recommended rates for specific pests within this range are given below.

The calculated amount of MAXXTHOR EC can be applied in any volume of water as long as the applicable label rate per 4,356 feet is not exceeded. Do not exceed the maximum label rate by applying solution to an area smaller than intended when it was mixed and diluted unless such underdosing will not result in an application rate per 4,356 square feet in excess of the maximum label rate.

### Ornamental Pest Dilution Rates

The dilution rates listed below provide control of the listed pests under normal conditions. Use the higher dilution rate when maximum residual control is needed.

**Dilution Rate Table for MAXXTHOR EC for Ornamental Applications**

| Dilution Rate | Lbs. a. i. per 10 gallons<br>Lbs. a. i. per 4,356 sq. ft. | Fl. oz. per 10 gallons<br>Fl. oz. per 4,356 sq. ft. |
|---|---|---|
| A | 0.004 ⇒ 0.02 | 0.26 ⇒ 1.28 |
| B | 0.006 ⇒ 0.02 | 0.38 ⇒ 1.28 |
| C | 0.01 ⇒ 0.02 | 0.64 ⇒ 1.28 |

### Ornamental Pests Grouped by Dilution Rates

**Dilution Rate A:** Ants, Aphids, Bagworms, Black Vine Weevil (adults), Brown Soft Scales, Broad Mites, Budworms, California Red Scales (crawlers), Centipedes, Clover Mites, Crickets, Cutworms, Earwigs, Elm Leaf Beetles, Fall Webworms, Flea Beetles, Fungus Gnats (adults), Grasshoppers, Lace Bugs, Leafhoppers, Leaf feeding Caterpillars, Mealybugs, Millipedes, Mole Crickets, Orchid Weevil, Pillbugs, Pine Needle Scales (crawlers), Plant Bugs (incl. Lygus spp.), San Jose scales (crawlers), Sowbugs, Spiders, Spittlebugs, Tent Caterpillars, Tip Moths, Weevils, Whiteflies

**Dilution Rate B:** Citrus Thrips, Beet Armyworm, Diaprepes (larvae, adult), European Red Mite, Leafrollers, Spider Mites, Thrips, Twig Borers

**Dilution Rate C:** Japanese Beetles (adult), Leafminers, Pecan Leaf Scorch Mite, Black Vine Weevil (larvae), Fungus Gnats (larvae)

**Mixing Table for MAXXTHOR EC for Ornamental Applications**

| Application Volume: Gallons/4356 sq. ft. | Use Rate: Fluid ounces / 4356 sq. ft. | Add these amounts of MAXXTHOR EC to the indicated volumes of water | | |
|---|---|---|---|---|
| | | 5 gal. | 10 gal. | 25 gal. |
| 2 | 0.26 | 0.650 | 1.30 | 3.25 |
| | 0.38 | 0.950 | 1.90 | 4.75 |
| | 0.64 | 1.600 | 3.20 | 8.0 |
| | 1.28 | 3.200 | 6.40 | 16.00 |
| 5 | 0.26 | 0.260 | 0.52 | 1.30 |
| | 0.38 | 0.380 | 0.76 | 1.90 |
| | 0.64 | 0.640 | 1.28 | 3.20 |
| | 1.28 | 1.280 | 2.56 | 6.40 |
| 10 | 0.26 | -- | 0.26 | 0.65 |
| | 0.38 | -- | 0.38 | 0.95 |
| | 0.64 | -- | 0.64 | 1.60 |
| | 1.28 | -- | 1.28 | 3.20 |

### Calculating Amounts of MAXXTHOR EC to Mix for Ornamental Pests

To mix and apply any amount of MAXXTHOR EC for ornamental pests, determine:

A = Square feet of area to be treated /4,356

B = Use Rate per 4,356 square feet for the target pest(s) in fluid ounces MAXXTHOR EC taken from the Dilution Rate Table. If treating for more than one pest, select the highest rate.

Calculate the amount of MAXXTHOR to mix for ornamental pests as follows:

Fluid Ounces MAXXTHOR EC to use = A X B

Mix this amount of MAXXTHOR EC in the amount of water needed to make the application.

### Application Recommendations Against Specific Ornamental Pests

**Bagworms:** Spray when bagworms first begin to hatch. Apply directly to the larvae. Treatment is most effective against young larvae.

**Scale crawlers and twig borers**: Treat trunks, stems and twigs in addition to plant foliage.

**Black Vine Weevil and Fungus Gnat larvae:** Apply as a drench at the rate of approximately 8 ounces of finished spray per 6 inch pot.

## ORNAMENTAL TREE TRUNK SPRAY TO CONTROL BARK BEETLES

### Control of Dendroctonus bark beetles including mountain pine beetle, southern pine beetle, western pine beetle, Black turpentine beetle, and engraver beetles (Ips spp.)

**Preventative treatment:** Spray an aqueous solution containing 1.0 to 2.0 pints of MAXXTHOR EC per 100 gallons (0.25 to 0.5 lbs. ai/100 gallons) of water to the trunk of the tree in the spring or whenever nearby infested trees create the threat of an infestation. Apply spray directly to the main trunk from the base of the tree to at least half way into the live crown. Wet the bark with the spray thoroughly (usually 1 to 4 gallons of spray per tree). Do not apply more than 0.2 lbs. ai (12.8 fl. Oz.) of this product per acre of trees. Repeat application if infestation occurs. Application rates and application timing differ according to the target pest and other factors. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

**Treatment of infested trees to control emerging brood:** Make applications of a spray mixture containing 2.0 pints of this product per 100 gallons 0.5 lbs. ai/100 gallons) of water to trees that have beetles in their bark. Apply spray directly to the main trunk from the base of the tree to at least half way into the live crown. Spray until the bark is thoroughly wetted by the spray (usually 1 to 4 gallons of spray per tree). Do not apply more than 0.2 lbs. ai (12.8 fl. oz.) of this product per acre of trees.

Beetles are normally no longer present in trees in which all needles have turned brown. Trees in this condition should be sprayed only if a continuing infestation is confirmed. Confirm an infestation by removing bark. If live infestations remain in the trunks, fell the trees and cut into sections. Spray the trunk and large limbs, rotating the trunks as they are sprayed in order to thoroughly treat the exterior of the entire trunk. Do not apply more than 0.2 lbs. ai (12.8 fl. oz.) of this product per acre.

### Control of other bark beetles such as Ambrosia beetles, elm bark beetles and Emerald Ash borer

**Preventative control:** Spray an aqueous solution containing 1.0 to 2.0 pints of MAXXTHOR EC per 100 gallons (0.25 to 0.5 lbs. ai/100 gallons) of water to the trunk, scaffolding and limbs of the tree in the early spring or prior to adult beetle flight and tree infestation. Spray until the bark is thoroughly wetted by the spray (usually 6 to 12 gallons of spray per tree).

Do not apply more than 0.2 lbs. ai of this product per acre of trees. Repeat application may be necessary if reinfestation is likely or for extended adult emergence and flight. Application rates and application timing differ according to the target pest and other factors. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

## CONTROL OF OTHER BORERS ON ORNAMENTAL TREES

Consult the table below for other boring insects. Geographic location and environmental conditions will affect application rate and timing. Spray bark until it is thoroughly wetted by the spray (usually 1 to 4 gallons of spray per tree). Do not apply more than 100 gallons of solution per acre of trees. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

| Pest | Recommended Dilution Rate (Range) | Specific Instructions |
|---|---|---|
| **Clearwing Moth borers**<br>Ash borer, banded ash clearwing, Dogwood borer, Lesser peachtree borer, Lilac borer, Oak borer<br>**Coleopteran borers**<br>Bronze birch borer, Flatheaded appletree borer | 6.4 to 12.8 fl. oz. per 100 gallons | Apply to the lower branches and trunks prior to adult emergence<br><br>Apply 12.8 fl. oz. per 100 gallons for maximum residual control |

## CONTROL OF STRUCTURAL PESTS (OTHER THAN WOOD INFESTING INSECTS) ON AND AROUND BUILDINGS

MAXXTHOR EC controls a wide range of structural pests including nuisance pests outside of structures. MAXXTHOR EC can be applied around any type of residential or commercial structure or building. Permitted sites include but are not limited to the exterior of homes, office buildings, mobile and modular homes, apartments and stores.

### Dilution of MAXXTHOR EC for Structural Pests

For structural pests, use rates for MAXXTHOR EC are expressed and mixed according to the percentage (%) concentration solution it forms when mixed in water. Each 0.166 fluid ounce (1 teaspoon) of MAXXTHOR EC that is added to one gallon of water increases the concentration of MAXXTHOR EC in that one gallon of water by 0.03%. For example, to make a 0.06% solution in one gallon of water, mix 0.333 fluid ounce (2 teaspoons) of MAXXTHOR EC in one gallon of water. Use the conversion table and formulas below to determine the amount of MAXXTHOR EC to add to any quantity of water.

| Mixing Table for MAXXTHOR EC for Structural Pests | | |
|---|---|---|
| % to mix | Fluid ounces to add per gallon of water to mix this % | Teaspoons to add per gallon of water to mix this % |
| 0.03 | 0.166 | 1 |
| 0.06 | 0.333 | 2 |

29.57 milliliters = 2 tablespoons = 6 teaspoons=1 Fluid ounce

### Calculating Amount of MAXXTHOR EC to Mix for Structural Pests

Calculate the amount of MAXXTHOR EC to mix for structural pests as follows:

A = Volume of water, in gallons, into which the MAXXTHOR EC will be mixed. Express any partial gallons as decimal fractions (1/2 = .5)

B = Fluid ounces (or teaspoons) MAXXTHOR EC per gallon from Mixing Table. Select the desired % concentration based on the site of application and the pest(s) to be controlled. Read across to find amount of MAXXTHOR EC to add per gallon in fluid ounces or teaspoons.

Fluid ounces (or teaspoons) MAXXTHOR EC to mix = A X B

Mix this amount of MAXXTHOR EC in the predetermined amount of water (A). Food utensils such as teaspoons and measuring cups should not be used for food purposes after use with pesticides.

### Pests Controlled

Ants, including Carpenter Ants, Armyworms, Bees, Boxelder Bugs, Centipedes, Chiggers, Chinch Bugs, Clover Mites, Crickets, Cutworms, Dichondra Flea Beetles, Earwigs, Elm Leaf Beetles, European Craneflies, Fleas, Flies, Grasshoppers, Hornets, Millipedes, Mosquitoes, Moths, Roaches, including Cockroaches, Scorpions, Silverfish, Sod Webworms, Sowbugs (Pillbugs), spiders including Black Widow Spiders, Springtails and Wasps.

### Application Methods

Apply MAXXTHOR EC as a solution in the form of a general surface, spot, crack and crevice, pinstream or coarse spray. Do not apply as a space spray. May also be applied with a paintbrush.

### Application Use Rates and Volumes

Use a 0.03% to 0.06% solution of MAXXTHOR EC. Use a spray volume of between 2 and 10 gallons of solution per 1,000 square feet. Higher application volumes may be used if necessary to sufficiently wet vegetation and landscaping with the spray solution.

### Re-Application

Treatments should not be repeated more often than once every 7 days. The best efficacy and longest residual control is achieved when the highest concentration is used.

### Application Locations

Apply spray to the exterior surfaces of structures and to grounds, lawns, landscaping, plants and hard surface areas adjacent to structures. Can also be applied to any areas where pests congregate or have been seen.

### Perimeter Band Treatment

To help prevent pest infestation of structures, create a treated zone or band on the structure, soil and vegetation around the entire perimeter of a structure. Apply solution to all surfaces within a band beginning 6 to 10 feet from the exterior foundation of the structure that extends back to the structure and then continues 2 to 3 feet up the exterior surface of the structure from the ground. Application volume will depend upon the nature of the surface being treated. Mulch areas, for example, require more volume and hard surface areas requiring less.

### Control of Specific Structural Pests Outdoors

**Ants (Nuisance ants other than Carpenter Ants) Outdoors:** To achieve the highest level of control, locate and directly treat ant nests. Apply solution to ant trails, around doors and windows and at points where ants can be expected to forage or congregate.

**For Ant Mounds:** Treat mounds and area within a 2 foot radius of the center of the mound with 1-2 gallons of a 0.06% solution. When mounds exceed 12 inches in size use the highest volume of solution. Applications in cool weather (65 to 80 degrees F) or the cooler parts of the day are most effective. Do not apply treatment during the heat of the day.

**Bees, Wasps, Hornets, and Yellow Jackets:** Always use the highest rate. Make application in late evening when insects are at rest at the nest for best results and to avoid stings. Spray nest openings in ground, in bu[illegible] and wherever insects may be nesting. Spray to the point of saturation. Spray as many insects as possible. Remove and destroy treated nests to prevent emergence of newly hatched insects.

**Centipedes, Earwigs, Beetles, Millipedes, Pillbugs, Sowbugs:** Thoroughly treat mulch areas. The reduction of moisture in mulch areas may also aid in control of these pests.

**Mosquitoes:** Apply solution to lawns and landscaping, under decks and to building foundations. Refer to *APPLICATIONS FOR ORNAMENTAL PESTS* section for mixing and applying large amounts of solution against mosquitoes.

**Fleas:** Treat the entire area where insects could be present. Begin treatments in the spring. Insects may be re-introduced by host animals in the surrounding area. Retreatment may be necessary to achieve and maintain control during periods of high pest pressure.

## CONTROL OF NUISANCE INSECTS INSIDE BUILDINGS

MAXXTHOR EC can be used indoors to control bees, wasps, hornets and yellow jackets by liberally spraying a 0.06% emulsion in the late evening when insects are at rest into hiding and breeding places, especially under attic rafters, contacting as many insects as possible. Repeat application is necessary only if there are signs of renewed insect activity which is more likely in situations of high initial pest pressure. Repeat application should be limited to no more than once every seven days.

Refer to the *CONTROL OF STRUCTURAL PESTS (OTHER THAN WOOD INFESTING INSECTS) ON AND AROUND BUILDINGS* section of this label for directions on mixing MAXXTHOR EC for these types of applications.

**Important:** Do not apply emulsion until location of heat pipes, ducts, water and sewer lines and electrical conduits are known and identified. Caution must be taken to avoid puncturing and injection into these structural elements. Do not apply into electrical fixtures, switches or sockets.

Remove pets, birds and cover aquariums before spraying. Do not permit humans or pets to contact treated surfaces until the spray has dried.

Wear protective clothing, unvented goggles, gloves and respirator, when applying to overhead areas or in poorly ventilated areas. During any overhead applications to overhead interior areas of structures, cover surfaces below with plastic sheeting or similar materials.

In the home, cover all food handling/processing surfaces and cover or remove all food and cooking utensils, or wash thoroughly after treatment.

For use only in nonfood/feed areas of food/feed handling establishments. Do not use in food/feed areas of food/feed handling establishments, restaurants or other areas where food/feed is commercially prepared or processed. Do not use in serving areas while food is exposed or facility is in operation. Serving areas are areas where prepared foods are served such as dining rooms but excluding areas where food may be prepared or held. Nonfood/feed areas of food/feed areas are 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 (after bottling or canning).

Not for use in Federally inspected meat and poultry plants.

## APPLICATION UNDER SLABS TO CONTROL PESTS

Infestations of pests such as ants, cockroaches and scorpions inhabiting areas under slabs may be controlled by drilling and injecting or horizontal roddlng and then injecting 1 gallon of a 0.06% to 0.12% emulsion per 10 square feet or 2 gallons of emulsion per 10 linear ft.

## ATTENTION

Use only in well ventilated areas.

Do not apply to pets, crops, sources of electricity or firewood.

During any application to overhead areas of structure, cover surfaces below with plastic sheeting or similar material, except for soil surfaces in crawlspaces.

Do not allow dripping or runoff to occur during indoor applications.

Do not treat areas where food is exposed.

Do not allow spray to contact food, foodstuffs, food contacting surfaces, food utensils or water supplies.

Thoroughly wash dishes and food handling utensils with soap and water if they become contaminated by application of this product.

Do not allow people or pets to touch or walk on treated surfaces until spray has dried.

Do not apply a broadcast application to interior surfaces of homes.

Do not apply in livestock buildings such as barns.

Do not allow spray to drift onto ponds, streams or lakes.

Do not apply in greenhouses or nurseries or by air.

## 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 must be followed carefully. However, because of manner of use and other factors beyond the control of Ensystex IV, Inc., it is impossible for Ensystex IV 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 Ensystex IV harmless for any claims relating to such factors.

**DIECLAIMER OF WARRANTIES:** Seller warrants that this product conforms to the chemical description in 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. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ENSYSTEX IV 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 Ensystex IV, Inc., and buyer assumes the risk of any such use.

**LIMITATIONS OF LIABILITY:** To the extent consistent with applicable law, Ensystex IV 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 ENSYSTEX IV 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 ENSYSTEX IV, 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.

MAXXTHOR is a registered trademark of Ensystex, Inc.

EPA 20100518

# Certification with Respect to Label Integrity

version: 9/11/02

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

**PROPOSED LABEL**

| EPA Registration # | Date Submitted to EPA | Electronic file name |
|---|---|---|
| 83923-6 | May 18, 2010 | 083923-00006.20100518.Maxxthor EC Pyrethroid lbl notification.pdf |

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

Signature

Date 5/18/10

Ross Gilbert

Name (typed)

Agent

Title

# Material to be added to an e-Jacket/Jacket

Reg. No. 839236

Description: Notification (PRN 20074)

1. ☐ Placement within the e-Jacket/jacket:
   - ☐ Default: (chronological, top = newest)
   - ☐ File Location: (PDF page number, i.e., "before page 45")

2. ☑ Send to Data Extraction contractors this material:
   - ☐ Newly stamped accepted label
   - ☑ Notification
   - ☐ New CSF
   - ☐ Other: _____

3. Attach this coversheet to the top of the material or jacket. It must be well organized and clipped together, NOT STAPLED. Then give the material with this coversheet to staff in the Information Services Center (Room S-4900).

Reviewer's Name: Regina Foushee-Smith

Phone: 605-0780 Division: RD

Date: _____

Created August 19, 2008



mact

Decision Information for 83923-6

Decision Seq. 431669 Action Code: 332,NOTIFICATION;,30

FFS Start Date | Tentative Ind: No | FFS Original Decision:

Due Date 29-Apr-2010 | 75-Day Due Date: | FFS EUP Decision:

OPP Target Due Dt: | FFS Primary Decision:

Negotiated Due Dt: | Start/Stop Clock | FQPA Clock:

Registrant Response Due Date: | Days Elapsed:

Current Status: PENDING (09-Apr-2010)

Decision Status | Tracking | Create Resubmission | FFS Letters | Waiver Documentation | Action Code History | Secondary Decision

Decision Comments | Payment | Unmatched Payments | 75 Day Letters

Meetings & Milestones | FFS Information | FFS Negotiated Due Dates | OPP Target Due Date

Decision Ownership | Receipts | Data Package | Reduced Risk

| Receipts | Staff Member | Reg/DCI Number | Submission Due Dt | Response |
|---|---|---|---|---|
| S: 872007 | Foushee-Smith, Regina | 83923-6 | 29-Apr-2010 | PENDING |

Notification-per PRN 2007-4 revising the Container Disposal Instructions

Mail - Inbox - IBM L... | EPA-PRISM Main - ... | 181.FM - Soul ~ Fr... | 10:19 AM

# There is an **ELECTRONIC LABEL** for this action

You can use Acrobat to compare the e-label to the previous version (and find the changes). You can also use Acrobat to mark-up the e-label with your comments.

If e-label was submitted via

**CD-ROM with paper application**

then you will find e-label in

**Electronic Label Library**

*If the e-label is not found in the ELL then it was probably not named correctly and could not be entered into the ELL. However, the file can be retrieved from the CD which is retained by the Front End.*

or

If e-label was submitted via

**XML E-Submission (no paper)**

then you will find e-label in

**Documentum**

See overview of processing e-labels on other side of this sheet.
If you have any questions on e-labels, please contact one of your division e-label experts:

| | | |
|---|---|---|
| AD | Willie Abney | 308-1689 |
| | Renae Whitaker | 308-7003 |
| | Tracy Lantz | 308-6415 |
| BPPD | | |
| RD | Tom Harris | 308-9423 |

# Certification with Respect to Label Integrity

version: 9/11/02

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

**PROPOSED LABEL**

| EPA Registration # | Date Submitted to EPA | Electronic file name |
|---|---|---|
| 83923-6 | March 24, 2010 | 083923-00006.20100324.PRN 2007-4 lbl notification.pdf |

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

Signature

Date 3/24/10.

Ross Gilbert

Name (typed)

Agent

Title

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

**OFFICE OF**
**PREVENTION, PESTICIDES**
**AND TOXIC SUBSTANCES**

APR 14 2010

Ross Gilbert
Ensystex IV, Inc.
c/o Pyxis Regulatory Consulting, Inc.
4110 136th St. NW
Gig Harbor, WA 98332

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

Dear Ross Gilbert:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice PRN 2007-4 dated March 24, 2010 for the following product(s):

**Maxxthor EC; EPA Reg. No. 83923-6**

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.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact Regina Foushee'-Smith at 703-605-0780.

Sincerely,

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

*Please read instructions on reverse before completing form.* Form Approved: OMB No. 2070-0060, Approval expires 2-28-95

EPA

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

☐ Registration
☐ Amendment
☑ Other

OPP Identifier Number

## Application for Pesticide - Section I

| | | |
|---|---|---|
| 1. Company/Product Number<br>83923-6 | 2. EPA Product Manager<br>R. Gebken | 3. Proposed Classification<br>☑ None ☐ Restricted |
| 4. Company/Product (Name)<br>Ensystex IV, Inc. / Maxxthor EC | PM#<br>13 | |
| 5. Name and Address of Applicant *(Include ZIP Code)*<br>Ensysytex IV, Inc.<br>c/o Pyxis Regulatory Consulting, Inc.<br>4110 136th St. NW<br>Gig Harbor, WA 98332<br>☐ *Check if this is a new address* | 6. **Expedited Reveiw.** In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to:<br>EPA Reg. No. _____<br>Product Name _____ | |

NOTIFICATION
APR 14 2010

## Section - II

☐ Amendment - Explain below.
☐ Resubmission in response to Agency letter dated _____
☑ Notification - Explain below.
☐ Final printed labels in repsonse to Agency letter dated _____
☐ "Me Too" Application.
☐ Other - Explain below.

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

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

## Section - III

**1. Material This Product Will Be Packaged In:**

| Child-Resistant Packaging | Unit Packaging | Water Soluble Packaging | 2. Type of Container |
|---|---|---|---|
| ☐ Yes<br>☑ No | ☐ Yes<br>☑ No | ☐ Yes<br>☑ No | ☐ Metal<br>☑ Plastic<br>☐ Glass<br>☐ Paper<br>☐ Other (Specify) _____ |
| ***Certification must be submitted*** | If "Yes" Unit Packaging wgt. / No. per container | If "Yes" Package wgt / No. per container | |

| 3. Location of Net Contents Information | 4. Size(s) Retail Container | 5. Location of Label Directions |
|---|---|---|
| ☐ Label ☑ Container | 1 pt., 1 qt., 1 gallon, 2.5 gallons | ☑ On Label<br>☐ On Labeling accompanying product |

6. Manner in Which Label is Affixed to Product ☑ Lithograph ☐ Paper glued ☐ Stenciled ☐ Other _____

## Section - IV

1. Contact Point *(Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)*

| Name | Title | Telephone No. (Include Area Code) |
|---|---|---|
| Ross Gilbert | Agent | (253) 853-7369 |

**Certification**

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

6. Date Application Received (Stamped)

| | |
|---|---|
| 2. Signature: Gilbert | 3. Title: Agent |
| 4. Typed Name: Ross Gilbert | 5. Date: 3/24/10. |

**PYXIS REGULATORY CONSULTING, INC.**

4110 136th St. NW
Gig Harbor, WA 98332

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

March 24, 2010

COURIER DELIVERY

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

RE: Ensystex IV, Inc. – Maxxthor EC (EPA Reg. No. 83923-6)
Revision to Container Disposal Instructions per PRN 2007-4

Dear Mr. Gebken,

On behalf of Ensystex IV, Inc. please find the enclosed label notification revising the container disposal instructions for Maxxthor EC per PRN 2007-4.

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

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

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

Sincerely,

Ross Gilbert

Enclosures

cc: D. Nimocks; Ensystex IV, Inc.



APR - 6 2010

NOTIFICATION

APR 1 4 2010

06/08

# MAXXTHOR EC

**For use only by individuals/firms licensed or registered by the state to apply termiticide products when applied as a termiticide. States may have more restrictive requirements regarding qualifications of persons using this product. Consult the structural pest control regulatory agency of your state prior to use of this product. For use by pest contol operators or commercial operators to control pests on lawns and ornamental plants.**

| Active Ingredient: | By Wt. |
|---|---|
| Bifenthrin* | 23.4% |
| Other Ingredients**: | 76.6% |
| TOTAL: | 100.0% |

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

**Contains petroleum distillates

**EPA Reg. No. 83923-6 EPA Est. 81824-NC-001**

MAXXTHOR EC contains 2 pounds active ingredient per gallon.

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

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

**For product use information call 1-866-FOR-THOR (367-8467).**

## KEEP OUT OF REACH OF CHILDREN

# WARNING

## *ENSYSTEX IV, Inc.*

Fayetteville, NC 28303

**Net Contents: As marked on container**

## FIRST AID

| | |
|---|---|
| **If swallowed** | • Immediately call a poison control center or doctor.<br>• Do not induce vomiting unless told to do so by a poison control center or doctor.<br>• Do not give any liquid to the person.<br>• Do not give anything by mouth to an unconscious person. |
| **If inhaled** | • Move person to fresh air.<br>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.<br>• Call a poison control center or doctor for further treatment advice. |
| **If on skin or clothing** | • Take off contaminated clothing.<br>• Rinse skin immediately with plenty of water for 15 to 20 minutes.<br>• 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.<br>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.<br>• Call a poison control center or doctor for treatment advice. |

## HOTLINE NUMBER

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

## NOTE TO PHYSICIAN

This product is a pyrethroid. This product also contains aromatic hydrocarbons. Because of the risk of hydrocarbon pneumonitis if even tiny amounts are aspirated into the lung during emesis, consideration should be given to gastric lavage with endotracheal tube in place. Treatment is symptomatic and supportive. Animal and vegetable fats, milk, cream and alcohol may increase absorption and should not be administered.

## PRECAUTIONARY STATEMENTS

### Hazards to Humans and Domestic Animals

May be fatal if swallowed. Causes skin irritation and moderate eye irritation. Do not get on skin or on clothing. Avoid breathing vapors or spray mist, and contact with eyes. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Remove contaminated clothing and wash contaminated clothing before reuse.

**Personal Protective Equipment:** All pesticide handlers (mixers, loaders and applicators) must wear long-sleeved coveralls worn over a minimum of short-sleeved shirt and short pants, socks, chemical-resistant footwear, chemical-resistant gloves and protective eyewear. After the product is diluted in accordance with label directions for use (or if an in-line injector system is used) shirts, pants, socks, shoes and waterproof gloves are sufficient. All pesticide handlers must wear a respiratory protection device when handling the concentrate or when working in a non-ventilated space (such as a NIOSH approved respirator with any R, P or HE filter or a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any R, P or HE pre-filter). All pesticide handlers must wear protective eyewear, such as goggles, faceshield or safety glasses, when working in a non-ventilated space or when applying as a termiticide by rodding or sub-slab injection.

**Termite Control Treatment:** When treating adjacent to an existing structure, the applicator must check the area to be treated and immediately adjacent areas of the structure for visible and accessible cracks and holes to prevent any leaks or significant exposures to persons occupying the structure. People present or residing in the structure during application must be advised to remove their pets and themselves from the structure if they see any signs of leakage. After application, the applicator is required to check for leaks. All leaks resulting in the deposition of termiticide in locations other than those prescribed on this label must be cleaned up prior to leaving the application site. Do not allow people or pets to contact contaminated areas or to reoccupy contaminated areas of the structure until the clean-up is completed.

### Environmental Hazards

This pesticide is extremely toxic to 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. Do not contaminate water by cleaning of equipment or disposal of equipment washwaters. Do not apply when weather conditions favor drift from treated areas. Care should be used when spraying to avoid fish and reptile pets in/around ornamental ponds.

Do not apply this product or allow it to drift to crops or weeds on which bees are actively foraging. Additional information may be obtained from your Cooperative Extension Service.

### Physical and Chemical Hazards

Do not use or store near heat or open flame.

Do not apply this product in or on electrical equipment 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.

## STORAGE AND DISPOSAL

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

**Pesticide Storage:** If crystals are observed, warm material to above 60°F by placing container in warm location. Shake or roll container periodically to redissolve solids. Do not use external source of heat for warming container.

Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use, replace lids and close tightly. Do not put concentrate or dilute material into food or drink containers. Do not contaminate other pesticides, fertilizers, water, food, or feed by storage or disposal.

**In Case of Spill:** Confine it, avoid contact, isolate area and keep animals and unprotected persons away. If spill is liquid, form dike around spill area and/or absorb spill with absorbent materials, such as sand, cat litter or clay. If spill is dry material, cover to prevent dispersal. Place damaged package in a holding container and identify contents. Contact Ensystex at 1-866-367-8467 or Chemtrec at 1-800-424-9300 for any assistance

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

**Container Disposal:** Nonrefillable container. Do not reuse or refill this container. ~~Offer for recycling, if available.~~ Triple rinse container (or equivalent) 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. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

## APPLICATION FOR CONTROL OF SUBTERRANEAN TERMITES

### General

MAXXTHOR EC, in the form of a dilute insecticidal solution, prevents and controls subterranean termite infestations in and around structures and other items by creating a continuous chemically treated zone (horizontal and/or vertical as needed) between the wood and other cellulose material in the structure and termite colonies in the soil. In order to establish a barrier between the wood in the structure and the termites in the soil, adequately disperse the solution of this product in the soil.

To effectively control termites with this product, the service technician should be familiar with current termite control practices including trenching, rodding, sub-slab and void injection, soil surface fan spraying, excavated soil treatment and brush, spray and injection applications to wood. Correct use of these techniques is necessary to effectively control infestations by subterranean termites such as *Coptotermes, Heterotermes, Reticulitermes* and *Zootermopsis.* The service technician should consider the biology and behavior of the termite specie(s) to be controlled to determine which control practices to use.

Treatment standards and procedures for subterranean termite control may vary due to regulations, water table level, structure design, soil types, construction practices and other factors. For advice concerning current control practices with respect to specific local conditions, consult resources in structural pest control and state cooperative extension and regulatory agencies. Follow all federal, state and local regulations and treatment standards for protection of a structure from subterranean termites.

Effective termite control may also include mechanical alteration 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 is advised. Removal of non-essential cellulose containing materials that are in contact with the ground under or around the structure can reduce termite foraging in the area. When untreated wooden parts of the structure touch the ground and such contact cannot be broken, creating a barrier between the soil and such components using a solution of the product may protect the components and the structure against termite attack.

MAXXTHOR EC is labeled for use against subterranean termites as a 0.06% or 0.12% solution in water, however the 0.06% finished solution should be used for typical control situations. When difficult or problem soils or construction types are encountered, it may be necessary to use 0.12% MAXXTHOR EC mixed in reduced volumes of water.

Avoid contamination of water supplies due to backflow under reduced water system pressure by using anti-backflow equipment or procedures to prevent siphoning of any solution back into a water supply. Do not contaminate cisterns or wells. Do not treat soil that is water saturated or frozen. Do not treat while precipitation is occurring. Do not apply solution to an area or site if the soil at the area or site is in such a state or condition that runoff or movement of the solution from the treated area or site is likely to occur. Consult state and local specifications for recommended distances of wells from treated areas, or if such regulations do not exist, refer to Federal Housing Administration Specifications (H.U.D.) for guidance.

For the purposes of this label and its directions, crawl spaces are to be considered to be inside of the structure. Critical areas include areas where the foundation is penetrated by utility services, cracks and expansion joints, bath traps and areas where construction elements such as stairs, patios and slab additions abut the foundation.

### Mixing Directions For MAXXTHOR EC For Use As A Termiticide

Mix MAXXTHOR EC for use as a termiticide in the following manner:

1. Fill tank 1/4 to 1/3 full.
2. Start pump to begin by-pass agitation and place end of treating tool in tank to allow circulation through hose.
3. Add appropriate amount of MAXXTHOR EC.
4. Add remaining amount of water.
5. Let pump run and allow recirculation through the hose for 2 to 3 minutes.

MAXXTHOR EC may also be mixed into full tanks of water, but substantial agitation is required to ensure uniformity of the solution.

### Dilution of MAXXTHOR EC for Use as a Termiticide

For termite control, use rates for MAXXTHOR EC are expressed and the solution is mixed according to the percentage (%) concentration it forms when mixed in water. Use the mixing table or alternately the formulas below to determine the amount of MAXXTHOR EC to add to any quantity of water.

To prepare a 0.06% water solution, ready to use, dilute 1 quart of MAXXTHOR EC with 99.75 gallons of water. To prepare a 0.12% water solution, ready to use, dilute 2 quarts of MAXXTHOR EC with 99.5 gallons of water.

**Mixing Table for MAXXTHOR EC for Use as a Termiticide**

| Solution Percentage Concentration Desired | Gallons of Finished Solution Desired | Amount of MAXXTHOR EC to add | Water to mix with MAXXTHOR EC |
|---|---|---|---|
| 0.06% | 1 | 0.32 oz | 127.68 oz |
| | 5 | 1.60 oz | 4.99 gallons |
| | 10 | 3.2 oz | 9.975 gallons |
| | 25 | 8.0 oz. | 24.94 gallons |
| | 50 | 0.50 quart | 49.875 gallons |
| | 75 | 0.75 quart | 74.8125 gallons |
| | 100 | 1.00 quart | 99.75 gallons |
| | 150 | 1.50 quart | 149.62 gallons |
| | 200 | 2.00 quart | 199.5 gallons |
| 0.12%* | 1 | 0.64 oz | 127.36 oz |
| | 5 | 3.2 oz | 4.975 gallons |
| | 10 | 6.4 oz. | 9.95 gallons |
| | 25 | 0.5 quart | 24.875 gallons |
| | 50 | 1.0 quart | 49.75 gallons |
| | 75 | 1.5 quart | 74.625 gallons |
| | 100 | 2.0 quart | 99.5 gallons |
| | 150 | 3.0 quart | 149.25 gallons |
| | 200 | 1 gallon | 199.0 gallons |

*Only use the 0.12% rate in accordance with the *Adjustments to Application Volume* section. May also be used in accordance with the *FOAM APPLICATION* and *APPLICATIONS TO PROTECT UNDERGROUND ITEMS FROM TERMITE ATTACK* sections.

### Calculating an Amount of MAXXTHOR EC to Mix

To mix any amount of MAXXTHOR EC for termite control, determine:

A = Units of water into which the MAXXTHOR EC will be mixed. Express any partial units as decimal fractions (1/2 = .5). Any unit of measure, such as gallons or quarts, can be used for A. Answers to equations below are in same units as A.

MAXXTHOR EC to add to A for 0.06% = A / 399

MAXXTHOR EC to add to A for 0.12% = A / 199.5

To convert gallons to fluid ounces, multiply number of gallons X 128

128 fluid ounces = 16 cups = 8 pints = 4 quarts = 1 gallon

32 fluid ounces = 1 quart

### Application Volume

To provide maximum control and protection against termite infestation, apply the specified volume of the finished water solution containing the specified amount of MAXXTHOR EC as set out below or as otherwise directed in this label.

**Prescribed Horizontal Barrier Rate:** Unless otherwise directed, horizontal barriers are created by applying a 0.06% solution at a rate of one gallon of solution per 10 square feet. (One gallon of 0.06% solution contains 0.32 fluid ounce of MAXXTHOR EC.)

**Prescribed Vertical Barrier Rate:** Unless otherwise directed, vertical barriers are created by applying a 0.06% solution at a rate of four gallons of solution per 10 linear feet per foot of depth. (Four gallons of 0.06% solution contains 1.28 fluid ounces of MAXXTHOR EC.)

### Adjustments to Application Volume

If soil will not accept the labeled application volumes, the volume may be reduced provided there is a corresponding increase in concentration so that the amount of active ingredient applied to the soil remains the same.

Note: Large reductions of application volume reduce the likelihood of obtaining a continuous barrier. Variance is allowed when volume and concentration are consistent with label directed rates and a continuous barrier can still be achieved. When volume is reduced, the spacing of holes created for sub slab injection and soil rodding may need to be reduced to account for decreased dispersion of the solution in the soil.

For example, adjust the amount of solution applied to deliver a horizontal barrier of 10 square feet from 1 gallon to as low as 0.5 gallons and as high as 2 gallons while maintaining the amount of MAXXTHOR EC (.32 fluid ounce) applied per 10 square feet.

For example, adjust the amount of solution applied to deliver a vertical barrier 10 feet long by one foot deep from 4 gallons to as low as 2 gallons and as high as 8 gallons while maintaining the amount of MAXXTHOR EC (1.28 fluid ounces) applied per 10 linear feet.

## PRE-CONSTRUCTION TREATMENT

### All Structures

**Pre-construction treatment: Do not apply at a lower dosage and/or concentration than specified on this label for applications prior to the installation of the finished grade.**

Prior to each application, applicators must notify the general contractor, construction superintendent, or similar responsible party, of the intended termiticide application and intended sites of application and instruct the responsible person to notify construction workers and other individuals to leave the area to be treated during application and until the termiticide is absorbed into the soil.

Effective control of subterranean termites can be accomplished during construction by using a 0.06% solution of MAXXTHOR EC to establish vertical and/or horizontal barriers between the structure and the soil as directed. Applications should be made as a coarse low pressure spray (less than 50 psi). To meet current termite proofing requirements, follow the procedures in the latest edition of the Housing and Urban Development Minimum Property Standards.

### Horizontal Barriers Under Slabs on Ground Including Basements

Create a horizontal barrier on the entire surface of soil or substrate that will be covered by a slab, including, but not limited to, slab floors, footing trenches, garages, carports, basements, porches and entrance platforms by treating the soil or substrate with the solution at the Prescribed Horizontal Barrier Rate.

If the fill under the slab is a coarse material such as washed gravel, apply at 1.5 times the Prescribed Horizontal Barrier Rate to make sure that a sufficient enough amount of dilution is applied that the solution reaches the soil beneath the fill.

Apply solution using a coarse spray nozzle. If the slab over the treated area will not be poured on the same day as the application (and there are no foundation walls in place around the treated soil) cover treated soil with a water-proof barrier such as polyethylene sheeting.

### Vertical Barriers

Create a vertical barrier along the inside and outside of foundation walls, around piers, plumbing and utility service entrances and other points of possible future termite access and entry by treating the soil at these points at the Prescribed Vertical Barrier Rate. When trenching and rodding into the trench, or trenching alone, it is important that the solution reaches the top of the footing. Rod holes must be spaced so as to achieve a continuous termiticidal barrier, but they should in no case be more than 12 inches apart. Trenches need not be wider than 6 inches. Mix the solution into the soil as it is being replaced in the trench. Care should be taken to avoid washing soil out from around footings thereby undermining the stability of the structure. An inside vertical barrier may not be required for a monolithic slab.

When treating foundations deeper than 4 feet, apply the termiticide as the backfill is being replaced, or if the construction contractor fails to notify the applicator in time to permit this, treat the foundation to a minimum depth of 4 feet after the backfill has been installed. The applicator must trench and rod into the trench or trench along the foundation walls and around pillars and other foundation elements, at the rate prescribed from grade to a minimum depth of 4 feet. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. However, in no case should a structure be treated below the footing.

### Hollow Block Foundations and Voids

Hollow block foundations and voids may be treated at a rate of 2 gallons of solution per 10 linear feet to create a continuous treated zone within the voids at the footing.

## POST CONSTRUCTION TREATMENT

### All Structures

Post construction soil applications shall be made by injection, rodding, trenching or coarse fan spray with pressures not exceeding 25 p. s. i. at the nozzle. Care should be taken to avoid washing soil out from around footings thereby undermining the stability of the structure.

Do not apply treatment until the identity and location of all wells, radiant heat pipes, water and sewer lines, electrical conduits and sub-slab heating and air conditioning ducts is established. Caution must be taken to avoid puncturing these elements and/or injecting solution into them. All holes in commonly occupied areas into which material has been applied must be plugged. Plugs must be of a non-cellulose material or covered by an impervious, non-cellulose material.

**Vertical Barrier Depth:** For applications made after the final grade is installed, the applicator must trench and rod into the trench or trench along the foundation walls and around pillars and other foundation elements and treat at the rate prescribed from grade to the top of the footing. When the footing is more than four (4) feet below grade, the applicator must trench and rod into the trench or trench along the foundation walls and treat at the rate prescribed to a minimum depth of four feet. The actual depth of treatment will vary depending on the soil type, degree of compaction, and location of termite activity. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. However, in no case should a structure be treated below the footing.

### Structures Containing Concrete Slabs on Ground (Monolithic/Floating/Supported) including Basements

To make an application beneath existing slabs, it may be necessary to drill holes in the slab or adjacent foundation and to apply solution. Holes should be spaced such that when treatment is applied through them, a continuous treated zone is applied beneath the slab.

**Vertical Barriers Along Exterior of Foundation Walls:** Trench and rod into the trench or trench along the outside of foundation walls and treat at the Prescribed Vertical Barrier Rate to the depth specified under Vertical Barrier Depth. Where physical obstructions such as concrete walkways adjacent to foundation elements or soil type and/or conditions make trenching prohibitive, treatment may be made by rodding alone.

**Vertical Barriers Along Interior of Foundation Walls:** Vertical barriers may be established on the interior side of foundation walls by sub-slab injection of the solution at the Prescribed Vertical Barrier Rate. Injection openings can be drilled either vertically through the slab along the interior of the foundation wall or horizontally from the exterior through the foundation wall low enough on the wall to allow for the deposition of the solution beneath the slab along the interior side of the foundation wall. Drill holes should be spaced so as to achieve a continuous chemical barrier but in no case farther apart than 12 inches. Special care must be taken to distribute the solution evenly. Vertical barriers may also be established beneath the slab along both sides of interior footing-supported walls, one side of interior partitions and along all cracks and expansion joints and utility service entrances and bath traps.

**Horizontal Barriers Beneath Slabs on Ground:** Create a horizontal barrier by treating at the Prescribed Horizontal Barrier Rate beneath slabs by either drilling and long rodding from the exterior or by grid pattern drilling and injection vertically through the slab. Long rodding should be used only when grid pattern drilling and injection and horizontal short rodding and injection cannot be used to deliver the sub slab treatment.

**Bath Traps:** Exposed soil beneath and around areas where plumbing and utility services penetrate the slab should be treated at the rate of 1 gallon of solution per square foot of soil.

### Structures Containing Accessible Crawl Spaces

For crawl spaces, apply vertical termiticide barriers at the rate of 4 gallons of solution per 10 linear feet per foot of depth from grade to the top of the footing, or if the footing is more than 4 feet below grade, to a minimum depth of 4 feet. Apply by trenching and rodding into the trench, or trenching. Treat both sides of foundation and around all piers and pipes. Where physical obstructions such as concrete walkways adjacent to foundation elements prevent trenching, treatment may be made by rodding alone. When soil type and/or conditions make trenching prohibitive, rodding may be used. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. Read and follow the mixing and use direction section of the label if situations are encountered where the soil will not accept the full application volume.

1. Rod holes and trenches must not extend below the bottom of the footing.

2. Rod holes must be spaced so as to achieve a continuous termiticide barrier but in no case more than 12 inches apart.

3. Trenches must be a minimum of 6 inches deep or to the bottom of the footing, whichever is less, and need not be wider than 6 inches. When trenching in sloping (tiered) soil, the trench must be stepped to ensure adequate distribution and to prevent termiticide from running off. The solution must be mixed with the soil as it is replaced in the trench.

4. When treating plenums or crawl spaces, turn off the air circulation system of the structure until application has been completed and all solution has been absorbed by the soil.

### Structures Containing Inaccessible Crawl Spaces

For inaccessible interior areas, such as areas where there is insufficient clearance between floor joists and ground surfaces to allow operator access, excavate, if possible, and treat according to the instructions for accessible crawl spaces. Otherwise, apply one, or a combination of the following two methods.

1. To establish a horizontal barrier, apply to the soil surface, 1 gallon of solution per 10 square feet overall using a nozzle pressure of less than 25 p.s.i. and a coarse application nozzle (e.g., Delavan Type RD Raindrop, RD-7 or larger, or Spraying Systems Co. 8010LP TeeJet or comparable nozzle). For areas that cannot be reached with the application wand, use one or more extension rods to make the application to the soil. Do not broadcast or power spray with higher pressures.

2. To establish a horizontal barrier, drill through the foundation wall or through the floor above and treat the soil perimeter at a rate of 1 gallon of solution per 10 square feet. Drill spacing must be at intervals not to exceed 16 inches. Many states have smaller intervals, so check state regulations which may apply.

When treating plenums or crawl spaces, turn off the air circulation system of the structure until application has been completed and all termiticide has been absorbed by the soil.

### Masonry Voids

Drill and treat voids in multiple masonry elements of the structure extending from the structure to the soil in order to create a continuous treatment barrier in the area to be treated. Apply at the rate of 2 gallons of solution per 10 linear feet of footing using a nozzle pressure of less than 25 p.s.i. When using this treatment access holes must be drilled below the sill plate and should be as close as possible to the footing as is practical. Treatment of voids in block or rubble foundation walls must be closely monitored: Applicators must inspect areas of possible runoff as a precaution against application leakage in the treated areas. Some areas may not be treatable or may require mechanical alteration prior to treatment.

All leaks resulting in the deposition of termiticide in locations other than those prescribed on this label must be cleaned up prior to leaving the application site. Do not allow people or pets to contact contaminated areas or to reoccupy the contaminated areas of the structure until the clean-up is completed.

Note: When drilling veneer walls, care should be taken to not drill beyond the depth of the void behind the veneer into another construction layer behind the veneer. It is however permissible to drill through the veneer and into concrete blocks behind the veneer and to treat the veneer and the concrete blocks at the same time.

Note: Not for use in voids insulated with rigid foam.

## TREATMENT OF STRUCTURES WITH WELLS AND CISTERNS

Do not contaminate wells or cisterns.

### Structures with Wells/Cisterns Inside Foundations

Structures that contain wells or cisterns within the foundation of a structure can only be treated using the following techniques:

1. Do not treat soil while it is beneath or within the foundation or along the exterior perimeter of a structure that contains a well or cistern. The treated backfill method must be used if soil is removed and treated outside/away from the foundation. The treated backfill technique is described as follows:

a. Trench and remove soil to be treated onto heavy plastic sheeting or similar material or into a wheelbarrow.

b. Treat the soil at the rate of 4 gallons of dilute solution per 10 linear feet per foot of depth of the trench, or 1 gallon per 1.0 cubic feet of soil. See *Mixing Directions for MAXXTHOR EC for Use as a Termiticide* section of the label. Mix thoroughly into the soil taking care to contain the liquid and prevent runoff or spillage.

c. After the treated soil has absorbed the solution, replace the soil into the trench.

2. Treat infested and/or damaged wood in place using an injection technique such as described in the *APPLICATION TO WOOD INDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS* or *APPLICATION TO WOOD OUTDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS* sections of this label.

### Structures with Adjacent Wells/Cisterns and/or Other Water Bodies

Applicators must inspect all structures with nearby water sources such as wells, cisterns, surface ponds, streams, and other bodies of water and evaluate, at a minimum, the treatment recommendations listed below prior to making an application.

1. Prior to treatment, if feasible, expose the water pipe(s) coming from a well to the structure, if the pipe(s) enter the structure within 3 feet of grade.

2. Prior to treatment, applicators are advised to take precautions to limit the risk of applying the termiticide into subsurface drains that could empty into any bodies of water. These precautions include evaluating whether application of the termiticide to the top of the footer may result in contamination of the subsurface drain. Factors such as depth to the drain system and soil type and degree of compaction should be taken into account in determining the depth of treatment.

3. When appropriate (for example, on the water side of the structure), the treated backfill technique (described above) can also be used to minimize offsite movement of termiticide.

## FOAM APPLICATION

MAXXTHOR EC, in the form of a foam, can be used to deliver MAXXTHOR EC as a termiticide any time it appears likely this form of delivery will improve the dispersal of MAXXTHOR EC into and within the intended target area. Foam can be particularly useful to deliver MAXXTHOR EC where it either cannot be depended upon to be delivered as just a solution or due to a need to reduce the amount of water used in order to avoid water damage to the target or adjacent areas. In some situations, for example under some slabs, a solution cannot be depended upon to disperse as completely as a foam because of deflection of the liquid stream or some other structural obstacle or defect.

Depending on the circumstances, foam applications of MAXXTHOR EC may be used alone or in combination with liquid solution applications, provided that the cumulative amount of active ingredient per unit of area applied is equivalent to that which would be contained in a 0.06% solution-only application applied to the same area. Mix and apply foam and or foam/liquid emulsion in combination such that at least 1.28 ounces of MAXXTHOR EC concentrate is applied per 10 linear feet when creating vertical barriers or 0.32 ounces of MAXXTHOR EC concentrate is applied per 10 square feet when creating horizontal barriers. Typically, at least 75% of the labeled liquid emulsion volume of product should be applied as a liquid, with the remaining percent delivered as a foam. Foam may be used alone in difficult situations.

Using foam generating equipment, a solution of MAXXTHOR EC, ranging in concentration from 0.06% to 0.12%, may be converted into a foam 2 to 40 times the volume of its liquid equivalent according to the foaming agent and foaming equipment manufacturer's recommendations.

First, form a solution of MAXXTHOR EC of the appropriate percentage concentration and volume. Then add the recommended volume of a foaming agent. Verify that the foaming agent is compatible with MAXXTHOR EC.

Applications may be made behind veneers, piers, chimney bases, into rubble foundations, into block voids, structural voids or other similar voids under slabs, stoops, porches or to the soil in crawlspaces.

## RETREATMENT

Retreatments for subterranean termites can only be performed if there is clear evidence of reinfestation or disruption of the barrier due to construction, excavation or landscaping and/or evidence of the breakdown of the termiticide barrier in the soil. These vulnerable or reinfested areas may be retreated in accordance with application techniques described in this product's labeling. The timing and type of these retreatments will vary, depending on factors such as termite pressure, soil types, soil conditions and other factors which may reduce the effectiveness of the barrier.

Annual retreatment of the structure is prohibited unless there is clear evidence that reinfestation or barrier disruption has occurred.

## APPLICATION IN CONJUNCTION WITH TERMITE BAITS

Spot only applications of MAXXTHOR EC can be used as a supplement to termite baiting systems. For the purposes of this section, spot only applications are defined as the use of MAXXTHOR EC according to any of the permitted and applicable post-treatment application techniques contained in this label, alone or in combination, to the extent needed or deemed necessary or useful as an adjunct to a termite bait product labeled as a stand alone protection against termite attack. Stand alone termite bait product is defined as a termite bait product that provides sufficient structural protection when applied without other termite control products.

## APPLICATION TO PROTECT UNDERGROUND ITEMS FROM SUBTERRANEAN TERMITE ATTACK

To protect components installed underground such as wires, conduits, cables and pipes buried in soil against termite attack, create an envelope of MAXXTHOR EC treated soil around the components along the entire underground length of the component. First, treat soil through which components will be run with 0.06% to 0.12% solution of MAXXTHOR EC at a rate of 2 gallons of solution per 10 linear feet. Install components, laying them on the treated soil. Cover components with untreated soil and then treat this covering soil using the same percent solution at 2 gallons of solution per 10 linear feet.

Underground components to be protected may be located within the foundation of a structure or outside of a structure such as within a utility right of way, for example. Do not treat items that are electrically energized at the time of application. If the soil will not absorb the indicated amount of solution, as little as 1 gallon of 0.12% solution per 10 linear feet can be used. Treat points where services emerge from the ground at a rate of 1 to 2 gallons of solution at the point of emergence.

## APPLICATIONS TO PROTECT POLES, POSTS AND OTHER WOODEN ITEMS FROM SUBTERRANEAN TERMITE ATTACK

MAXXTHOR EC can be used to protect the below ground portions of wooden structural components from termites. Form a treated zone around components below ground by vertically rodding the soil around their perimeter to a depth of six inches below their maximum depth of placement in the soil and applying a 0.06% solution of MAXXTHOR EC at a rate of 0.4 gallons of solution per linear foot of perimeter around the component per foot of treated depth. Measure the perimeter of the component six inches from the outside of the component.

# APPLICATIONS TO CONTROL WOOD INFESTING INSECTS

Mix and dilute MAXXTHOR EC according to the instructions contained in the *APPLICATION FOR CONTROL OF SUBTERRANEAN TERMITES* section.

## APPLICATIONS TO CONTROL EXPOSED WOOD INFESTING INSECTS LOCATED ABOVE GROUND

MAXXTHOR EC can be applied above ground as a non-soil treatment to control and kill exposed worker and winged reproductive (swarmer) termites and Carpenter ants. This type of application is only supplementary to and should not be considered as a replacement for soil treatment in the case of termite infestation.

Apply a 0.06% solution as a general fan spray within attics, crawl spaces, unfinished basements and other void areas where termites have been found. Apply treatment directly to swarming termites and areas where they congregate.

## APPLICATIONS TO TERMITE CARTON NESTS LOCATED IN ABOVE GROUND WALL VOIDS

Apply a 0.06% solution of MAXXTHOR EC directly into above ground termite carton nests including nests located in wall voids using a directional injector. Apply as a solution or foam under pressure to distribute solution thoroughly throughout the nest. It may be necessary to inject solution at one or more points and at varying depths within the nest to adequately distribute solution within the interior of the nest.

## APPLICATION TO WOOD INDOORS TO PROTECT AGAINST WOOD INFESTING INSECTS

A 0.06% solution of MAXXTHOR EC applied as a liquid or foam to wooden structural components within structures can be used to protect them against attack from wood infesting insects such as termites, Carpenter ants and wood boring beetles or borers. This type of application is only supplementary to and should not be considered a replacement for soil treatment in the case of termite infestation.

Apply solution as a general fan spray onto the surface of the wood or inject solution under pressure into the wood as a liquid or foam. Inject by either injecting solution through a directional injector directly into existing voids and galleries or by drilling wood to form treatment channels through which the solution can be injected into the insect galleries. Multiple treatment channels of varying depth may need to be drilled to adequately distribute the solution within the wood interior. Application can also be made with a paintbrush.

Before application, locate heat pipes, ducts, water and sewer lines and electrical conduits. Take precautions to avoid puncturing and/or injecting solution into these items. Do not apply solution inside of electrified enclosures, switches or sockets.

Plastic sheeting must be placed below any indoor overhead surfaces being treated that are located anywhere except within a soil-based crawl space. Wear protective clothing, unvented goggles, gloves and respirator when making an overhead application or when applying in poorly ventilated indoor areas. Do not touch surfaces until spray has dried.

When treating in home food preparation and storage areas, cover all food preparation surfaces and utensils prior to beginning treatment. Surfaces or items that cannot be covered or removed should be thoroughly washed after treatment and before use. Food that cannot be covered should be removed. Before application, remove pets, birds and cover and disconnect aquariums. Do not allow humans and pets to touch treated surfaces until they have dried.

## APPLICATION TO WOOD OUTDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS

### On and around structures

A 0.06% solution of MAXXTHOR EC applied as a liquid or foam to exterior structural components can be used to protect them from the attack of wood infesting insects such as termites, Carpenter ants and wood boring beetles or borers. Apply solution by general fan spray to the point of runoff onto the surface of the wood or inject solution under pressure into the wood as a liquid or foam. Inject by either injecting solution directly into existing voids and galleries or drilling wood to form treatment channels through which the solution can be injected into the insect galleries. Multiple treatment channels of varying depth may need to be drilled to adequately distribute the solution within the wood interior. Application can also be made with a paintbrush.

To control Carpenter ants, also apply solution around doors and windows and other areas Carpenter ants have been observed or can be expected to forage.

### Within wooden components and trees

Locate the cavity that the insects (such as Carpenter ants) are inhabiting, drilling to find the interior infested cavity if necessary. Inject a 0.06% solution of MAXXTHOR EC into the cavity as a solution or foam. Apply a sufficient volume of solution to completely flood or fill the cavity. Drill injection channels if necessary.

# APPLICATION TO CONTROL LAWN PESTS

MAXXTHOR EC controls a wide range of turfgrass insect and mite pests. MAXXTHOR EC is not for use on turfgrass being grown for sale, for commercial seed production, for other commercial use or for research.

### Application Sites

For use on any type of landscape or recreational turfgrass in any type of setting or at any type of site except as otherwise prohibited. Permitted sites include but are not limited to lawns, grounds, recreational areas, parks, landscapes and athletic fields. **New York State only: Do not apply MAXXTHOR EC containing solutions to grass or turf within 100 feet of a body of water (lake, pond, river, stream, wetland or drainage ditch).**

### Application Precautions and Preparations

Keep children and pets off treated areas until spray has dried.

If necessary, test the effects of applications of different rates and volumes of mixed solution on a small patch of a type of grass (with observations over one week to detect the occurrence of negative effects) before application of solutions to large areas of that type of grass.

MAXXTHOR EC can be mixed with other pesticides, including insect growth regulators. Follow the label directions of all the products mixed, making sure not to exceed the labeled application rate of any individual product in the mixture. Any tank mixture that has not been tested before should be tested before full scale use by first mixing a small quantity of the mixture to ensure there is no physical or chemical incompatibility.

Do not apply when wind conditions favor downwind drift to nearby water bodies or when wind velocity exceeds 10 miles per hour.

### Application Methods

Apply solution as a broadcast treatment in a quantity sufficient to wet all foliage. Apply using nozzles that provide the largest droplet size compatible with adequate coverage.

To maximize efficacy against sub-surface pests such as mole crickets or chinch bugs, MAXXTHOR EC should be applied with a non-ionic or silicone based surfactant (0.25% v/v) in sufficient water to ensure good penetration of spray into the soil-thatch matrix. Treated areas should then be irrigated with 0.25 to 0.5 inches of water immediately afterwards paying special attention so that run-off or puddling does not occur.

If necessary, consult resources in horticulture in your area (such as your Cooperative Extension Service) to determine appropriate application timing and cultural practices to control different types of pests.

### Reapplication

Reapplications may be necessary particularly in the event of high pest pressure. Do not apply more often than every 7 days. **New York State only: Do make a single reapplication of MAXXTHOR EC if there is renewed insect activity, but not sooner than two weeks after first application.**

### Lawn Application Use Rates and Volumes

Use rates for MAXXTHOR EC for lawn pests are stated in fluid ounces of MAXXTHOR EC per 1000 square feet.

Apply MAXXTHOR EC at 0.07 to 0.30 fluid ounces per 1000 square feet depending on the target pest. Recommended rates for specific pests within this range are given below.

Depending on the length and/or density of grass being treated, application volumes of up to 10 gallons per 1000 square feet can be made in order to obtain uniform coverage. If a minimal volume application is made (2 gallons per 1000 square feet) and the target pest, such as mole crickets or chinch bugs for example, are located in the thatch or below the surface, irrigate the treated area with at least 0.25 to 0.50 inches of water immediately after the application. The addition of a non-ionic or silicone based surfactant (0.25% v/v) is also recommended when making a minimal volume application.

The calculated amount of MAXXTHOR EC can be applied in any volume of water as long as the maximum label rate per 1000 feet is not exceeded. Do not exceed the maximum label rate by applying solution to an area smaller than intended when it was mixed and diluted unless such under dosing will not result in an application rate per 1000 square feet in excess of the maximum label rate.

### Lawn Pest Application Use Rates

The application rates listed below provide control of the listed pests under normal conditions. Use the higher application rates when maximum residual control is needed.

**Use Rate Table for MAXXTHOR EC for Lawn Applications**

| Use Rate | Fluid ounces MAXXTHOR EC per 1,000 square feet (Range) |
|---|---|
| A | 0.07⇒0.15 |
| B | 0.0[illegible]⇒0.30 |
| C | 0.15 |

### Lawn Pests Grouped by Use Rates

**Use Rate A:** Ants, Armyworms, Billbugs, Chinch Bugs, Crane Flies, Crickets, Cutworms, Earwigs, Fall Webworms, Fleas (adults, larvae), Grasshoppers, Mites, Mole Crickets, Sod Webworms, Spittlebugs

**Use Rate B:** Japanese Beetles (adult)

**Use Rate C:** Crane Flies

| Mixing Table for MAXXTHOR EC for Lawn Applications | | | | |
|---|---|---|---|---|
| Application Volume: Gallons/1000 sq. ft. | Use Rate: Fluid oz. / 1000 sq. ft. (select from Use Rate Table) | Add these amounts of MAXXTHOR EC to the indicated volumes of water | | |
| | | 5 gal. | 10 gal. | 25 gal. |
| 2 | .07 | .175 | .35 | 0.875 |
| | .15 | .375 | .75 | 1.875 |
| | .22 | .550 | 1.10 | 2.750 |
| | .30 | .75 | 1.50 | 3.750 |
| 5 | .07 | .07 | .14 | 0.350 |
| | .15 | .15 | .30 | 0.750 |
| | .22 | .22 | .44 | 1.100 |
| | .30 | .30 | .60 | 1.500 |
| 10 | .07 | - | .07 | .175 |
| | .15 | - | .15 | .375 |
| | .22 | - | .22 | .550 |
| | .30 | - | .30 | .750 |

### Calculating Amounts of MAXXTHOR EC to Mix for Lawn Pests

To mix and apply any amount of MAXXTHOR EC for lawn pests, determine:

A = Square feet of area to be treated / 1000

B = Use Rate per 1000 square feet for the target pest(s) in fluid ounces MAXXTHOR EC taken from the Use Rate Table. If treating for more than one type of pest, select the highest rate.

Calculate the amount of MAXXTHOR EC to mix for lawn pests as follows:

Fluid Ounces MAXXTHOR EC to use = A X B

Mix this amount of MAXXTHOR EC in the amount of water needed to make the application.

### Application Recommendations Against Specific Lawn Pests

**Armyworms, Cutworms, Sod Webworms:** Do not water or mow grass within 24 hours of application for optimum control of these surface feeding insects.

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

**Mole Crickets:** For control of overwintering Mole Crickets, apply the lower rate in early Spring. For the control of adult Mole Crickets in late-Summer or early Fall, apply the higher rate.

**Crane Flies:** Treatments can be made to control early to midseason larvae (approximately August - February) as they feed on plant crowns. Treatments made to late-season larvae (approximately March, April) may only provide suppression.

## APPLICATION TO CONTROL ORNAMENTAL PESTS

MAXXTHOR EC controls a wide range of insects and mites on trees, shrubs, foliage plants, non-bearing fruit and nut trees and flowers. Non-bearing trees are perennial plants that will not produce a harvestable agricultural commodity within the next 12 months. MAXXTHOR EC is not for use on plants being grown for sale, for commercial seed production or for research.

### Application Sites

For use on ornamental plants including but not limited to trees, shrubs, ground covers, bedding plants and foliage plants being used for decorative or climate modification purposes. Plants on which use is permitted include those being grown in any type of setting or at any type of site not otherwise prohibited. Permitted sites include but are not limited to ornamental gardens, parks, landscapes, lawns, grounds and interior plantscapes.

### Application Preparation

If necessary, test the effects of applications of different rates and volumes of mixed solution on a small number of a type of plant (with observations over one week to detect the occurrence of negative effects) before application of solution to large numbers of that type of plant.

MAXXTHOR EC can be mixed with other pesticides, including insect growth regulators. Follow the label directions of all the products mixed, making sure not to exceed the label rate of any individual product in the mixture. Any tank mixture that has not been tested before should be tested before full scale use by first mixing a small quantity of the mixture to ensure there is no physical or chemical incompatibility.

### Application Methods

Apply solution in a quantity sufficient to wet all foliage. It may also be necessary to treat non-foliage parts of plants such as trunks and bark to control some pests based on where the pest may be located on the plant at a particular life stage.

For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

### Reapplication

Reapplications may be necessary as plant growth occurs and new foliage appears or in the event of high pest pressure. Do not apply more often than every 7 days.

### Ornamental Application Use Rates and Volumes

Use rates for MAXXTHOR EC for ornamental pests are stated in fluid ounces of MAXXTHOR EC per 4,356 square feet. Recommended ornamental application use rates, based on the target pest, range between 0.26 to 1.28 fluid ounce of MAXXTHOR EC per 4,356 square feet. Recommended rates for specific pests within this range are given below.

The calculated amount of MAXXTHOR EC can be applied in any volume of water as long as the applicable label rate per 4,356 feet is not exceeded. Do not exceed the maximum label rate by applying solution to an area smaller than intended when it was mixed and diluted unless such underdosing will not result in an application rate per 4,356 square feet in excess of the maximum label rate.

### Ornamental Pest Dilution Rates

The dilution rates listed below provide control of the listed pests under normal conditions. Use the higher dilution rate when maximum residual control is needed.

| Dilution Rate Table for MAXXTHOR EC for Ornamental Applications | | |
|---|---|---|
| Dilution Rate | Lbs. a. i. per 10 gallons<br>Lbs. a. i. per 4,356 sq. ft. | Fl. oz. per 10 gallons<br>Fl. oz. per 4,356 sq. ft. |
| A | 0.004 ⇒ 0.02 | 0.26 ⇒ 1.28 |
| B | 0.006 ⇒ 0.02 | 0.38 ⇒ 1.28 |
| C | 0.01 ⇒ 0.02 | 0.64 ⇒ 1.28 |

### Ornamental Pests Grouped by Dilution Rates

**Dilution Rate A:** Ants, Aphids, Bagworms, Black Vine Weevil (adults), Brown Soft Scales, Broad Mites, Budworms, California Red Scales (crawlers), Centipedes, Clover Mites, Crickets, Cutworms, Earwigs, Elm Leaf Beetles, Fall Webworms, Flea Beetles, Fungus Gnats (adults), Grasshoppers, Lace Bugs, Leafhoppers, Leaf feeding Caterpillars, Mealybugs, Millipedes, Mole Crickets, Orchid Weevil, Pillbugs, Pine Needle Scales (crawlers), Plant Bugs (incl. Lygus spp.), San Jose scales (crawlers), Sowbugs, Spiders, Spittlebugs, Tent Caterpillars, Tip Moths, Weevils, Whiteflies

**Dilution Rate B:** Citrus Thrips, Beet Armyworm, Diaprepes (larvae, adult), European Red Mite, Leafrollers, Spider Mites, Thrips, Twig Borers

**Dilution Rate C:** Japanese Beetles (adult), Leafminers, Pecan Leaf Scorch Mite, Black Vine Weevil (larvae), Fungus Gnats (larvae)

| Mixing Table for MAXXTHOR EC for Ornamental Applications | | | | |
|---|---|---|---|---|
| Application Volume: Gallons/4356 sq. ft. | Use Rate: Fluid ounces / 4356 sq. ft. | Add these amounts of MAXXTHOR EC to the indicated volumes of water | | |
| | | 5 gal. | 10 gal. | 25 gal. |
| 2 | 0.26 | 0.650 | 1.30 | 3.25 |
| | 0.38 | 0.950 | 1.90 | 4.75 |
| | 0.64 | 1.600 | 3.20 | 8.0 |
| | 1.28 | 3.200 | 6.40 | 16.00 |
| 5 | 0.26 | 0.260 | 0.52 | 1.30 |
| | 0.38 | 0.380 | 0.76 | 1.90 |
| | 0.64 | 0.640 | 1.28 | 3.20 |
| | 1.28 | 1.280 | 2.56 | 6.40 |
| 10 | 0.26 | -- | 0.26 | 0.65 |
| | 0.38 | -- | 0.38 | 0.95 |
| | 0.64 | -- | 0.64 | 1.60 |
| | 1.28 | -- | 1.28 | 3.20 |

### Calculating Amounts of MAXXTHOR EC to Mix for Ornamental Pests

To mix and apply any amount of MAXXTHOR EC for ornamental pests, determine:

A = Square feet of area to be treated /4,356

B = Use Rate per 4,356 square feet for the target pest(s) in fluid ounces MAXXTHOR EC taken from the Dilution Rate Table. If treating for more than one pest, select the highest rate.

Calculate the amount of MAXXTHOR to mix for ornamental pests as follows:

Fluid Ounces MAXXTHOR EC to use = A X B

Mix this amount of MAXXTHOR EC in the amount of water needed to make the application.

### Application Recommendations Against Specific Ornamental Pests

**Bagworms:** Spray when bagworms first begin to hatch. Apply directly to the larvae. Treatment is most effective against young larvae.

**Scale crawlers and twig borers**: Treat trunks, stems and twigs in addition to plant foliage.

**Black Vine Weevil and Fungus Gnat larvae:** Apply as a drench at the rate of approximately 8 ounces of finished spray per 6 inch pot.

## ORNAMENTAL TREE TRUNK SPRAY TO CONTROL BARK BEETLES

### Control of Dendroctonus bark beetles including mountain pine beetle, southern pine beetle, western pine beetle, Black turpentine beetle, and engraver beetles (Ips spp.)

**Preventative treatment:** Spray an aqueous solution containing 1.0 to 2.0 pints of MAXXTHOR EC per 100 gallons (0.25 to 0.5 lbs. ai/100 gallons) of water to the trunk of the tree in the spring or whenever nearby infested trees create the threat of an infestation. Apply spray directly to the main trunk from the base of the tree to at least half way into the live crown. Wet the bark with the spray thoroughly (usually 1 to 4 gallons of spray per tree). Do not apply more than 0.2 lbs. ai (12.8 fl. Oz.) of this product per acre of trees. Repeat application if infestation occurs. Application rates and application timing differ according to the target pest and other factors. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

**Treatment of infested trees to control emerging brood:** Make applications of a spray mixture containing 2.0 pints of this product per 100 gallons 0.5 lbs. ai/100 gallons) of water to trees that have beetles in their bark. Apply spray directly to the main trunk from the base of the tree to at least half way into the live crown. Spray until the bark is thoroughly wetted by the spray (usually 1 to 4 gallons of spray per tree). Do not apply more than 0.2 lbs. ai (12.8 fl. oz.) of this product per acre of trees.

Beetles are normally no longer present in trees in which all needles have turned brown. Trees in this condition should be sprayed only if a continuing infestation is confirmed. Confirm an infestation by removing bark. If live infestations remain in the trunks, fell the trees and cut into sections. Spray the trunk and large limbs, rotating the trunks as they are sprayed in order to thoroughly treat the exterior of the entire trunk. Do not apply more than 0.2 lbs. ai (12.8 fl. oz.) of this product per acre.

### Control of other bark beetles such as Ambrosia beetles, elm bark beetles and Emerald Ash borer

**Preventative control:** Spray an aqueous solution containing 1.0 to 2.0 pints of MAXXTHOR EC per 100 gallons (0.25 to 0.5 lbs. ai/100 gallons) of water to the trunk, scaffolding and limbs of the tree in the early spring or prior to adult beetle flight and tree infestation. Spray until the bark is thoroughly wetted by the spray (usually 6 to 12 gallons of spray per tree).

Do not apply more than 0.2 lbs. ai of this product per acre of trees. Repeat application may be necessary if reinfestation is likely or for extended adult emergence and flight. Application rates and application timing differ according to the target pest and other factors. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

## CONTROL OF OTHER BORERS ON ORNAMENTAL TREES

Consult the table below for other boring insects. Geographic location and environmental conditions will affect application rate and timing. Spray bark until it is thoroughly wetted by the spray (usually 1 to 4 gallons of spray per tree). Do not apply more than 100 gallons of solution per acre of trees. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

| Pest | Recommended Dilution Rate (Range) | Specific Instructions |
|---|---|---|
| **Clearwing Moth borers**<br>Ash borer, banded ash clearwing, Dogwood borer, Lesser peachtree borer, Lilac borer, Oak borer<br>**Coleopteran borers**<br>Bronze birch borer, Flatheaded appletree borer | 6.4 to 12.8 fl. oz. per 100 gallons | Apply to the lower branches and trunks prior to adult emergence<br><br>Apply 12.8 fl. oz. per 100 gallons for maximum residual control |

## CONTROL OF STRUCTURAL PESTS (OTHER THAN WOOD INFESTING INSECTS) ON AND AROUND BUILDINGS

MAXXTHOR EC controls a wide range of structural pests including nuisance pests outside of structures. MAXXTHOR EC can be applied around any type of residential or commercial structure or building. Permitted sites include but are not limited to the exterior of homes, office buildings, mobile and modular homes, apartments and stores.

### Dilution of MAXXTHOR EC for Structural Pests

For structural pests, use rates for MAXXTHOR EC are expressed and mixed according to the percentage (%) concentration solution it forms when mixed in water. Each 0.166 fluid ounce (1 teaspoon) of MAXXTHOR EC that is added to one gallon of water increases the concentration of MAXXTHOR EC in that one gallon of water by 0.03%. For example, to make a 0.06% solution in one gallon of water, mix 0.333 fluid ounce (2 teaspoons) of MAXXTHOR EC in one gallon of water. Use the conversion table and formulas below to determine the amount of MAXXTHOR EC to add to any quantity of water.

| Mixing Table for MAXXTHOR EC for Structural Pests | | |
|---|---|---|
| % to mix | Fluid ounces to add per gallon of water to mix this % | Teaspoons to add per gallon of water to mix this % |
| 0.03 | 0.166 | 1 |
| 0.06 | 0.333 | 2 |

29.57 milliliters = 2 tablespoons = 6 teaspoons=1 Fluid ounce

### Calculating Amount of MAXXTHOR EC to Mix for Structural Pests

Calculate the amount of MAXXTHOR EC to mix for structural pests as follows:

A = Volume of water, in gallons, into which the MAXXTHOR EC will be mixed. Express any partial gallons as decimal fractions (1/2 = .5)

B = Fluid ounces (or teaspoons) MAXXTHOR EC per gallon from Mixing Table. Select the desired % concentration based on the site of application and the pest(s) to be controlled. Read across to find amount of MAXXTHOR EC to add per gallon in fluid ounces or teaspoons.

Fluid ounces (or teaspoons) MAXXTHOR EC to mix = A X B

Mix this amount of MAXXTHOR EC in the predetermined amount of water (A). Food utensils such as teaspoons and measuring cups should not be used for food purposes after use with pesticides.

### Pests Controlled

Ants, including Carpenter Ants, Armyworms, Bees, Boxelder Bugs, Centipedes, Chiggers, Chinch Bugs, Clover Mites, Crickets, Cutworms, Dichondra Flea Beetles, Earwigs, Elm Leaf Beetles, European Craneflies, Fleas, Flies, Grasshoppers, Hornets, Millipedes, Mosquitoes, Moths, Roaches, including Cockroaches, Scorpions, Silverfish, Sod Webworms, Sowbugs (Pillbugs), spiders including Black Widow Spiders, Springtails and Wasps.

### Application Methods

Apply MAXXTHOR EC as a solution in the form of a general surface, spot, crack and crevice, pinstream or coarse spray. Do not apply as a space spray. May also be applied with a paintbrush.

### Application Use Rates and Volumes

Use a 0.03% to 0.06% solution of MAXXTHOR EC. Use a spray volume of between 2 and 10 gallons of solution per 1,000 square feet. Higher application volumes may be used if necessary to sufficiently wet vegetation and landscaping with the spray solution.

### Re-Application

Treatments should not be repeated more often than once every 7 days. The best efficacy and longest residual control is achieved when the highest concentration is used.

### Application Locations

Apply spray to the exterior surfaces of structures and to grounds, lawns, landscaping, plants and hard surface areas adjacent to structures. Can also be applied to any areas where pests congregate or have been seen.

### Perimeter Band Treatment

To help prevent pest infestation of structures, create a treated zone or band on the structure, soil and vegetation around the entire perimeter of a structure. Apply solution to all surfaces within a band beginning 6 to 10 feet from the exterior foundation of the structure that extends back to the structure and then continues 2 to 3 feet up the exterior surface of the structure from the ground. Application volume will depend upon the nature of the surface being treated. Mulch areas, for example, require more volume and hard surface areas requiring less.

### Control of Specific Structural Pests Outdoors

**Ants (Nuisance ants other than Carpenter Ants) Outdoors:** To achieve the highest level of control, locate and directly treat ant nests. Apply solution to ant trails, around doors and windows and at points where ants can be expected to forage or congregate.

**For Ant Mounds:** Treat mounds and area within a 2 foot radius of the center of the mound with 1-2 gallons of a 0.06% solution. When mounds exceed 12 inches in size use the highest volume of solution. Applications in cool weather (65 to 80 degrees F) or the cooler parts of the day are most effective. Do not apply treatment during the heat of the day.

**Bees, Wasps, Hornets, and Yellow Jackets:** Always use the highest rate. Make application in late evening when insects are at rest at the nest for best results and to avoid stings. Spray nest openings in ground, in trees and wherever insects may be nesting. Spray to the point of saturation. Spray as many insects as possible. Remove and destroy treated nests to prevent emergence of newly hatched insects.

**Centipedes, Earwigs, Beetles, Millipedes, Pillbugs, Sowbugs:** Thoroughly treat mulch areas. The reduction of moisture in mulch areas may also aid in control of these pests.

**Mosquitoes:** Apply solution to lawns and landscaping, under decks and to building foundations. Refer to *APPLICATIONS FOR ORNAMENTAL PESTS* section for mixing and applying large amounts of solution against mosquitoes.

**Fleas:** Treat the entire area where insects could be present. Begin treatments in the spring. Insects may be re-introduced by host animals in the surrounding area. Retreatment may be necessary to achieve and maintain control during periods of high pest pressure.

## CONTROL OF NUISANCE INSECTS INSIDE BUILDINGS

MAXXTHOR EC can be used indoors to control bees, wasps, hornets and yellow jackets by liberally spraying a 0.06% emulsion in the late evening when insects are at rest into hiding and breeding places, especially under attic rafters, contacting as many insects as possible. Repeat application is necessary only if there are signs of renewed insect activity which is more likely in situations of high initial pest pressure. Repeat application should be limited to no more than once every seven days.

Refer to the *CONTROL OF STRUCTURAL PESTS (OTHER THAN WOOD INFESTING INSECTS) ON AND AROUND BUILDINGS* section of this label for directions on mixing MAXXTHOR EC for these types of applications.

**Important:** Do not apply emulsion until location of heat pipes, ducts, water and sewer lines and electrical conduits are known and identified. Caution must be taken to avoid puncturing and injection into these structural elements. Do not apply into electrical fixtures, switches or sockets.

Remove pets, birds and cover aquariums before spraying. Do not permit humans or pets to contact treated surfaces until the spray has dried.

Wear protective clothing, unvented goggles, gloves and respirator, when applying to overhead areas or in poorly ventilated areas. During any overhead applications to overhead interior areas of structures, cover surfaces below with plastic sheeting or similar materials.

In the home, cover all food handling/processing surfaces and cover or remove all food and cooking utensils, or wash thoroughly after treatment.

For use only in nonfood/feed areas of food/feed handling establishments. Do not use in food/feed areas of food/feed handling establishments, restaurants or other areas where food/feed is commercially prepared or processed. Do not use in serving areas while food is exposed or facility is in operation. Serving areas are areas where prepared foods are served such as dining rooms but excluding areas where food may be prepared or held. Nonfood/feed areas of food/feed areas are 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 (after bottling or canning).

Not for use in Federally inspected meat and poultry plants.

## APPLICATION UNDER SLABS TO CONTROL PESTS

Infestations of pests such as ants, cockroaches and scorpions inhabiting areas under slabs may be controlled by drilling and injecting or horizontal rodding and then injecting 1 gallon of a 0.06% to 0.12% emulsion per 10 square feet or 2 gallons of emulsion per 10 linear ft.

## ATTENTION

Use only in well ventilated areas.

Do not apply to pets, crops, sources of electricity or firewood.

During any application to overhead areas of structure, cover surfaces below with plastic sheeting or similar material, except for soil surfaces in crawlspaces.

Do not allow dripping or runoff to occur during indoor applications.

Do not treat areas where food is exposed.

Do not allow spray to contact food, foodstuffs, food contacting surfaces, food utensils or water supplies.

Thoroughly wash dishes and food handling utensils with soap and water if they become contaminated by application of this product.

Do not allow people or pets to touch or walk on treated surfaces until spray has dried.

Do not apply a broadcast application to interior surfaces of homes.

Do not apply in livestock buildings such as barns.

Do not allow spray to drift onto ponds, streams or lakes.

Do not apply in greenhouses or nurseries or by air.

## 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 must be followed carefully. However, because of manner of use and other factors beyond the control of Ensystex IV, Inc., it is impossible for Ensystex IV 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 Ensystex IV harmless for any claims relating to such factors.

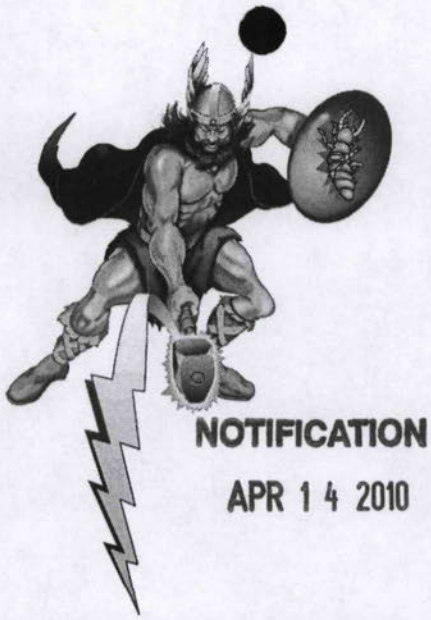
**DIECLAIMER OF WARRANTIES:** Seller warrants that this product conforms to the chemical description in the label and is reasonably fit for the purposes stated on the Directions for Use when used in accordance with the Directions for Use under normal conditions of use. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ENSYSTEX IV 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 Ensystex IV, Inc., and buyer assumes the risk of any such use.

**LIMITATIONS OF LIABILITY:** To the extent consistent with applicable law, Ensystex IV 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 ENSYSTEX IV 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 ENSYSTEX IV, 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.

MAXXTHOR is a registered trademark of Ensystex, Inc.

Revised 06/08EPA 20100324



NOTIFICATION

APR 1 4 2010

# MAXXTHOR EC

**For use only by individuals/firms licensed or registered by the state to apply termiticide products when applied as a termiticide. States may have more restrictive requirements regarding qualifications of persons using this product. Consult the structural pest control regulatory agency of your state prior to use of this product. For use by pest contol operators or commercial operators to control pests on lawns and ornamental plants.**

| Active Ingredient: | By Wt. |
|---|---|
| Bifenthrin* | 23.4% |
| Other Ingredients**: | 76.6% |
| TOTAL: | 100.0% |

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

**Contains petroleum distillates

**EPA Reg. No. 83923-6 EPA Est. 81824-NC-001**

MAXXTHOR EC contains 2 pounds active ingredient per gallon.

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

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

**For product use information call 1-866-FOR-THOR (367-8467).**

## KEEP OUT OF REACH OF CHILDREN

## WARNING

***ENSYSTEX IV, Inc.***

Fayetteville, NC 28303

**Net Contents: As marked on container**

| FIRST AID | |
|---|---|
| **If swallowed** | • Immediately call a poison control center or doctor.<br>• Do not induce vomiting unless told to do so by a poison control center or doctor.<br>• Do not give any liquid to the person.<br>• Do not give anything by mouth to an unconscious person. |
| **If inhaled** | • Move person to fresh air.<br>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.<br>• Call a poison control center or doctor for further treatment advice. |
| **If on skin or clothing** | • Take off contaminated clothing.<br>• Rinse skin immediately with plenty of water for 15 to 20 minutes.<br>• 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.<br>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.<br>• Call a poison control center or doctor for treatment advice. |

## HOTLINE NUMBER

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

## NOTE TO PHYSICIAN

This product is a pyrethroid. This product also contains aromatic hydrocarbons. Because of the risk of hydrocarbon pneumonitis if even tiny amounts are aspirated into the lung during emesis, consideration should be given to gastric lavage with endotracheal tube in place. Treatment is symptomatic and supportive. Animal and vegetable fats, milk, cream and alcohol may increase absorption and should not be administered.

## PRECAUTIONARY STATEMENTS

### Hazards to Humans and Domestic Animals

May be fatal if swallowed. Causes skin irritation and moderate eye irritation. Do not get on skin or on clothing. Avoid breathing vapors or spray mist, and contact with eyes. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Remove contaminated clothing and wash contaminated clothing before reuse.

**Personal Protective Equipment:** All pesticide handlers (mixers, loaders and applicators) must wear long-sleeved coveralls worn over a minimum of short-sleeved shirt and short pants, socks, chemical-resistant footwear, chemical-resistant gloves and protective eyewear. After the product is diluted in accordance with label directions for use (or if an in-line injector system is used) shirts, pants, socks, shoes and waterproof gloves are sufficient. All pesticide handlers must wear a respiratory protection device when handling the concentrate or when working in a non-ventilated space (such as a NIOSH approved respirator with any R, P or HE filter or a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any R, P or HE pre-filter). All pesticide handlers must wear protective eyewear, such as goggles, faceshield or safety glasses, when working in a non-ventilated space or when applying as a termiticide by rodding or sub-slab injection.

**Termite Control Treatment:** When treating adjacent to an existing structure, the applicator must check the area to be treated and immediately adjacent areas of the structure for visible and accessible cracks and holes to prevent any leaks or significant exposures to persons occupying the structure. People present or residing in the structure during application must be advised to remove their pets and themselves from the structure if they see any signs of leakage. After application, the applicator is required to check for leaks. All leaks resulting in the deposition of termiticide in locations other than those prescribed on this label must be cleaned up prior to leaving the application site. Do not allow people or pets to contact contaminated areas or to reoccupy contaminated areas of the structure until the clean-up is completed.

### Environmental Hazards

This pesticide is extremely toxic to 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. Do not contaminate water by cleaning of equipment or disposal of equipment washwaters. Do not apply when weather conditions favor drift from treated areas. Care should be used when spraying to avoid fish and reptile pets in/around ornamental ponds.

Do not apply this product or allow it to drift to crops or weeds on which bees are actively foraging. Additional information may be obtained from your Cooperative Extension Service.

### Physical and Chemical Hazards

Do not use or store near heat or open flame.

Do not apply this product in or on electrical equipment 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.

## STORAGE AND DISPOSAL

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

**Pesticide Storage:** If crystals are observed, warm material to above 60°F by placing container in warm location. Shake or roll container periodically to redissolve solids. Do not use external source of heat for warming container.

Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use, replace lids and close tightly. Do not put concentrate or dilute material into food or drink containers. Do not contaminate other pesticides, fertilizers, water, food, or feed by storage or disposal.

**In Case of Spill:** Confine it, avoid contact, isolate area and keep animals and unprotected persons away. If spill is liquid, form dike around spill area and/or absorb spill with absorbent materials, such as sand, cat litter or clay. If spill is dry material, cover to prevent dispersal. Place damaged package in a holding container and identify contents. Contact Ensystex at 1-866-367-8467 or Chemtrec at 1-800-424-9300 for any assistance

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

**Container Disposal:** Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) 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. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

## APPLICATION FOR CONTROL OF SUBTERRANEAN TERMITES

### General

MAXXTHOR EC, in the form of a dilute insecticidal solution, prevents and controls subterranean termite infestations in and around structures and other items by creating a continuous chemically treated zone (horizontal and/or vertical as needed) between the wood and other cellulose material in the structure and termite colonies in the soil. In order to establish a barrier between the wood in the structure and the termites in the soil, adequately disperse the solution of this product in the soil.

To effectively control termites with this product, the service technician should be familiar with current termite control practices including trenching, rodding, sub-slab and void injection, soil surface fan spraying, excavated soil treatment and brush, spray and injection applications to wood. Correct use of these techniques is necessary to effectively control infestations by subterranean termites such as *Coptotermes, Heterotermes, Reticulitermes* and *Zootermopsis*. The service technician should consider the biology and behavior of the termite specie(s) to be controlled to determine which control practices to use.

Treatment standards and procedures for subterranean termite control may vary due to regulations, water table level, structure design, soil types, construction practices and other factors. For advice concerning current control practices with respect to specific local conditions, consult resources in structural pest control and state cooperative extension and regulatory agencies. Follow all federal, state and local regulations and treatment standards for protection of a structure from subterranean termites.

Effective termite control may also include mechanical alteration 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 is advised. Removal of non-essential cellulose containing materials that are in contact with the ground under or around the structure can reduce termite foraging in the area. When untreated wooden parts of the structure touch the ground and such contact cannot be broken, creating a barrier between the soil and such components using a solution of the product may protect the components and the structure against termite attack.

MAXXTHOR EC is labeled for use against subterranean termites as a 0.06% or 0.12% solution in water, however the 0.06% finished solution should be used for typical control situations. When difficult or problem soils or construction types are encountered, it may be necessary to use 0.12% MAXXTHOR EC mixed in reduced volumes of water.

Avoid contamination of water supplies due to backflow under reduced water system pressure by using anti-backflow equipment or procedures to prevent siphoning of any solution back into a water supply. Do not contaminate cisterns or wells. Do not treat soil that is water saturated or frozen. Do not treat while precipitation is occurring. Do not apply solution to an area or site if the soil at the area or site is in such a state or condition that runoff or movement of the solution from the treated area or site is likely to occur. Consult state and local specifications for recommended distances of wells from treated areas, or if such regulations do not exist, refer to Federal Housing Administration Specifications (H.U.D.) for guidance.

For the purposes of this label and its directions, crawl spaces are to be considered to be inside of the structure. Critical areas include areas where the foundation is penetrated by utility services, cracks and expansion joints, bath traps and areas where construction elements such as stairs, patios and slab additions abut the foundation.

### Mixing Directions For MAXXTHOR EC For Use As A Termiticide

Mix MAXXTHOR EC for use as a termiticide in the following manner:

1. Fill tank 1/4 to 1/3 full.
2. Start pump to begin by-pass agitation and place end of treating tool in tank to allow circulation through hose.
3. Add appropriate amount of MAXXTHOR EC.
4. Add remaining amount of water.
5. Let pump run and allow recirculation through the hose for 2 to 3 minutes.

MAXXTHOR EC may also be mixed into full tanks of water, but substantial agitation is required to ensure uniformity of the solution.

### Dilution of MAXXTHOR EC for Use as a Termiticide

For termite control, use rates for MAXXTHOR EC are expressed and the solution is mixed according to the percentage (%) concentration it forms when mixed in water. Use the mixing table or alternately the formulas below to determine the amount of MAXXTHOR EC to add to any quantity of water.

To prepare a 0.06% water solution, ready to use, dilute 1 quart of MAXXTHOR EC with 99.75 gallons of water. To prepare a 0.12% water solution, ready to use, dilute 2 quarts of MAXXTHOR EC with 99.5 gallons of water.

**Mixing Table for MAXXTHOR EC for Use as a Termiticide**

| Solution Percentage Concentration Desired | Gallons of Finished Solution Desired | Amount of MAXXTHOR EC to add | Water to mix with MAXXTHOR EC |
|---|---|---|---|
| 0.06% | 1 | 0.32 oz | 127.68 oz |
| | 5 | 1.60 oz | 4.99 gallons |
| | 10 | 3.2 oz | 9.975 gallons |
| | 25 | 8.0 oz. | 24.94 gallons |
| | 50 | 0.50 quart | 49.875 gallons |
| | 75 | 0.75 quart | 74.8125 gallons |
| | 100 | 1.00 quart | 99.75 gallons |
| | 150 | 1.50 quart | 149.62 gallons |
| | 200 | 2.00 quart | 199.5 gallons |
| 0.12%* | 1 | 0.64 oz | 127.36 oz |
| | 5 | 3.2 oz | 4.975 gallons |
| | 10 | 6.4 oz. | 9.95 gallons |
| | 25 | 0.5 quart | 24.875 gallons |
| | 50 | 1.0 quart | 49.75 gallons |
| | 75 | 1.5 quart | 74.625 gallons |
| | 100 | 2.0 quart | 99.5 gallons |
| | 150 | 3.0 quart | 149.25 gallons |
| | 200 | 1 gallon | 199.0 gallons |

*Only use the 0.12% rate in accordance with the *Adjustments to Application Volume* section. May also be used in accordance with the *FOAM APPLICATION* and *APPLICATIONS TO PROTECT UNDERGROUND ITEMS FROM TERMITE ATTACK* sections.

### Calculating an Amount of MAXXTHOR EC to Mix

To mix any amount of MAXXTHOR EC for termite control, determine:

A = Units of water into which the MAXXTHOR EC will be mixed. Express any partial units as decimal fractions (1/2 = .5). Any unit of measure, such as gallons or quarts, can be used for A. Answers to equations below are in same units as A.

MAXXTHOR EC to add to A for 0.06% = A / 399

MAXXTHOR EC to add to A for 0.12% = A / 199.5

To convert gallons to fluid ounces, multiply number of gallons X 128

128 fluid ounces = 16 cups = 8 pints = 4 quarts = 1 gallon

32 fluid ounces = 1 quart

### Application Volume

To provide maximum control and protection against termite infestation, apply the specified volume of the finished water solution containing the specified amount of MAXXTHOR EC as set out below or as otherwise directed in this label.

**Prescribed Horizontal Barrier Rate:** Unless otherwise directed, horizontal barriers are created by applying a 0.06% solution at a rate of one gallon of solution per 10 square feet. (One gallon of 0.06% solution contains 0.32 fluid ounce of MAXXTHOR EC.)

**Prescribed Vertical Barrier Rate:** Unless otherwise directed, vertical barriers are created by applying a 0.06% solution at a rate of four gallons of solution per 10 linear feet per foot of depth. (Four gallons of 0.06% solution contains 1.28 fluid ounces of MAXXTHOR EC.)

### Adjustments to Application Volume

If soil will not accept the labeled application volumes, the volume may be reduced provided there is a corresponding increase in concentration so that the amount of active ingredient applied to the soil remains the same.

Note: Large reductions of application volume reduce the likelihood of obtaining a continuous barrier. Variance is allowed when volume and concentration are consistent with label directed rates and a continuous barrier can still be achieved. When volume is reduced, the spacing of holes created for sub slab injection and soil rodding may need to be reduced to account for decreased dispersion of the solution in the soil.

For example, adjust the amount of solution applied to deliver a horizontal barrier of 10 square feet from 1 gallon to as low as 0.5 gallons and as high as 2 gallons while maintaining the amount of MAXXTHOR EC (.32 fluid ounce) applied per 10 square feet.

For example, adjust the amount of solution applied to deliver a vertical barrier 10 feet long by one foot deep from 4 gallons to as low as 2 gallons and as high as 8 gallons while maintaining the amount of MAXXTHOR EC (1.28 fluid ounces) applied per 10 linear feet.

## PRE-CONSTRUCTION TREATMENT

### All Structures

**Pre-construction treatment: Do not apply at a lower dosage and/or concentration than specified on this label for applications prior to the installation of the finished grade.**

Prior to each application, applicators must notify the general contractor, construction superintendent, or similar responsible party, of the intended termiticide application and intended sites of application and instruct the responsible person to notify construction workers and other individuals to leave the area to be treated during application and until the termiticide is absorbed into the soil.

Effective control of subterranean termites can be accomplished during construction by using a 0.06% solution of MAXXTHOR EC to establish vertical and/or horizontal barriers between the structure and the soil as directed. Applications should be made as a coarse low pressure spray (less than 50 psi). To meet current termite proofing requirements, follow the procedures in the latest edition of the Housing and Urban Development Minimum Property Standards.

### Horizontal Barriers Under Slabs on Ground Including Basements

Create a horizontal barrier on the entire surface of soil or substrate that will be covered by a slab, including, but not limited to, slab floors, footing trenches, garages, carports, basements, porches and entrance platforms by treating the soil or substrate with the solution at the Prescribed Horizontal Barrier Rate.

If the fill under the slab is a coarse material such as washed gravel, apply at 1.5 times the Prescribed Horizontal Barrier Rate to make sure that a sufficient enough amount of dilution is applied that the solution reaches the soil beneath the fill.

Apply solution using a coarse spray nozzle. If the slab over the treated area will not be poured on the same day as the application (and there are no foundation walls in place around the treated soil) cover treated soil with a water-proof barrier such as polyethylene sheeting.

### Vertical Barriers

Create a vertical barrier along the inside and outside of foundation walls, around piers, plumbing and utility service entrances and other points of possible future termite access and entry by treating the soil at these points at the Prescribed Vertical Barrier Rate. When trenching and rodding into the trench, or trenching alone, it is important that the solution reaches the top of the footing. Rod holes must be spaced so as to achieve a continuous termiticidal barrier, but they should in no case be more than 12 inches apart. Trenches need not be wider than 6 inches. Mix the solution into the soil as it is being replaced in the trench. Care should be taken to avoid washing soil out from around footings thereby undermining the stability of the structure. An inside vertical barrier may not be required for a monolithic slab.

When treating foundations deeper than 4 feet, apply the termiticide as the backfill is being replaced, or if the construction contractor fails to notify the applicator in time to permit this, treat the foundation to a minimum depth of 4 feet after the backfill has been installed. The applicator must trench and rod into the trench or trench along the foundation walls and around pillars and other foundation elements, at the rate prescribed from grade to a minimum depth of 4 feet. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. However, in no case should a structure be treated below the footing.

### Hollow Block Foundations and Voids

Hollow block foundations and voids may be treated at a rate of 2 gallons of solution per 10 linear feet to create a continuous treated zone within the voids at the footing.

## POST CONSTRUCTION TREATMENT

### All Structures

Post construction soil applications shall be made by injection, rodding, trenching or coarse fan spray with pressures not exceeding 25 p. s. i. at the nozzle. Care should be taken to avoid washing soil out from around footings thereby undermining the stability of the structure.

Do not apply treatment until the identity and location of all wells, radiant heat pipes, water and sewer lines, electrical conduits and sub-slab heating and air conditioning ducts is established. Caution must be taken to avoid puncturing these elements and/or injecting solution into them. All holes in commonly occupied areas into which material has been applied must be plugged. Plugs must be of a non-cellulose material or covered by an impervious, non-cellulose material.

**Vertical Barrier Depth:** For applications made after the final grade is installed, the applicator must trench and rod into the trench or trench along the foundation walls and around pillars and other foundation elements and treat at the rate prescribed from grade to the top of the footing. When the footing is more than four (4) feet below grade, the applicator must trench and rod into the trench or trench along the foundation walls and treat at the rate prescribed to a minimum depth of four feet. The actual depth of treatment will vary depending on the soil type, degree of compaction, and location of termite activity. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. However, in no case should a structure be treated below the footing.

### Structures Containing Concrete Slabs on Ground (Monolithic/Floating/Supported) including Basements

To make an application beneath existing slabs, it may be necessary to drill holes in the slab or adjacent foundation and to apply solution. Holes should be spaced such that when treatment is applied through them, a continuous treated zone is applied beneath the slab.

**Vertical Barriers Along Exterior of Foundation Walls:** Trench and rod into the trench or trench along the outside of foundation walls and treat at the Prescribed Vertical Barrier Rate to the depth specified under Vertical Barrier Depth. Where physical obstructions such as concrete walkways adjacent to foundation elements or soil type and/or conditions make trenching prohibitive, treatment may be made by rodding alone.

**Vertical Barriers Along Interior of Foundation Walls:** Vertical barriers may be established on the interior side of foundation walls by sub-slab injection of the solution at the Prescribed Vertical Barrier Rate. Injection openings can be drilled either vertically through the slab along the interior of the foundation wall or horizontally from the exterior through the foundation wall low enough on the wall to allow for the deposition of the solution beneath the slab along the interior side of the foundation wall. Drill holes should be spaced so as to achieve a continuous chemical barrier but in no case farther apart than 12 inches. Special care must be taken to distribute the solution evenly. Vertical barriers may also be established beneath the slab along both sides of interior footing-supported walls, one side of interior partitions and along all cracks and expansion joints and utility service entrances and bath traps.

**Horizontal Barriers Beneath Slabs on Ground:** Create a horizontal barrier by treating at the Prescribed Horizontal Barrier Rate beneath slabs by either drilling and long rodding from the exterior or by grid pattern drilling and injection vertically through the slab. Long rodding should be used only when grid pattern drilling and injection and horizontal short rodding and injection cannot be used to deliver the sub slab treatment.

**Bath Traps:** Exposed soil beneath and around areas where plumbing and utility services penetrate the slab should be treated at the rate of 1 gallon of solution per square foot of soil.

### Structures Containing Accessible Crawl Spaces

For crawl spaces, apply vertical termiticide barriers at the rate of 4 gallons of solution per 10 linear feet per foot of depth from grade to the top of the footing, or if the footing is more than 4 feet below grade, to a minimum depth of 4 feet. Apply by trenching and rodding into the trench, or trenching. Treat both sides of foundation and around all piers and pipes. Where physical obstructions such as concrete walkways adjacent to foundation elements prevent trenching, treatment may be made by rodding alone. When soil type and/or conditions make trenching prohibitive, rodding may be used. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. Read and follow the mixing and use direction section of the label if situations are encountered where the soil will not accept the full application volume.

1. Rod holes and trenches must not extend below the bottom of the footing.

2. Rod holes must be spaced so as to achieve a continuous termiticide barrier but in no case more than 12 inches apart.

3. Trenches must be a minimum of 6 inches deep or to the bottom of the footing, whichever is less, and need not be wider than 6 inches. When trenching in sloping (tiered) soil, the trench must be stepped to ensure adequate distribution and to prevent termiticide from running off. The solution must be mixed with the soil as it is replaced in the trench.

4. When treating plenums or crawl spaces, turn off the air circulation system of the structure until application has been completed and all solution has been absorbed by the soil.

### Structures Containing Inaccessible Crawl Spaces

For inaccessible interior areas, such as areas where there is insufficient clearance between floor joists and ground surfaces to allow operator access, excavate, if possible, and treat according to the instructions for accessible crawl spaces. Otherwise, apply one, or a combination of the following two methods.

1. To establish a horizontal barrier, apply to the soil surface, 1 gallon of solution per 10 square feet overall using a nozzle pressure of less than 25 p.s.i. and a coarse application nozzle (e.g., Delavan Type RD Raindrop, RD-7 or larger, or Spraying Systems Co. 8010LP TeeJet or comparable nozzle). For areas that cannot be reached with the application wand, use one or more extension rods to make the application to the soil. Do not broadcast or power spray with higher pressures.

2. To establish a horizontal barrier, drill through the foundation wall or through the floor above and treat the soil perimeter at a rate of 1 gallon of solution per 10 square feet. Drill spacing must be at intervals not to exceed 16 inches. Many states have smaller intervals, so check state regulations which may apply.

When treating plenums or crawl spaces, turn off the air circulation system of the structure until application has been completed and all termiticide has been absorbed by the soil.

### Masonry Voids

Drill and treat voids in multiple masonry elements of the structure extending from the structure to the soil in order to create a continuous treatment barrier in the area to be treated. Apply at the rate of 2 gallons of solution per 10 linear feet of footing using a nozzle pressure of less than 25 p.s.i. When using this treatment access holes must be drilled below the sill plate and should be as close as possible to the footing as is practical. Treatment of voids in block or rubble foundation walls must be closely monitored: Applicators must inspect areas of possible runoff as a precaution against application leakage in the treated areas. Some areas may not be treatable or may require mechanical alteration prior to treatment.

All leaks resulting in the deposition of termiticide in locations other than those prescribed on this label must be cleaned up prior to leaving the application site. Do not allow people or pets to contact contaminated areas or to reoccupy the contaminated areas of the structure until the clean-up is completed.

Note: When drilling veneer walls, care should be taken to not drill beyond the depth of the void behind the veneer into another construction layer behind the veneer. It is however permissible to drill through the veneer and into concrete blocks behind the veneer and to treat the veneer and the concrete blocks at the same time.

Note: Not for use in voids insulated with rigid foam.

## TREATMENT OF STRUCTURES WITH WELLS AND CISTERNS

Do not contaminate wells or cisterns.

### Structures with Wells/Cisterns Inside Foundations

Structures that contain wells or cisterns within the foundation of a structure can only be treated using the following techniques:

1. Do not treat soil while it is beneath or within the foundation or along the exterior perimeter of a structure that contains a well or cistern. The treated backfill method must be used if soil is removed and treated outside/away from the foundation. The treated backfill technique is described as follows:

a. Trench and remove soil to be treated onto heavy plastic sheeting or similar material or into a wheelbarrow.

b. Treat the soil at the rate of 4 gallons of dilute solution per 10 linear feet per foot of depth of the trench, or 1 gallon per 1.0 cubic feet of soil. See *Mixing Directions for MAXXTHOR EC for Use as a Termiticide* section of the label. Mix thoroughly into the soil taking care to contain the liquid and prevent runoff or spillage.

c. After the treated soil has absorbed the solution, replace the soil into the trench.

2. Treat infested and/or damaged wood in place using an injection technique such as described in the *APPLICATION TO WOOD INDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS* or *APPLICATION TO WOOD OUTDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS* sections of this label.

### Structures with Adjacent Wells/Cisterns and/or Other Water Bodies

Applicators must inspect all structures with nearby water sources such as wells, cisterns, surface ponds, streams, and other bodies of water and evaluate, at a minimum, the treatment recommendations listed below prior to making an application.

1. Prior to treatment, if feasible, expose the water pipe(s) coming from a well to the structure, if the pipe(s) enter the structure within 3 feet of grade.

2. Prior to treatment, applicators are advised to take precautions to limit the risk of applying the termiticide into subsurface drains that could empty into any bodies of water. These precautions include evaluating whether application of the termiticide to the top of the footer may result in contamination of the subsurface drain. Factors such as depth to the drain system and soil type and degree of compaction should be taken into account in determining the depth of treatment.

3. When appropriate (for example, on the water side of the structure), the treated backfill technique (described above) can also be used to minimize offsite movement of termiticide.

## FOAM APPLICATION

MAXXTHOR EC, in the form of a foam, can be used to deliver MAXXTHOR EC as a termiticide any time it appears likely this form of delivery will improve the dispersal of MAXXTHOR EC into and within the intended target area. Foam can be particularly useful to deliver MAXXTHOR EC where it either cannot be depended upon to be delivered as just a solution or due to a need to reduce the amount of water used in order to avoid water damage to the target or adjacent areas. In some situations, for example under some slabs, a solution cannot be depended upon to disperse as completely as a foam because of deflection of the liquid stream or some other structural obstacle or defect.

Depending on the circumstances, foam applications of MAXXTHOR EC may be used alone or in combination with liquid solution applications, provided that the cumulative amount of active ingredient per unit of area applied is equivalent to that which would be contained in a 0.06% solution-only application applied to the same area. Mix and apply foam and or foam/liquid emulsion in combination such that at least 1.28 ounces of MAXXTHOR EC concentrate is applied per 10 linear feet when creating vertical barriers or 0.32 ounces of MAXXTHOR EC concentrate is applied per 10 square feet when creating horizontal barriers. Typically, at least 75% of the labeled liquid emulsion volume of product should be applied as a liquid, with the remaining percent delivered as a foam. Foam may be used alone in difficult situations.

Using foam generating equipment, a solution of MAXXTHOR EC, ranging in concentration from 0.06% to 0.12%, may be converted into a foam 2 to 40 times the volume of its liquid equivalent according to the foaming agent and foaming equipment manufacturer's recommendations.

First, form a solution of MAXXTHOR EC of the appropriate percentage concentration and volume. Then add the recommended volume of a foaming agent. Verify that the foaming agent is compatible with MAXXTHOR EC.

Applications may be made behind veneers, piers, chimney bases, into rubble foundations, into block voids, structural voids or other similar voids, under slabs, stoops, porches or to the soil in crawlspaces.

## RETREATMENT

Retreatments for subterranean termites can only be performed if there is clear evidence of reinfestation or disruption of the barrier due to construction, excavation or landscaping and/or evidence of the breakdown of the termiticide barrier in the soil. These vulnerable or reinfested areas may be retreated in accordance with application techniques described in this product's labeling. The timing and type of these retreatments will vary, depending on factors such as termite pressure, soil types, soil conditions and other factors which may reduce the effectiveness of the barrier.

Annual retreatment of the structure is prohibited unless there is clear evidence that reinfestation or barrier disruption has occurred.

## APPLICATION IN CONJUNCTION WITH TERMITE BAITS

Spot only applications of MAXXTHOR EC can be used as a supplement to termite baiting systems. For the purposes of this section, spot only applications are defined as the use of MAXXTHOR EC according to any of the permitted and applicable post-treatment application techniques contained in this label, alone or in combination, to the extent needed or deemed necessary or useful as an adjunct to a termite bait product labeled as a stand alone protection against termite attack. Stand alone termite bait product is defined as a termite bait product that provides sufficient structural protection when applied without other termite control products.

## APPLICATION TO PROTECT UNDERGROUND ITEMS FROM SUBTERRANEAN TERMITE ATTACK

To protect components installed underground such as wires, conduits, cables and pipes buried in soil against termite attack, create an envelope of MAXXTHOR EC treated soil around the components along the entire underground length of the component. First, treat soil through which components will be run with 0.06% to 0.12% solution of MAXXTHOR EC at a rate of 2 gallons of solution per 10 linear feet. Install components, laying them on the treated soil. Cover components with untreated soil and then treat this covering soil using the same percent solution at 2 gallons of solution per 10 linear feet.

Underground components to be protected may be located within the foundation of a structure or outside of a structure such as within a utility right of way, for example. Do not treat items that are electrically energized at the time of application. If the soil will not absorb the indicated amount of solution, as little as 1 gallon of 0.12% solution per 10 linear feet can be used. Treat points where services emerge from the ground at a rate of 1 to 2 gallons of solution at the point of emergence.

## APPLICATIONS TO PROTECT POLES, POSTS AND OTHER WOODEN ITEMS FROM SUBTERRANEAN TERMITE ATTACK

MAXXTHOR EC can be used to protect the below ground portions of wooden structural components from termites. Form a treated zone around components below ground by vertically rodding the soil around their perimeter to a depth of six inches below their maximum depth of placement in the soil and applying a 0.06% solution of MAXXTHOR EC at a rate of 0.4 gallons of solution per linear foot of perimeter around the component per foot of treated depth. Measure the perimeter of the component six inches from the outside of the component.

# APPLICATIONS TO CONTROL WOOD INFESTING INSECTS

Mix and dilute MAXXTHOR EC according to the instructions contained in the *APPLICATION FOR CONTROL OF SUBTERRANEAN TERMITES* section.

## APPLICATIONS TO CONTROL EXPOSED WOOD INFESTING INSECTS LOCATED ABOVE GROUND

MAXXTHOR EC can be applied above ground as a non-soil treatment to control and kill exposed worker and winged reproductive (swarmer) termites and Carpenter ants. This type of application is only supplementary to and should not be considered as a replacement for soil treatment in the case of termite infestation.

Apply a 0.06% solution as a general fan spray within attics, crawl spaces, unfinished basements and other void areas where termites have been found. Apply treatment directly to swarming termites and areas where they congregate.

## APPLICATIONS TO TERMITE CARTON NESTS LOCATED IN ABOVE GROUND WALL VOIDS

Apply a 0.06% solution of MAXXTHOR EC directly into above ground termite carton nests including nests located in wall voids using a directional injector. Apply as a solution or foam under pressure to distribute solution thoroughly throughout the nest. It may be necessary to inject solution at one or more points and at varying depths within the nest to adequately distribute solution within the interior of the nest.

## APPLICATION TO WOOD INDOORS TO PROTECT AGAINST WOOD INFESTING INSECTS

A 0.06% solution of MAXXTHOR EC applied as a liquid or foam to wooden structural components within structures can be used to protect them against attack from wood infesting insects such as termites, Carpenter ants and wood boring beetles or borers. This type of application is only supplementary to and should not be considered a replacement for soil treatment in the case of termite infestation.

Apply solution as a general fan spray onto the surface of the wood or inject solution under pressure into the wood as a liquid or foam. Inject by either injecting solution through a directional injector directly into existing voids and galleries or by drilling wood to form treatment channels through which the solution can be injected into the insect galleries. Multiple treatment channels of varying depth may need to be drilled to adequately distribute the solution within the wood interior. Application can also be made with a paintbrush.

Before application, locate heat pipes, ducts, water and sewer lines and electrical conduits. Take precautions to avoid puncturing and/or injecting solution into these items. Do not apply solution inside of electrified enclosures, switches or sockets.

Plastic sheeting must be placed below any indoor overhead surfaces being treated that are located anywhere except within a soil-based crawl space. Wear protective clothing, unvented goggles, gloves and respirator when making an overhead application or when applying in poorly ventilated indoor areas. Do not touch surfaces until spray has dried.

When treating in home food preparation and storage areas, cover all food preparation surfaces and utensils prior to beginning treatment. Surfaces or items that cannot be covered or removed should be thoroughly washed after treatment and before use. Food that cannot be covered should be removed. Before application, remove pets, birds and cover and disconnect aquariums. Do not allow humans and pets to touch treated surfaces until they have dried.

## APPLICATION TO WOOD OUTDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS

### On and around structures

A 0.06% solution of MAXXTHOR EC applied as a liquid or foam to exterior structural components can be used to protect them from the attack of wood infesting insects such as termites, Carpenter ants and wood boring beetles or borers. Apply solution by general fan spray to the point of runoff onto the surface of the wood or inject solution under pressure into the wood as a liquid or foam. Inject by either injecting solution directly into existing voids and galleries or drilling wood to form treatment channels through which the solution can be injected into the insect galleries. Multiple treatment channels of varying depth may need to be drilled to adequately distribute the solution within the wood interior. Application can also be made with a paintbrush.

To control Carpenter ants, also apply solution around doors and windows and other areas Carpenter ants have been observed or can be expected to forage.

### Within wooden components and trees

Locate the cavity that the insects (such as Carpenter ants) are inhabiting, drilling to find the interior infested cavity if necessary. Inject a 0.06% solution of MAXXTHOR EC into the cavity as a solution or foam. Apply a sufficient volume of solution to completely flood or fill the cavity. Drill injection channels if necessary.

# APPLICATION TO CONTROL LAWN PESTS

MAXXTHOR EC controls a wide range of turfgrass insect and mite pests. MAXXTHOR EC is not for use on turfgrass being grown for sale, for commercial seed production, for other commercial use or for research.

### Application Sites

For use on any type of landscape or recreational turfgrass in any type of setting or at any type of site except as otherwise prohibited. Permitted sites include but are not limited to lawns, grounds, recreational areas, parks, landscapes and athletic fields. **New York State only: Do not apply MAXXTHOR EC containing solutions to grass or turf within 100 feet of a body of water (lake, pond, river, stream, wetland or drainage ditch).**

### Application Precautions and Preparations

Keep children and pets off treated areas until spray has dried.

If necessary, test the effects of applications of different rates and volumes of mixed solution on a small patch of a type of grass (with observations over one week to detect the occurrence of negative effects) before application of solutions to large areas of that type of grass.

MAXXTHOR EC can be mixed with other pesticides, including insect growth regulators. Follow the label directions of all the products mixed, making sure not to exceed the labeled application rate of any individual product in the mixture. Any tank mixture that has not been tested before should be tested before full scale use by first mixing a small quantity of the mixture to ensure there is no physical or chemical incompatibility.

Do not apply when wind conditions favor downwind drift to nearby water bodies or when wind velocity exceeds 10 miles per hour.

### Application Methods

Apply solution as a broadcast treatment in a quantity sufficient to wet all foliage. Apply using nozzles that provide the largest droplet size compatible with adequate coverage.

To maximize efficacy against sub-surface pests such as mole crickets or chinch bugs, MAXXTHOR EC should be applied with a non-ionic or silicone based surfactant (0.25% v/v) in sufficient water to ensure good penetration of spray into the soil-thatch matrix. Treated areas should then be irrigated with 0.25 to 0.5 inches of water immediately afterwards paying special attention so that run-off or puddling does not occur.

If necessary, consult resources in horticulture in your area (such as your Cooperative Extension Service) to determine appropriate application timing and cultural practices to control different types of pests.

### Reapplication

Reapplications may be necessary particularly in the event of high pest pressure. Do not apply more often than every 7 days. **New York State only: Do make a single reapplication of MAXXTHOR EC if there is renewed insect activity, but not sooner than two weeks after first application.**

### Lawn Application Use Rates and Volumes

Use rates for MAXXTHOR EC for lawn pests are stated in fluid ounces of MAXXTHOR EC per 1000 square feet.

Apply MAXXTHOR EC at 0.07 to 0.30 fluid ounces per 1000 square feet depending on the target pest. Recommended rates for specific pests within this range are given below.

Depending on the length and/or density of grass being treated, application volumes of up to 10 gallons per 1000 square feet can be made in order to obtain uniform coverage. If a minimal volume application is made (2 gallons per 1000 square feet) and the target pest, such as mole crickets or chinch bugs for example, are located in the thatch or below the surface, irrigate the treated area with at least 0.25 to 0.50 inches of water immediately after the application. The addition of a non-ionic or silicone based surfactant (0.25% v/v) is also recommended when making a minimal volume application.

The calculated amount of MAXXTHOR EC can be applied in any volume of water as long as the maximum label rate per 1000 feet is not exceeded. Do not exceed the maximum label rate by applying solution to an area smaller than intended when it was mixed and diluted unless such under dosing will not result in an application rate per 1000 square feet in excess of the maximum label rate.

### Lawn Pest Application Use Rates

The application rates listed below provide control of the listed pests under normal conditions. Use the higher application rates when maximum residual control is needed.

| Use Rate Table for MAXXTHOR EC for Lawn Applications | |
|---|---|
| **Use Rate** | **Fluid ounces MAXXTHOR EC per 1,000 square feet (Range)** |
| A | 0.07⇒0.15 |
| B | 0.07⇒0.30 |
| C | 0.15 |

### Lawn Pests Grouped by Use Rates

**Use Rate A:** Ants, Armyworms, Billbugs, Chinch Bugs, Crane Flies, Crickets, Cutworms, Earwigs, Fall Webworms, Fleas (adults, larvae), Grasshoppers, Mites, Mole Crickets, Sod Webworms, Spittlebugs

**Use Rate B:** Japanese Beetles (adult)

**Use Rate C:** Crane Flies

| Mixing Table for MAXXTHOR EC for Lawn Applications | | | | |
|---|---|---|---|---|
| Application Volume: Gallons/1000 sq. ft. | Use Rate: Fluid oz. / 1000 sq. ft. (select from Use Rate Table) | Add these amounts of MAXXTHOR EC to the indicated volumes of water | | |
| | | 5 gal. | 10 gal. | 25 gal. |
| 2 | .07 | .175 | .35 | 0.875 |
| | .15 | .375 | .75 | 1.875 |
| | .22 | .550 | 1.10 | 2.750 |
| | .30 | .75 | 1.50 | 3.750 |
| 5 | .07 | .07 | .14 | 0.350 |
| | .15 | .15 | .30 | 0.750 |
| | .22 | .22 | .44 | 1.100 |
| | .30 | .30 | .60 | 1.500 |
| 10 | .07 | - | .07 | .175 |
| | .15 | - | .15 | .375 |
| | .22 | - | .22 | .550 |
| | .30 | - | .30 | .750 |

### Calculating Amounts of MAXXTHOR EC to Mix for Lawn Pests

To mix and apply any amount of MAXXTHOR EC for lawn pests, determine:

A = Square feet of area to be treated / 1000

B = Use Rate per 1000 square feet for the target pest(s) in fluid ounces MAXXTHOR EC taken from the Use Rate Table. If treating for more than one type of pest, select the highest rate.

Calculate the amount of MAXXTHOR EC to mix for lawn pests as follows:

Fluid Ounces MAXXTHOR EC to use = A X B

Mix this amount of MAXXTHOR EC in the amount of water needed to make the application.

### Application Recommendations Against Specific Lawn Pests

**Armyworms, Cutworms, Sod Webworms:** Do not water or mow grass within 24 hours of application for optimum control of these surface feeding insects.

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

**Mole Crickets:** For control of overwintering Mole Crickets, apply the lower rate in early Spring. For the control of adult Mole Crickets in late-Summer or early Fall, apply the higher rate.

**Crane Flies:** Treatments can be made to control early to midseason larvae (approximately August - February) as they feed on plant crowns. Treatments made to late-season larvae (approximately March, April) may only provide suppression.

## APPLICATION TO CONTROL ORNAMENTAL PESTS

MAXXTHOR EC controls a wide range of insects and mites on trees, shrubs, foliage plants, non-bearing fruit and nut trees and flowers. Non-bearing trees are perennial plants that will not produce a harvestable agricultural commodity within the next 12 months. MAXXTHOR EC is not for use on plants being grown for sale, for commercial seed production or for research.

### Application Sites

For use on ornamental plants including but not limited to trees, shrubs, ground covers, bedding plants and foliage plants being used for decorative or climate modification purposes. Plants on which use is permitted include those being grown in any type of setting or at any type of site not otherwise prohibited. Permitted sites include but are not limited to ornamental gardens, parks, landscapes, lawns, grounds and interior plantscapes.

### Application Preparation

If necessary, test the effects of applications of different rates and volumes of mixed solution on a small number of a type of plant (with observations over one week to detect the occurrence of negative effects) before application of solution to large numbers of that type of plant.

MAXXTHOR EC can be mixed with other pesticides, including insect growth regulators. Follow the label directions of all the products mixed, making sure not to exceed the label rate of any individual product in the mixture. Any tank mixture that has not been tested before should be tested before full scale use by first mixing a small quantity of the mixture to ensure there is no physical or chemical incompatibility.

### Application Methods

Apply solution in a quantity sufficient to wet all foliage. It may also be necessary to treat non-foliage parts of plants such as trunks and bark to control some pests based on where the pest may be located on the plant at a particular life stage.

For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

### Reapplication

Reapplications may be necessary as plant growth occurs and new foliage appears or in the event of high pest pressure. Do not apply more often than every 7 days.

### Ornamental Application Use Rates and Volumes

Use rates for MAXXTHOR EC for ornamental pests are stated in fluid ounces of MAXXTHOR EC per 4,356 square feet. Recommended ornamental application use rates, based on the target pest, range between 0.26 to 1.28 fluid ounce of MAXXTHOR EC per 4,356 square feet. Recommended rates for specific pests within this range are given below.

The calculated amount of MAXXTHOR EC can be applied in any volume of water as long as the applicable label rate per 4,356 feet is not exceeded. Do not exceed the maximum label rate by applying solution to an area smaller than intended when it was mixed and diluted unless such underdosing will not result in an application rate per 4,356 square feet in excess of the maximum label rate.

### Ornamental Pest Dilution Rates

The dilution rates listed below provide control of the listed pests under normal conditions. Use the higher dilution rate when maximum residual control is needed.

| Dilution Rate Table for MAXXTHOR EC for Ornamental Applications | | |
|---|---|---|
| Dilution Rate | Lbs. a. i. per 10 gallons<br>Lbs. a. i. per 4,356 sq. ft. | Fl. oz. per 10 gallons<br>Fl. oz. per 4,356 sq. ft. |
| A | 0.004 ⇒ 0.02 | 0.26 ⇒ 1.28 |
| B | 0.006 ⇒ 0.02 | 0.38 ⇒ 1.28 |
| C | 0.01 ⇒ 0.02 | 0.64 ⇒ 1.28 |

### Ornamental Pests Grouped by Dilution Rates

**Dilution Rate A:** Ants, Aphids, Bagworms, Black Vine Weevil (adults), Brown Soft Scales, Broad Mites, Budworms, California Red Scales (crawlers), Centipedes, Clover Mites, Crickets, Cutworms, Earwigs, Elm Leaf Beetles, Fall Webworms, Flea Beetles, Fungus Gnats (adults), Grasshoppers, Lace Bugs, Leafhoppers, Leaf feeding Caterpillars, Mealybugs, Millipedes, Mole Crickets, Orchid Weevil, Pillbugs, Pine Needle Scales (crawlers), Plant Bugs (incl. Lygus spp.), San Jose scales (crawlers), Sowbugs, Spiders, Spittlebugs, Tent Caterpillars, Tip Moths, Weevils, Whiteflies

**Dilution Rate B:** Citrus Thrips, Beet Armyworm, Diaprepes (larvae, adult), European Red Mite, Leafrollers, Spider Mites, Thrips, Twig Borers

**Dilution Rate C:** Japanese Beetles (adult), Leafminers, Pecan Leaf Scorch Mite, Black Vine Weevil (larvae), Fungus Gnats (larvae)

| Mixing Table for MAXXTHOR EC for Ornamental Applications | | | | |
|---|---|---|---|---|
| Application Volume: Gallons/4356 sq. ft. | Use Rate: Fluid ounces / 4356 sq. ft. | Add these amounts of MAXXTHOR EC to the indicated volumes of water | | |
| | | 5 gal. | 10 gal. | 25 gal. |
| 2 | 0.26 | 0.650 | 1.30 | 3.25 |
| | 0.38 | 0.950 | 1.90 | 4.75 |
| | 0.64 | 1.600 | 3.20 | 8.0 |
| | 1.28 | 3.200 | 6.40 | 16.00 |
| 5 | 0.26 | 0.260 | 0.52 | 1.30 |
| | 0.38 | 0.380 | 0.76 | 1.90 |
| | 0.64 | 0.640 | 1.28 | 3.20 |
| | 1.28 | 1.280 | 2.56 | 6.40 |
| 10 | 0.26 | -- | 0.26 | 0.65 |
| | 0.38 | -- | 0.38 | 0.95 |
| | 0.64 | -- | 0.64 | 1.60 |
| | 1.28 | -- | 1.28 | 3.20 |

### Calculating Amounts of MAXXTHOR EC to Mix for Ornamental Pests

To mix and apply any amount of MAXXTHOR EC for ornamental pests, determine:

A = Square feet of area to be treated /4,356

B = Use Rate per 4,356 square feet for the target pest(s) in fluid ounces MAXXTHOR EC taken from the Dilution Rate Table. If treating for more than one pest, select the highest rate.

Calculate the amount of MAXXTHOR to mix for ornamental pests as follows:

Fluid Ounces MAXXTHOR EC to use = A X B

Mix this amount of MAXXTHOR EC in the amount of water needed to make the application.

### Application Recommendations Against Specific Ornamental Pests

**Bagworms:** Spray when bagworms first begin to hatch. Apply directly to the larvae. Treatment is most effective against young larvae.

**Scale crawlers and twig borers**: Treat trunks, stems and twigs in addition to plant foliage.

**Black Vine Weevil and Fungus Gnat larvae:** Apply as a drench at the rate of approximately 8 ounces of finished spray per 6 inch pot.

## ORNAMENTAL TREE TRUNK SPRAY TO CONTROL BARK BEETLES

### Control of Dendroctonus bark beetles including mountain pine beetle, southern pine beetle, western pine beetle, Black turpentine beetle, and engraver beetles (Ips spp.)

**Preventative treatment:** Spray an aqueous solution containing 1.0 to 2.0 pints of MAXXTHOR EC per 100 gallons (0.25 to 0.5 lbs. ai/100 gallons) of water to the trunk of the tree in the spring or whenever nearby infested trees create the threat of an infestation. Apply spray directly to the main trunk from the base of the tree to at least half way into the live crown. Wet the bark with the spray thoroughly (usually 1 to 4 gallons of spray per tree). Do not apply more than 0.2 lbs. ai (12.8 fl. Oz.) of this product per acre of trees. Repeat application if infestation occurs. Application rates and application timing differ according to the target pest and other factors. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

**Treatment of infested trees to control emerging brood:** Make applications of a spray mixture containing 2.0 pints of this product per 100 gallons 0.5 lbs. ai/100 gallons) of water to trees that have beetles in their bark. Apply spray directly to the main trunk from the base of the tree to at least half way into the live crown. Spray until the bark is thoroughly wetted by the spray (usually 1 to 4 gallons of spray per tree). Do not apply more than 0.2 lbs. ai (12.8 fl. oz.) of this product per acre of trees.

Beetles are normally no longer present in trees in which all needles have turned brown. Trees in this condition should be sprayed only if a continuing infestation is confirmed. Confirm an infestation by removing bark. If live infestations remain in the trunks, fell the trees and cut into sections. Spray the trunk and large limbs, rotating the trunks as they are sprayed in order to thoroughly treat the exterior of the entire trunk. Do not apply more than 0.2 lbs. ai (12.8 fl. oz.) of this product per acre.

### Control of other bark beetles such as Ambrosia beetles, elm bark beetles and Emerald Ash borer

**Preventative control:** Spray an aqueous solution containing 1.0 to 2.0 pints of MAXXTHOR EC per 100 gallons (0.25 to 0.5 lbs. ai/100 gallons) of water to the trunk, scaffolding and limbs of the tree in the early spring or prior to adult beetle flight and tree infestation. Spray until the bark is thoroughly wetted by the spray (usually 6 to 12 gallons of spray per tree).

Do not apply more than 0.2 lbs. ai of this product per acre of [illegible]. Repeat application may be necessary if reinfestation is likely or for extended adult emergence and flight. Application rates and application timing differ according to the target pest and other factors. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

## CONTROL OF OTHER BORERS ON ORNAMENTAL TREES

Consult the table below for other boring insects. Geographic location and environmental conditions will affect application rate and timing. Spray bark until it is thoroughly wetted by the spray (usually 1 to 4 gallons of spray per tree). Do not apply more than 100 gallons of solution per acre of trees. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

| Pest | Recommended Dilution Rate (Range) | Specific Instructions |
|---|---|---|
| **Clearwing Moth borers**<br>Ash borer, banded ash clearwing, Dogwood borer, Lesser peachtree borer, Lilac borer, Oak borer<br>**Coleopteran borers**<br>Bronze birch borer, Flatheaded appletree borer | 6.4 to 12.8 fl. oz. per 100 gallons | Apply to the lower branches and trunks prior to adult emergence<br><br>Apply 12.8 fl. oz. per 100 gallons for maximum residual control |

## CONTROL OF STRUCTURAL PESTS (OTHER THAN WOOD INFESTING INSECTS) ON AND AROUND BUILDINGS

MAXXTHOR EC controls a wide range of structural pests including nuisance pests outside of structures. MAXXTHOR EC can be applied around any type of residential or commercial structure or building. Permitted sites include but are not limited to the exterior of homes, office buildings, mobile and modular homes, apartments and stores.

### Dilution of MAXXTHOR EC for Structural Pests

For structural pests, use rates for MAXXTHOR EC are expressed and mixed according to the percentage (%) concentration solution it forms when mixed in water. Each 0.166 fluid ounce (1 teaspoon) of MAXXTHOR EC that is added to one gallon of water increases the concentration of MAXXTHOR EC in that one gallon of water by 0.03%. For example, to make a 0.06% solution in one gallon of water, mix 0.333 fluid ounce (2 teaspoons) of MAXXTHOR EC in one gallon of water. Use the conversion table and formulas below to determine the amount of MAXXTHOR EC to add to any quantity of water.

| Mixing Table for MAXXTHOR EC for Structural Pests | | |
|---|---|---|
| % to mix | Fluid ounces to add per gallon of water to mix this % | Teaspoons to add per gallon of water to mix this % |
| 0.03 | 0.166 | 1 |
| 0.06 | 0.333 | 2 |

29.57 milliliters = 2 tablespoons = 6 teaspoons=1 Fluid ounce

### Calculating Amount of MAXXTHOR EC to Mix for Structural Pests

Calculate the amount of MAXXTHOR EC to mix for structural pests as follows:

A = Volume of water, in gallons, into which the MAXXTHOR EC will be mixed. Express any partial gallons as decimal fractions (1/2 = .5)

B = Fluid ounces (or teaspoons) MAXXTHOR EC per gallon from Mixing Table. Select the desired % concentration based on the site of application and the pest(s) to be controlled. Read across to find amount of MAXXTHOR EC to add per gallon in fluid ounces or teaspoons.

Fluid ounces (or teaspoons) MAXXTHOR EC to mix = A X B

Mix this amount of MAXXTHOR EC in the predetermined amount of water (A). Food utensils such as teaspoons and measuring cups should not be used for food purposes after use with pesticides.

### Pests Controlled

Ants, including Carpenter Ants, Armyworms, Bees, Boxelder Bugs, Centipedes, Chiggers, Chinch Bugs, Clover Mites, Crickets, Cutworms, Dichondra Flea Beetles, Earwigs, Elm Leaf Beetles, European Craneflies, Fleas, Flies, Grasshoppers, Hornets, Millipedes, Mosquitoes, Moths, Roaches, including Cockroaches, Scorpions, Silverfish, Sod Webworms, Sowbugs (Pillbugs), spiders including Black Widow Spiders, Springtails and Wasps.

### Application Methods

Apply MAXXTHOR EC as a solution in the form of a general surface, spot, crack and crevice, pinstream or coarse spray. Do not apply as a space spray. May also be applied with a paintbrush.

### Application Use Rates and Volumes

Use a 0.03% to 0.06% solution of MAXXTHOR EC. Use a spray volume of between 2 and 10 gallons of solution per 1,000 square feet. Higher application volumes may be used if necessary to sufficiently wet vegetation and landscaping with the spray solution.

### Re-Application

Treatments should not be repeated more often than once every 7 days. The best efficacy and longest residual control is achieved when the highest concentration is used.

### Application Locations

Apply spray to the exterior surfaces of structures and to grounds, lawns, landscaping, plants and hard surface areas adjacent to structures. Can also be applied to any areas where pests congregate or have been seen.

### Perimeter Band Treatment

To help prevent pest infestation of structures, create a treated zone or band on the structure, soil and vegetation around the entire perimeter of a structure. Apply solution to all surfaces within a band beginning 6 to 10 feet from the exterior foundation of the structure that extends back to the structure and then continues 2 to 3 feet up the exterior surface of the structure from the ground. Application volume will depend upon the nature of the surface being treated. Mulch areas, for example, require more volume and hard surface areas requiring less.

### Control of Specific Structural Pests Outdoors

**Ants (Nuisance ants other than Carpenter Ants) Outdoors:** To achieve the highest level of control, locate and directly treat ant nests. Apply solution to ant trails, around doors and windows and at points where ants can be expected to forage or congregate.

**For Ant Mounds:** Treat mounds and area within a 2 foot radius of the center of the mound with 1-2 gallons of a 0.06% solution. When mounds exceed 12 inches in size use the highest volume of solution. Applications in cool weather (65 to 80 degrees F) or the cooler parts of the day are most effective. Do not apply treatment during the heat of the day.

**Bees, Wasps, Hornets, and Yellow Jackets:** Always use the highest rate. Make application in late evening when insects are at rest at the nest for best results and to avoid stings. Spray nest openings in ground, in [illegible]nes and wherever insects may be nesting. Spray to the point of saturation. Spray as many insects as possible. Remove and destroy treated nests to prevent emergence of newly hatched insects.

**Centipedes, Earwigs, Beetles, Millipedes, Pillbugs, Sowbugs:** Thoroughly treat mulch areas. The reduction of moisture in mulch areas may also aid in control of these pests.

**Mosquitoes:** Apply solution to lawns and landscaping, under decks and to building foundations. Refer to *APPLICATIONS FOR ORNAMENTAL PESTS* section for mixing and applying large amounts of solution against mosquitoes.

**Fleas:** Treat the entire area where insects could be present. Begin treatments in the spring. Insects may be re-introduced by host animals in the surrounding area. Retreatment may be necessary to achieve and maintain control during periods of high pest pressure.

## CONTROL OF NUISANCE INSECTS INSIDE BUILDINGS

MAXXTHOR EC can be used indoors to control bees, wasps, hornets and yellow jackets by liberally spraying a 0.06% emulsion in the late evening when insects are at rest into hiding and breeding places, especially under attic rafters, contacting as many insects as possible. Repeat application is necessary only if there are signs of renewed insect activity which is more likely in situations of high initial pest pressure. Repeat application should be limited to no more than once every seven days.

Refer to the *CONTROL OF STRUCTURAL PESTS (OTHER THAN WOOD INFESTING INSECTS) ON AND AROUND BUILDINGS* section of this label for directions on mixing MAXXTHOR EC for these types of applications.

**Important:** Do not apply emulsion until location of heat pipes, ducts, water and sewer lines and electrical conduits are known and identified. Caution must be taken to avoid puncturing and injection into these structural elements. Do not apply into electrical fixtures, switches or sockets.

Remove pets, birds and cover aquariums before spraying. Do not permit humans or pets to contact treated surfaces until the spray has dried.

Wear protective clothing, unvented goggles, gloves and respirator, when applying to overhead areas or in poorly ventilated areas. During any overhead applications to overhead interior areas of structures, cover surfaces below with plastic sheeting or similar materials.

In the home, cover all food handling/processing surfaces and cover or remove all food and cooking utensils, or wash thoroughly after treatment.

For use only in nonfood/feed areas of food/feed handling establishments. Do not use in food/feed areas of food/feed handling establishments, restaurants or other areas where food/feed is commercially prepared or processed. Do not use in serving areas while food is exposed or facility is in operation. Serving areas are areas where prepared foods are served such as dining rooms but excluding areas where food may be prepared or held. Nonfood/feed areas of food/feed areas are 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 (after bottling or canning).

Not for use in Federally inspected meat and poultry plants.

## APPLICATION UNDER SLABS TO CONTROL PESTS

Infestations of pests such as ants, cockroaches and scorpions inhabiting areas under slabs may be controlled by drilling and injecting or horizontal roddlng and then injecting 1 gallon of a 0.06% to 0.12% emulsion per 10 square feet or 2 gallons of emulsion per 10 linear ft.

## ATTENTION

Use only in well ventilated areas.

Do not apply to pets, crops, sources of electricity or firewood.

During any application to overhead areas of structure, cover surfaces below with plastic sheeting or similar material, except for soil surfaces in crawlspaces.

Do not allow dripping or runoff to occur during indoor applications.

Do not treat areas where food is exposed.

Do not allow spray to contact food, foodstuffs, food contacting surfaces, food utensils or water supplies.

Thoroughly wash dishes and food handling utensils with soap and water if they become contaminated by application of this product.

Do not allow people or pets to touch or walk on treated surfaces until spray has dried.

Do not apply a broadcast application to interior surfaces of homes.

Do not apply in livestock buildings such as barns.

Do not allow spray to drift onto ponds, streams or lakes.

Do not apply in greenhouses or nurseries or by air.

## 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 must be followed carefully. However, because of manner of use and other factors beyond the control of Ensystex IV, Inc., it is impossible for Ensystex IV 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 Ensystex IV harmless for any claims relating to such factors.

**DIECLAIMER OF WARRANTIES:** Seller warrants that this product conforms to the chemical description in 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. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ENSYSTEX IV 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 Ensystex IV, Inc., and buyer assumes the risk of any such use.

**LIMITATIONS OF LIABILITY:** To the extent consistent with applicable law, Ensystex IV 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 ENSYSTEX IV 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 ENSYSTEX IV, 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.

MAXXTHOR is a registered trademark of Ensystex Inc.

EPA 20100324

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**
**WASHINGTON, D.C. 20460-0001**

**OFFICE OF**
**PREVENTION, PESTICIDES**
**AND TOXIC SUBSTANCES**

July 7, 2009

Michael Kellogg
Ensystex IV, Inc.
c/o Pyxis Regulatory Consulting, Inc.
4110 136th St., NW
Old Harbor, WA 98332

Subject: Submission of Storage Stability and Corrosion Characteristics Study
MAXXTHOR EC
EPA Registration No. 83923-6
Your submission dated July 9, 2008

Dear Mr. Kellogg:

The data submitted corresponding to guideline reference 830.6317 (Storage stability) and 830.6320 (Corrosion Characteristics) has been reviewed and found to be acceptable.

If you have any questions regarding this action, please contact Regina Foushee-Smith at (703) 605-0780.

Sincerely,

Linda A DeLeon

Richard Gebken
Product Manager 13
Insecticide Branch
Registration Division (7505P)

Decision #: 397652
DP #: (355042)
NON PRIA
Parent DP #:
Submission #: 832378

# DATA PACKAGE BEAN SHEET

**Date: 28-Jul-2008**



## * * * Registration Information * * *

570

**Registration: 83923-6 - MAXXTHOR EC**

Company: 83923 - ENSYSTEX IV, INC

Risk Manager: RM 13 - George Larocca - (703) 305-6100 Room# PY1 S-7219

Risk Manager Reviewer: Patricia Quarles PQUARLES

Sent Date: 11-Jul-2008 Calculated Due Date: 29-Oct-2008 Edited Due Date:

Type of Registration: Product Registration - Section 3

Action Desc: (570) CONDITIONAL REGISTRATION FOLLOW-UP;DATA REQUIRED;REQUIRES RD REVI

Ingredients: 128825, Bifenthrin(23.4%)

## * * * Data Package Information * * *

Expedite: ○ Yes ● No Date Sent: 28-Jul-2008 Due Back:

DP Ingredient: 128825, Bifenthrin

DP Title:

CSF Included: ○ Yes ● No Label Included: ○ Yes ● No Parent DP #:

| | Assigned To | Date In | Date Out | |
|---|---|---|---|---|
| Organization: | RD / TRB | | | Last Possible Science Due Date: 20-Aug-2008 |
| Team Name: | | | | Science Due Date: |
| Reviewer Name: | | | | Sub Data Package Due Date: |
| Contractor Name: | | | | |

## * * * Studies Sent for Review * * *

Printed on Page 2

## * * * Additional Data Package for this Decision * * *

No Additional Data Packages

## * * * Data Package Instructions * * *

Please review storage stability/corrosive characteristic data as requested per the Agency letter date 5/30/08. MRID# 474719-01

Thanks Pat

| MRID | MRID Status | Citation Reference | Guideline |
|---|---|---|---|
| 47471901 | | Wo, C. (2008) Storage Stability and Corrosion Characteristics: Maxxthor EC. Project Number: P800, 22073, 070426/5H. Unpublished study prepared by Product Safety Laboratories. 27 p. | 830.6317/Storage stability of product |
| 47471901 | | Wo, C. (2008) Storage Stability and Corrosion Characteristics: Maxxthor EC. Project Number: P800, 22073, 070426/5H. Unpublished study prepared by Product Safety Laboratories. 27 p. | 830.6320/Corrosion characteristics |

Decision Information r 83923-6

Decision Seq. 397652 Action Code: 570.CONDITIONAL REGISTRATION FOLLOW-UP;DATA REQUI

FFS Start Date Tentative Ind: No FFS Original Decision:

Due Date 29-Oct-2008 FFS EUP Decision:

OPP Target Due Dt: FFS Sect3 Decision:

Negotiated Due Dt: Start/Stop Clock FQPA Clock:

Registrant Response Due Date: Days Elapsed:

Current Status: PENDING (22-Jul-2008)

Decision Status | Tracking | Create Resubmission | FFS Letters | Waiver Documentation

Decision Comments | Payment | Unmatched Payments

Meetings & Milestones | FFS Information | FFS Negotiated Due Dates | OPP Target Due Date

Decision Ownership | Receipts | Data Package | Reduced Risk

| Receipts | Staff Member | Reg/DCI Number | Submission Due Dt | Response |
|---|---|---|---|---|
| S: 832378 | Quarles, Patricia | 83923-6 | 29-Oct-2008 | PENDING |

storage stability & corrosion characteristics

rt Regina Fous... EPA-PRIS... 8:30 AM

TRB

## Receipt for Section 3

S: 832378

Resubmission: Yes No

Regulatory Type: Product Registration - Section 3

Fee For Service: Yes No

Application Type: Miscellaneous Receipt

Billable: Yes No

Company: 83923 ENSYSTEX IV, INC

Print Letter

Enter More Information

Tracking

Risk Manager: Registration Division, Risk Management Team 13

Product #: 83923-6 Product Name: MAXXTHOR EC

Override#:

Me Too Section3: 279-3177 Me Too Product Name: BIFLEX SFR TERMITICIDE/INSECTICIDE

Application Date: 09-Jul-2008

OPP Rec'vd Date: 11-Jul-2008

Front End Date: 11-Jul-2008

Risk Manager Send Date: 11-Jul-2008

FFS Due Date:

Negotiated Due Date:

OPP Target Date:

Receipt Content

Study

Fast Track:

New Ingredient:

Receipt Description:

storage stability & corrosion characteristics

New Ingredient Request Date:

New Ingredient Received Date:

Form A: Signature Date:

Form B: Signature Date:

Pat Quarles - 520 - chem

IB PM-13
83923-6
Conditional data
JBM 7/01/08

# Memorandum

Date: 7 / 18 / 08

To: PM 13, Regulatory Manager

From: Information Services Branch, ITRMD

Your receipt of this data submission is not an indication that MRIDs for the enclosed studies have been posted to OPPIN.

**We expect that it will be approximately 5 days from the above date before the study-level data is available in OPPIN.**

If you have any questions about this process, please contact Teresa Downs (305-5363).

This is a:
- ☒ fully accepted submission
- ☐ partially accepted submission
- ☐ rejected submission

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

July 15, 2008

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

ENSYSTEX IV, INC
4110 136TH STREET
GIG HARBOR, WA 98332-

Report of Analysis for Compliance with PR Notice 86-5

Thank you for your submittal of 11-JUL-08. Our staff has completed a preliminary analysis of the material. The results are provided as follows:

Your submittal was found to be in full compliance with the standards for submission of data contained in PR Notice 86-5. A copy of your bibliography is enclosed, annotated with Master Record ID's (MRIDs) assigned to each document submitted. Please use these numbers in all future references to these documents. Thank you for your cooperation. If you have any questions concerning this data submission, please raise them with the cognizant Product Manager, to whom the data have been released.

PYXIS REGULATORY CONSULTING, INC.

4110 136th St. NW
Gig Harbor, WA 98332

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

July 9, 2008

COURIER DELIVERY

George LaRocca (PM 13)
Document Processing Desk (**AMEND**)
Office of Pesticide Programs
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

RE: Ensystex IV, Inc. – Maxxthor EC (83923-6)
Submission of Storage Stability and Corrosion Characteristic Study per the Agency letter dated May 30, 2008

Dear Mr. LaRocca,

On behalf of Ensystex IV, Inc. and in response to the Agency letter dated May 30, 2008, please find the enclosed storage stability and corrosion characteristics study for Maxxthor EC (EPA Reg. No. 83923-6).

In support of this submission, please find the enclosed:

1. Completed Application for Registration (EPA Form 8570-1)
2. Product Specific Chemistry Data (3 copies):

**47471901** Volume 1 830.6317; 830.6320 Wo, C., Maxxthor EC, Storage Stability and Corrosion Characteristics.

Please feel free to contact me if you have any questions or need any additional information.

Sincerely,

Michael Kellogg

Enclosures

cc: David Nimocks; Ensystex IV, Inc.

DATE OUT:

SUBJECT: STORAGE STABILITY (830.6317) & CORROSION CHARACTERISTICS (830.6320) REVIEW
ACCELERATED STUDY [ ]; ONE YEAR STUDY [X];
OVER 1 YEAR STUDY [ ]
MP [ ] EP [X] EUP [ ]
DP BARCODE No.: 355042 REG. No. : 83923-6
DECISION No.: 397652 MRID No(s): 474719-01
PRODUCT NAME: MAXXTHOR EC
COMPANY: ENSYSTEX IV, INC

FROM: William Herald / Reviewer WHerald SBm 7/11/07
Product Chemistry Team
Technical Review Branch/RD (7505P)

TO: George LaRocca / Patricia Quaries, RM 13
Insecticide Branch / RD (7505P)

I. CONCLUSIONS:

STORAGE STABILITY (830.6317):
[X] ACCEPTABLE
[ ] UNACCEPTABLE*
[ ] UPGRADEABLE*

40CFR158.190 DATA REQUIREMENT: [X] SATISFIED [ ] NOT SATISFIED

CORROSION CHRACTERISTICS (830.6320):
[X] ACCEPTABLE
[ ] UNACCEPTABLE*
[ ] UPGRADEABLE*

40CFR158.190 DATA REQUIREMENT: [X] SATISFIED [ ] NOT SATISFIED

* If unacceptable or upgradeable describe the deficiency and provide recommendations

Comments & Recommendations:

Registrants report that the containers used in this study were HDPE containers. However, it is not clearly stated that containers used in the study are of the same material and construction as the intended commercial containers. Registrant is restricted to the containers used in the study for commercial purposes.

## II. STUDY SUMMARY

### A. STUDY CONDUCTED UNDER US GLP/OECD GUIDELINES

[X] Yes
[ ] No

### B. PRODUCT INFORMATION

Active ingredient: Bifenthrin
Label claims Nominal concentration of 23.4%
Initial concentration of the AI (%) used in the study: 23.54%
Lower certified limits (%) based on AI % in the study: 22.834%

### C. EXPERIMENTAL PARAMETERS

Temperature: Ambient laboratory temperatures ranging from 18-24°C for one year.
Duration of study: [X] 1 year; [ ] over 1 year
Type of container: 125 mL opaque HDPE containers.
Analysis at intervals: [X] 0 (initial);
[X] 3 months; [X] 6 months
[X] 9 months; [X] 12 months

### D. ANALYTICAL METHOD

| Method | DETECTOR |
|---|---|
| Gas chromatography (GC) | FID (Flame Ionization Detector/ @ 300°C) |

### E. RESULTS

1. The study shows that after storage at ambient laboratory temperatures ranging from 18-24°C for 3, 6, 9 and 12 month testing intervals the AI% remained within statutory parameters required in 40 CFR § 158.350.

2. The report recites that visual observation of the opaque HDPE containers displayed no signs of cracking, fogging, discoloration or distortion; and that the test substance remained a straw colored liquid at test initiation throughout the course of the study showing no signs of clumping, phase separation, or discoloration. The mean percent total test container weight change was -0.41%.

3. Registrants report that the containers used in this study were opaque HDPE containers. However, it is not clearly stated that containers used in the study are of the same material and construction as the intended commercial containers. Registrant is restricted to the containers used in the study for commercial purposes.

Decision #: 397652
DP #: (355042)
NON PRIA
Parent DP #:
Submission #: 832378

# DATA PACKAGE BEAN SHEET

**Date: 28-Jul-2008**



570
#23821

## * * * Registration Information * * *

**Registration:** 83923-6 - MAXXTHOR EC

Company: 83923 - ENSYSTEX IV, INC

Risk Manager: RM 13 - George Larocca - (703) 305-6100 Room# PY1 S-7219

Risk Manager Reviewer: Patricia Quarles PQUARLES

Sent Date: 11-Jul-2008 Calculated Due Date: 29-Oct-2008 Edited Due Date:

Type of Registration: Product Registration - Section 3

Action Desc: (570) CONDITIONAL REGISTRATION FOLLOW-UP;DATA REQUIRED;REQUIRES RD REVI

Ingredients: 128825, Bifenthrin(23.4%)

## * * * Data Package Information * * *

Expedite: ○ Yes ● No Date Sent: 28-Jul-2008 Due Back:

DP Ingredient: 128825, Bifenthrin

DP Title:

CSF Included: ○ Yes ● No Label Included: ○ Yes ● No Parent DP #:

| | Assigned To | Date In | Date Out | | |
|---|---|---|---|---|---|
| Organization: | RD / TRB | | | Last Possible Science Due Date: | ~~20-Aug-2008~~ 8-22-2012 |
| Team Name: | CHEM | | | Science Due Date: | |
| Reviewer Name: | | | | Sub Data Package Due Date: | |
| Contractor Name: | | | | | |

## * * * Studies Sent for Review * * *

Printed on Page 2

## * * * Additional Data Package for this Decision * * *

No Additional Data Packages

## * * * Data Package Instructions * * *

Please review storage stability/corrosive characteristic data as requested per the Agency letter date 5/30/08. MRID# 474719-01

Thanks Pat

PP
7-11-08

DP#: (355042) *** Studies Sent for Review *** Decision#: (397652)

| MRID | MRID Status | Citation Reference | Guideline |
|---|---|---|---|
| 47471901 | | Wo, C. (2008) Storage Stability and Corrosion Characteristics: Maxxthor EC. Project Number: P800, 22073, 070426/5H. Unpublished study prepared by Product Safety Laboratories. 27 p. | 830.6317/Storage stability of product |
| 47471901 | | Wo, C. (2008) Storage Stability and Corrosion Characteristics: Maxxthor EC. Project Number: P800, 22073, 070426/5H. Unpublished study prepared by Product Safety Laboratories. 27 p. | 830.6320/Corrosion characteristics |

07/07

# MAXXTHOR EC

**For use only by individuals/firms licensed or registered by the state to apply termiticide products when applied as a termiticide. States may have more restrictive requirements regarding qualifications of persons using this product. Consult the structural pest control regulatory agency of your state prior to use of this product. For use only by pest contol operators or commercial operators to control pests on lawns and ornamental plants.**

| Active Ingredient: | By Wt. |
|---|---|
| Bifenthrin* | 23.4% |
| Other Ingredients**: | 76.6% |
| TOTAL: | 100.0% |

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

**Contains petroleum distillates

EPA Reg. No. 83923-x EPA Est. 81824-NC-001

MAXXTHOR EC contains 2 pounds active ingredient per gallon.

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

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

**For product use information call 1-866-FOR-THOR (367-8467) or visit www.for-thor.com.**

## KEEP OUT OF REACH OF CHILDREN

## WARNING

***ENSYSTEX IV, Inc.***

Fayetteville, NC 28303

**Net Contents: As marked on container**

## FIRST AID

| | |
|---|---|
| If swallowed | • Immediately call a poison control center or doctor.<br>• Do not induce vomiting unless told to do so by a poison control center or doctor.<br>• Do not give any liquid to the person.<br>• Do not give anything by mouth to an unconscious person. |
| If inhaled | • Move person to fresh air.<br>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.<br>• Call a poison control center or doctor for further treatment advice. |
| If on skin or clothing | • Take off contaminated clothing.<br>• Rinse skin immediately with plenty of water for 15 to 20 minutes.<br>• 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.<br>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.<br>• Call a poison control center or doctor for treatment advice. |

## HOTLINE NUMBER

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

## NOTE TO PHYSICIAN

This product is a pyrethroid. This product also contains aromatic hydrocarbons. Because of the risk of hydrocarbon pneumonitis if even tiny amounts are aspirated into the lung during emesis, consideration should be given to gastric lavage with endotracheal tube in place. Treatment is symptomatic and supportive. Animal and vegetable fats, milk, cream and alcohol may increase absorption and should not be administered.

## PRECAUTIONARY STATEMENTS

### Hazards to Humans and Domestic Animals

May be fatal if swallowed. Causes skin irritation and moderate eye irritation. Do not get on skin or on clothing. Avoid breathing vapors or spray mist, and contact with eyes. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Remove contaminated clothing and wash contaminated clothing before reuse.

**Personal Protective Equipment:** All pesticide handlers (mixers, loaders and applicators) must wear longsleeved coveralls worn over a minimum of short-sleeved shirt and short pants, socks, chemical-resistant footwear, chemical-resistant gloves and protective eyewear. After the product is diluted in accordance with label directions for use (or if an in-line injector system is used) shirts, pants, socks, shoes and waterproof gloves are sufficient. All pesticide handlers must wear a respiratory protection device when handling the concentrate or when working in a non-ventilated space (such as a NIOSH approved respirator with any R, P or HE filter or a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any R, P or HE pre-filter). All pesticide handlers must wear protective eyewear, such as goggles, faceshield or safety glasses, when working in a non-ventilated space or when applying as a termiticide by rodding or sub-slab injection.

**Termite Control Treatment:** When treating adjacent to an existing structure, the applicator must check the area to be treated and immediately adjacent areas of the structure for visible and accessible cracks and holes to prevent any leaks or significant exposures to persons occupying the structure. People present or residing in the structure during application must be advised to remove their pets and themselves from the structure if they see any signs of leakage. After application, the applicator is required to check for leaks. All leaks resulting in the deposition of termiticide in locations other than those prescribed on this label must be cleaned up prior to leaving the application site. Do not allow people or pets to contact contaminated areas or to reoccupy contaminated areas of the structure until the clean-up is completed.

### Environmental Hazards

This pesticide is extremely toxic to 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. Do not contaminate water by cleaning of equipment or disposal of equipment washwaters. Do not apply when weather conditions favor drift from treated areas. Care should be used when spraying to avoid fish and reptile pets in/around ornamental ponds.

Do not apply this product or allow it to drift to crops or weeds on which bees are actively foraging. Additional information may be obtained from your Cooperative Extension Service.

### Physical and Chemical Hazards

Do not use or store near heat or open flame.

Do not apply this product in or on electrical equipment 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.

ACCEPTED
with COMMENTS
In EPA Letter Dated
MAY 30 2008
Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No.
83923-6

## STORAGE AND DISPOSAL

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

**Pesticide Storage:** If crystals are observed, warm material to above 60°F by placing container in warm location. Shake or roll container periodically to redissolve solids. Do not use external source of heat for warming container.

Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use, replace lids and close tightly. Do not put concentrate or dilute material into food or drink containers. Do not contaminate other pesticides, fertilizers, water, food, or feed by storage or disposal.

**In Case of Spill:** Confine it, avoid contact, isolate area and keep animals and unprotected persons away. If spill is liquid, form dike around spill area and/or absorb spill with absorbent materials, such as sand, cat litter or clay. If spill is dry material, cover to prevent dispersal. Place damaged package in a holding container and identify contents. Contact Ensystex at 1-866-367-8467 or Chemtrec at 1-800-424-9300 for any assistance

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

**Container Disposal:** Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill or by incineration, or by other methods approved by State and local authorities.

## APPLICATION FOR CONTROL OF SUBTERRANEAN TERMITES

### General

MAXXTHOR EC, in the form of a dilute insecticidal solution, prevents and controls subterranean termite infestations in and around structures and other items by creating a continuous chemically treated zone (horizontal and/or vertical as needed) between the wood and other cellulose material in the structure and termite colonies in the soil. In order to establish a barrier between the wood in the structure and the termites in the soil, adequately disperse the solution of this product in the soil.

To effectively control termites with this product, the service technician should be familiar with current termite control practices including trenching, rodding, sub-slab and void injection, soil surface fan spraying, excavated soil treatment and brush, spray and injection applications to wood. Correct use of these techniques is necessary to effectively control infestations by subterranean termites such as *Coptotermes, Heterotermes, Reticulitermes* and *Zootermopsis*. The service technician should consider the biology and behavior of the termite specie(s) to be controlled to determine which control practices to use.

Treatment standards and procedures for subterranean termite control may vary due to regulations, water table level, structure design, soil types, construction practices and other factors. For advice concerning current control practices with respect to specific local conditions, consult resources in structural pest control and state cooperative extension and regulatory agencies. Follow all federal, state and local regulations and treatment standards for protection of a structure from subterranean termites.

Effective termite control may also include mechanical alteration 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 is advised. Removal of non-essential cellulose containing materials that are in contact with the ground under or around the structure can reduce termite foraging in the area. When untreated wooden parts of the structure touch the ground and such contact cannot be broken, creating a barrier between the soil and such components using a solution of the product may protect the components and the structure against termite attack.

MAXXTHOR EC is labeled for use against subterranean termites as a 0.06% or 0.12% solution in water, however the 0.06% finished solution should be used for typical control situations. When difficult or problem soils or construction types are encountered, it may be necessary to use 0.12% MAXXTHOR EC mixed in reduced volumes of water.

Avoid contamination of water supplies due to backflow under reduced water system pressure by using anti-backflow equipment or procedures to prevent siphoning of any solution back into a water supply. Do not contaminate cisterns or wells. Do not treat soil that is water saturated or frozen. Do not treat while precipitation is occurring. Do not apply solution to an area or site if the soil at the area or site is in such a state or condition that runoff or movement of the solution from the treated area or site is likely to occur. Consult state and local specifications for recommended distances of wells from treated areas, or if such regulations do not exist, refer to Federal Housing Administration Specifications (H.U.D.) for guidance.

For the purposes of this label and its directions, crawl spaces are to be considered to be inside of the structure. Critical areas include areas where the foundation is penetrated by utility services, cracks and expansion joints, bath traps and areas where construction elements such as stairs, patios and slab additions abut the foundation.

### Mixing Directions For MAXXTHOR EC For Use As A Termiticide

Mix MAXXTHOR EC for use as a termiticide in the following manner:

1. Fill tank 1/4 to 1/3 full.
2. Start pump to begin by-pass agitation and place end of treating tool in tank to allow circulation through hose.
3. Add appropriate amount of MAXXTHOR EC.
4. Add remaining amount of water.
5. Let pump run and allow recirculation through the hose for 2 to 3 minutes.

MAXXTHOR EC may also be mixed into full tanks of water, but substantial agitation is required to ensure uniformity of the solution.

### Dilution of MAXXTHOR EC for Use as a Termiticide

For termite control, use rates for MAXXTHOR EC are expressed and the solution is mixed according to the percentage (%) concentration it forms when mixed in water. Use the mixing table or alternately the formulas below to determine the amount of MAXXTHOR EC to add to any quantity of water.

To prepare a 0.06% water solution, ready to use, dilute 1 quart of MAXXTHOR EC with 99.75 gallons of water. To prepare a 0.12% water solution, ready to use, dilute 2 quarts of MAXXTHOR EC with 99.5 gallons of water.

**Mixing Table for MAXXTHOR EC for Use as a Termiticide**

| Solution Percentage Concentration Desired | Gallons of Finished Solution Desired | Amount of MAXXTHOR EC to add | Water to mix with MAXXTHOR EC |
|---|---|---|---|
| 0.06% | 1 | 0.32 oz | 127.68 oz |
| | 5 | 1.60 oz | 4.99 gallons |
| | 10 | 3.2 oz | 9.975 gallons |
| | 25 | 8.0 oz. | 24.94 gallons |
| | 50 | 0.50 quart | 49.875 gallons |
| | 75 | 0.75 quart | 74.8125 gallons |
| | 100 | 1.00 quart | 99.75 gallons |
| | 150 | 1.50 quart | 149.62 gallons |
| | 200 | 2.00 quart | 199.5 gallons |
| 0.12%* | 1 | 0.64 oz | 127.36 oz |
| | 5 | 3.2 oz | 4.975 gallons |
| | 10 | 6.4 oz. | 9.95 gallons |
| | 25 | 0.5 quart | 24.875 gallons |
| | 50 | 1.0 quart | 49.75 gallons |
| | 75 | 1.5 quart | 74.625 gallons |
| | 100 | 2.0 quart | 99.5 gallons |
| | 150 | 3.0 quart | 149.25 gallons |
| | 200 | 1 gallon | 199.0 gallons |

*Only use the 0.12% rate in accordance with the *Adjustments to Application Volume* section. May also be used in accordance with the *FOAM APPLICATION* and *APPLICATIONS TO PROTECT UNDERGROUND ITEMS FROM TERMITE ATTACK* sections.

### Calculating an Amount of MAXXTHOR EC to Mix

To mix any amount of Isothor EC for termite control, determine:

A = Units of water into which the MAXXTHOR EC will be mixed. Express any partial units as decimal fractions (1/2 = .5). Any unit of measure, such as gallons or quarts, can be used for A. Answers to equations below are in same units as A.

MAXXTHOR EC to add to A for 0.06% = A / 399

MAXXTHOR EC to add to A for 0.12% = A / 199.5

To convert gallons to fluid ounces, multiply number of gallons X 128

128 fluid ounces = 16 cups = 8 pints = 4 quarts = 1 gallon

32 fluid ounces = 1 quart

### Application Volume

To provide maximum control and protection against termite infestation, apply the specified volume of the finished water solution containing the specified amount of MAXXTHOR EC as set out below or as otherwise directed in this label.

**Prescribed Horizontal Barrier Rate:** Unless otherwise directed, horizontal barriers are created by applying a 0.06% solution at a rate of one gallon of solution per 10 square feet. (One gallon of 0.06% solution contains 0.32 fluid ounce of MAXXTHOR EC.)

**Prescribed Vertical Barrier Rate:** Unless otherwise directed, vertical barriers are created by applying a 0.06% solution at a rate of four gallons of solution per 10 linear feet per foot of depth. (Four gallons of 0.06% solution contains 1.28 fluid ounces of MAXXTHOR EC.)

### Adjustments to Application Volume

If soil will not accept the labeled application volumes, the volume may be reduced provided there is a corresponding increase in concentration so that the amount of active ingredient applied to the soil remains the same.

Note: Large reductions of application volume reduce the likelihood of obtaining a continuous barrier. Variance is allowed when volume and concentration are consistent with label directed rates and a continuous barrier can still be achieved. When volume is reduced, the spacing of holes created for sub slab injection and soil rodding may need to be reduced to account for decreased dispersion of the solution in the soil.

For example, adjust the amount of solution applied to deliver a horizontal barrier of 10 square feet from 1 gallon to as low as 0.5 gallons and as high as 2 gallons while maintaining the amount of MAXXTHOR EC (.32 fluid ounce) applied per 10 square feet.

For example, adjust the amount of solution applied to deliver a vertical barrier 10 feet long by one foot deep from 4 gallons to as low as 2 gallons and as high as 8 gallons while maintaining the amount of MAXXTHOR EC (1.28 fluid ounces) applied per 10 linear feet.

## PRE-CONSTRUCTION TREATMENT

### All Structures

**Pre-construction treatment: Do not apply at a lower dosage and/or concentration than specified on this label for applications prior to the installation of the finished grade.**

Prior to each application, applicators must notify the general contractor, construction superintendent, or similar responsible party, of the intended termiticide application and intended sites of application and instruct the responsible person to notify construction workers and other individuals to leave the area to be treated during application and until the termiticide is absorbed into the soil.

Effective control of subterranean termites can be accomplished during construction by using a 0.06% solution of MAXXTHOR EC to establish vertical and/or horizontal barriers between the structure and the soil as directed. Applications should be made as a coarse low pressure spray (less than 50 psi). To meet current termite proofing requirements, follow the procedures in the latest edition of the Housing and Urban Development Minimum Property Standards.

### Horizontal Barriers Under Slabs on Ground Including Basements

Create a horizontal barrier on the entire surface of soil or substrate that will be covered by a slab, including, but not limited to, slab floors, footing trenches, garages, carports, basements, porches and entrance platforms by treating the soil or substrate with the solution at the Prescribed Horizontal Barrier Rate.

If the fill under the slab is a coarse material such as washed gravel, apply at 1.5 times the Prescribed Horizontal Barrier Rate to make sure that a sufficient enough amount of dilution is applied that the solution reaches the soil beneath the fill.

Apply solution using a coarse spray nozzle. If the slab over the treated area will not be poured on the same day as the application (and there are no foundation walls in place around the treated soil) cover treated soil with a water-proof barrier such as polyethylene sheeting.

*Please read instructions on reverse before completing form.* Form Approved. OMB No. 2070-0060, Approval expires 2-28-95

EPA

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

☐ Registration
☑ Amendment
☐ Other

OPP Identifier Number

## Application for Pesticide - Section I

| | | |
|---|---|---|
| 1. Company/Product Number<br>83923-6 | 2. EPA Product Manager<br>V. Eagle | 3. Proposed Classification<br>☑ None ☐ Restricted |
| 4. Company/Product (Name)<br>Ensystex IV, Inc. / Maxxthor EC | PM#<br>01 | |
| 5. Name and Address of Applicant *(Include ZIP Code)*<br>Ensystex IV, Inc.<br>c/o Pyxis Regulatory Consulting, Inc.<br>4110 136th St. NW<br>Gig Harbor, WA 98332<br>☐ *Check if this is a new address* | 6. **Expedited Reveiw.** In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to:<br>EPA Reg. No. _____<br>Product Name _____ | |

## Section - II

☐ Amendment - Explain below.
☑ Resubmission in response to Agency letter dated 5/30/08
☐ Notification - Explain below.
☐ Final printed labels in repsonse to Agency letter dated _____
☐ "Me Too" Application.
☐ Other - Explain below.

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

Submission of storage stability and corrosion characteristics study per the Agency letter dated May 30, 2008.

## Section - III

**1. Material This Product Will Be Packaged In:**

| Child-Resistant Packaging | Unit Packaging | Water Soluble Packaging | 2. Type of Container |
|---|---|---|---|
| ☐ Yes<br>☐ No | ☐ Yes<br>☐ No | ☐ Yes<br>☐ No | ☐ Metal<br>☐ Plastic<br>☐ Glass<br>☐ Paper<br>☐ Other (Specify) _____ |
| **** Certification must be submitted*** | If "Yes" Unit Packaging wgt. / No. per container | If "Yes" Package wgt / No. per container | |

| 3. Location of Net Contents Information | 4. Size(s) Retail Container | 5. Location of Label Directions |
|---|---|---|
| ☐ Label ☐ Container | | ☐ On Label<br>☐ On Labeling accompanying product |

6. Manner in Which Label is Affixed to Product ☐ Lithograph ☐ Paper glued ☐ Stenciled ☐ Other _____

## Section - IV

1. Contact Point *(Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)*

| Name | Title | Telephone No. (Include Area Code) |
|---|---|---|
| Michael Kellogg | Agent | 253-853-7369 |

**Certification**

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

6. Date Application Received (Stamped)

| | |
|---|---|
| 2. Signature<br>Michael Kellogg | 3. Title<br>Agent |
| 4. Typed Name<br>Michael Kellogg | 5. Date<br>7/9/08 |

PYXIS REGULATORY CONSULTING, INC.

4110 136th St. NW
Gig Harbor, WA 98332

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

July 9, 2008

COURIER DELIVERY

George LaRocca (PM 13)
Document Processing Desk (**AMEND**)
Office of Pesticide Programs
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

RE: Ensystex IV, Inc. – Maxxthor EC (83923-6)
Submission of Storage Stability and Corrosion Characteristic Study per the Agency letter dated May 30, 2008

Dear Mr. LaRocca,

On behalf of Ensystex IV, Inc. and in response to the Agency letter dated May 30, 2008, please find the enclosed storage stability and corrosion characteristics study for Maxxthor EC (EPA Reg. No. 83923-6).

In support of this submission, please find the enclosed:

1. Completed Application for Registration (EPA Form 8570-1)
2. Product Specific Chemistry Data (3 copies):

**47471901** Volume 1 830.6317; 830.6320 Wo, C., Maxxthor EC, Storage Stability and Corrosion Characteristics.

Please feel free to contact me if you have any questions or need any additional information.

Sincerely,

Michael Kellogg

Enclosures

cc: David Nimocks; Ensystex IV, Inc.

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

May 7, 2009

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

Subject: Submission of Child-Resistant Packaging
Maxxthor EC
EPA Reg. No. 83923-6
Your Submission Dated April 14, 2009

Dear Mr. Kellogg:

The Child-Resistant Packaging Certification referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable.

If you have any questions regarding this action, please contact BeWanda Alexander of my team at (703) 305-7460.

Sincerely,

BeWanda Alexander for

Richard Gebken
Interim Product Manager 13
Insecticide Branch
Registration Division (7505P)

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

OFFICE OF
PREVENTION, PESTICIDES
AND
TOXIC SUBSTANCES

May 5, 2009

NOTE TO RM 13 BeWanda Alexander

SUBJECT: Certification to Compliance with Child-Resistant Packaging Regulations EPA FILE NO:83923-6 DP 364626, Decision # 409023

Please note that EPA FILE NO: 83923-6 certification regarding child-resistant packaging (CRP) has been reviewed **and is acceptable** regarding compliance with the standards of 40 CFR 157.32. The registrant indicated the CRP being used.

Please place a copy of this note in the registration jacket for the above named product. Please advise the registrant that this **CRP certification is acceptable**. If you have any questions please contact me at (703)-308-7368.

Rosalind L Gross

Rosalind L. Gross

OK

# Child Resistant Packaging Certification

## For Ensystex IV's Maxxthor EC
## (EPA Reg. No. 83923-6)

**Registrant:** Ensystex IV, Inc.
2713 Breezewood Avenue
Fayetteville, NC 28303

***Packaging Description:***

**1 pint** – HDPE cylinder short panel bottle purchased from Inmark, manufactured by CKS Packaging, with a 28 mm 410 F.G. Closure Rexam cap purchased through Inmark, continuously threaded, push and turn open, single neck/closure. ASTM IA

**1 quart** – HDPE bottle purchased from Inmark, manufactured by CKS Packaging, with a 28 mm 410 F.G. Closure Rexam cap purchased through Inmark, continuously threaded, push and turn open, single neck/closure. ASTM IA

**1 quart** – HDPE bottle purchased from Inmark, manufactured by CKS Packaging, with a 38 mm Rexam cap purchased through Inmark, continuously threaded, push and turn open, single neck/closure.
ASTM IA

**¾ gallon** – HDPE jug purchased from Inmark with 63/445 Heatseal Rexam continuously threaded squeeze and turn to open child resistant caps (63 mm, DOT CR) purchased from Inmark.
ASTM IB

**1 gallon** – HDPE jug manufactured by CKS Packaging, purchased from Inmark, with 63/445 Heatseal Rexam continuously threaded squeeze and turn to open child resistant caps (63 mm, DOT CR) purchased from Inmark.
ASTM IB

I certify that the packaging that will be used for this product meets the standards of 40 CFR 157.32 will suffice for this purpose.

Michael Kellogg
Agent

4/14/09
Date

385 → BeWanda


# PYXIS REGULATORY CONSULTING, INC.

4110 136th St. NW
Gig Harbor, WA 98332

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


April 14, 2009

COURIER DELIVERY

George LaRocca (PM 13)
Document Processing Desk (**AMEND**)
Office of Pesticide Programs
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

RE: Ensystex IV, Inc. – Maxxthor EC (83923-6)
Submission of Child Resistant Packaging Certification per the Agency letter dated May 30, 2008

Dear Mr. LaRocca,

On behalf of Ensystex IV, Inc. and in response to the Agency letter dated May 30, 2008, please find the enclosed certification and information pertaining to child resistant packaging for Maxxthor EC (EPA Reg. No. 83923-6).

In support of this submission, please find the enclosed:

1. Completed Application for Registration (EPA Form 8570-1)
2. Child Resistant Packaging Certification that includes a description of the proposed CRP

Please feel free to contact me if you have any questions or need any additional information.

Sincerely,

Michael Kellogg

Enclosures

cc: David Nimocks; Ensystex IV, Inc.

*Please read instructions on reverse before completing form.*

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95

EPA

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

- [ ] Registration
- [ ] Amendment
- [x] Other

OPP Identifier Number

## Application for Pesticide - Section I

| | | |
|---|---|---|
| 1. Company/Product Number<br>83923-6 | 2. EPA Product Manager<br>R. Gebken | 3. Proposed Classification<br>[x] None [ ] Restricted |
| 4. Company/Product (Name)<br>Ensystex IV, Inc. / Maxxthor EC | PM#<br>13 | |
| 5. Name and Address of Applicant *(Include ZIP Code)*<br>Ensystex II, Inc.<br>c/o Pyxis Regulatory Consulting, Inc.<br>4110 136th St. NW<br>Gig Harbor, WA 98332<br>[ ] *Check if this is a new address* | 6. **Expedited Reveiw.** In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to:<br>EPA Reg. No. _____<br>Product Name _____ | |

## Section - II

- [ ] Amendment - Explain below.
- [x] Resubmission in response to Agency letter dated May 30, 2008
- [ ] Notification - Explain below.
- [ ] Final printed labels in repsonse to Agency letter dated _____
- [ ] "Me Too" Application.
- [ ] Other - Explain below.

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

Submission of child resistant packaging certification in response to the Agency letter dated May 30, 2008.

## Section - III

**1. Material This Product Will Be Packaged In:**

| Child-Resistant Packaging | Unit Packaging | Water Soluble Packaging | 2. Type of Container |
|---|---|---|---|
| [x] Yes<br>[ ] No | [ ] Yes<br>[x] No | [ ] Yes<br>[x] No | [ ] Metal<br>[x] Plastic<br>[ ] Glass<br>[ ] Paper<br>[ ] Other (Specify) _____ |
| **** Certification must be submitted*** | If "Yes" Unit Packaging wgt. / No. per container | If "Yes" Package wgt / No. per container | |

| 3. Location of Net Contents Information | 4. Size(s) Retail Container | 5. Location of Label Directions |
|---|---|---|
| [ ] Label [x] Container | 1 pt., 1 qt., 3/4 gallon, 1 gallon | [x] On Label<br>[ ] On Labeling accompanying product |

6. Manner in Which Label is Affixed to Product: [x] Lithograph [ ] Paper glued [ ] Stenciled [ ] Other _____

## Section - IV

1. Contact Point *(Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)*

| Name | Title | Telephone No. (Include Area Code) |
|---|---|---|
| Michael Kellogg | Agent | (253) 853-7369 |

**Certification**

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

6. Date Application Received (Stamped)

| | |
|---|---|
| 2. Signature<br>Michael Kellogg | 3. Title<br>Agent |
| 4. Typed Name<br>Michael Kellogg | 5. Date<br>4/14/09 |

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**WASHINGTON, D.C. 20460**

**OFFICE OF**
**PREVENTION, PESTICIDES**
**AND TOXIC SUBSTANCES**

January 30, 2009

Michael Kellogg:
Ensystex II, Inc.
c/o Pyxis Regulatory Consulting, Inc.
4110 136th St. NW
Gig Harbor, WA 98332

Subject: Submission of New Basic Formulation
Maxxthor EC
EPA Reg. No. 83923-6
Your Submission Dated: November 13, 2008

Dear Mr. Kellogg:

We have reviewed the alternate formulation (dated November 13, 2008) requested in your letter of the above date. The alternate Confidential Statements of Formula (CSF) is not acceptable for the reasons given below.

1. The basic CSF (dated 11/13/2008) does not comply with PRN 91-2 and the purity falls above the upper certified limit of the previously accepted.

2. Product chemistry group A and B data are required to support the new basic CSF (dated 11/13/2008)

If you have any questions regarding this action, please contact BeWanda Alexander at (703) 305-7460.

Sincerely,

BeWanda Alexander for

Richard Gebken, Acting
Product Manager (13)
Insecticide Branch
Registration Division (7505P)

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

OPPTS/OPP/RD/TRB/PRODUCT CHEMISTRY TEAM

WASHINGTON, D.C. 20460

DATE OUT: January 23, 2009

SUBJECT: NON-FEE: Product Chemistry Review of the EP, 'Maxxthor EC' 83923-6
Barcode #: 359577 Decision #: 403094 PC Code(s): 128825 Food Use: No

FROM: Linda L. Kutney, Chemist Linda L Kutney 1-23-09 SBn 01-23-09
Product Chemistry Team
Technical Review Branch/RD (7505P)

TO: Richard Gebken, BeWanda Alexander, RM-13
Insecticide Branch/ RD (7505P)

INTRODUCTION:

In a letter dated 11-13-08, the Registrant, Ensystex IV, Inc., submitted a revised basic CSF, dated 11-13-08, for their end use product, Maxxthor EC. No data were submitted. The label claims this product contains 23.4% bifenthrin. This product is not used on foods.

SUMMARY OF FINDINGS:

1. The nominal concentration of the ai in the proposed CSF is 25.1% bifenthrin, however, the label states the product contains 23.4% bifenthrin (PRN 91-2 states that these two values must be identical).

2. All inert components of the CSF are approved for non-food use(s).

TRB CONCLUSIONS:

1a. The basic CSF (dated 11-13-08) does not comply with PRN 91-2 (copy attached for EPA use only).

1b. Even if the label were revised to state that the EP contains 25.1% bifenthrin, TRB would not recommend acceptance of the new basic CSF, because its purity falls above the upper certified limit of the previously-accepted basic CSF, dated 2-27-08 (copy attached for EPA use only).

2. The new basic CSF (dated 11-13-08) is not acceptable without supporting product chemistry data. For additional consideration, the Registrant should provide the required Group A and B product chemistry data.

3. TRB also notes that the trade name for bifenthrin should be added to column 10 of the CSF for the ai, in the future.

11/08

# MAXXTHOR EC

**For use only by individuals/firms licensed or registered by the state to apply termiticide products when applied as a termiticide. States may have more restrictive requirements regarding qualifications of persons using this product. Consult the structural pest control regulatory agency of your state prior to use of this product. For use by pest contol operators or commercial operators to control pests on lawns and ornamental plants.**

| Active Ingredient: | By Wt. |
|---|---|
| Bifenthrin* | 25.1% |
| Other Ingredients**: | 74.9% |
| TOTAL: | 100.0% |

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

**Contains petroleum distillates

**EPA Reg. No. 83923-6 EPA Est. 81824-NC-001**

MAXXTHOR EC contains 2 pounds active ingredient per gallon.

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

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

**For product use information call 1-866-FOR-THOR (367-8467).**

## KEEP OUT OF REACH OF CHILDREN

## WARNING

***ENSYSTEX IV, Inc.***

Fayetteville, NC 28303

**Net Contents: As marked on container**

| FIRST AID | |
|---|---|
| **If swallowed** | • Immediately call a poison control center or doctor.<br>• Do not induce vomiting unless told to do so by a poison control center or doctor.<br>• Do not give any liquid to the person.<br>• Do not give anything by mouth to an unconscious person. |
| **If inhaled** | • Move person to fresh air.<br>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.<br>• Call a poison control center or doctor for further treatment advice. |
| **If on skin or clothing** | • Take off contaminated clothing.<br>• Rinse skin immediately with plenty of water for 15 to 20 minutes.<br>• 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.<br>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.<br>• Call a poison control center or doctor for treatment advice. |

## HOTLINE NUMBER

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

## NOTE TO PHYSICIAN

This product is a pyrethroid. This product also contains aromatic hydrocarbons. Because of the risk of hydrocarbon pneumonitis if even tiny amounts are aspirated into the lung during emesis, consideration should be given to gastric lavage with endotracheal tube in place. Treatment is symptomatic and supportive. Animal and vegetable fats, milk, cream and alcohol may increase absorption and should not be administered.

## PRECAUTIONARY STATEMENTS

### Hazards to Humans and Domestic Animals

May be fatal if swallowed. Causes skin irritation and moderate eye irritation. Do not get on skin or on clothing. Avoid breathing vapors or spray mist, and contact with eyes. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Remove contaminated clothing and wash contaminated clothing before reuse.

**Personal Protective Equipment:** All pesticide handlers (mixers, loaders and applicators) must wear long-sleeved coveralls worn over a minimum of short-sleeved shirt and short pants, socks, chemical-resistant footwear, chemical-resistant gloves and protective eyewear. After the product is diluted in accordance with label directions for use (or if an in-line injector system is used) shirts, pants, socks, shoes and waterproof gloves are sufficient. All pesticide handlers must wear a respiratory protection device when handling the concentrate or when working in a non-ventilated space (such as a NIOSH approved respirator with any R, P or HE filter or a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any R, P or HE pre-filter). All pesticide handlers must wear protective eyewear, such as goggles, faceshield or safety glasses, when working in a non-ventilated space or when applying as a termiticide by rodding or sub-slab injection.

**Termite Control Treatment:** When treating adjacent to an existing structure, the applicator must check the area to be treated and immediately adjacent areas of the structure for visible and accessible cracks and holes to prevent any leaks or significant exposures to persons occupying the structure. People present or residing in the structure during application must be advised to remove their pets and themselves from the structure if they see any signs of leakage. After application, the applicator is required to check for leaks. All leaks resulting in the deposition of termiticide in locations other than those prescribed on this label must be cleaned up prior to leaving the application site. Do not allow people or pets to contact contaminated areas or to reoccupy contaminated areas of the structure until the clean-up is completed.

### Environmental Hazards

This pesticide is extremely toxic to 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. Do not contaminate water by cleaning of equipment or disposal of equipment washwaters. Do not apply when weather conditions favor drift from treated areas. Care should be used when spraying to avoid fish and reptile pets in/around ornamental ponds.

Do not apply this product or allow it to drift to crops or weeds on which bees are actively foraging. Additional information may be obtained from your Cooperative Extension Service.

### Physical and Chemical Hazards

Do not use or store near heat or open flame.

Do not apply this product in or on electrical equipment 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.

unacceptable

## STORAGE AND DISPOSAL

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

**Pesticide Storage:** If crystals are observed, warm material to above 60°F by placing container in warm location. Shake or roll container periodically to redissolve solids. Do not use external source of heat for warming container.

Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use, replace lids and close tightly. Do not put concentrate or dilute material into food or drink containers. Do not contaminate other pesticides, fertilizers, water, food, or feed by storage or disposal.

**In Case of Spill:** Confine it, avoid contact, isolate area and keep animals and unprotected persons away. If spill is liquid, form dike around spill area and/or absorb spill with absorbent materials, such as sand, cat litter or clay. If spill is dry material, cover to prevent dispersal. Place damaged package in a holding container and identify contents. Contact Ensystex at 1-866-367-8467 or Chemtrec at 1-800-424-9300 for any assistance

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

**Container Disposal:** Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) 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. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

## APPLICATION FOR CONTROL OF SUBTERRANEAN TERMITES

### General

MAXXTHOR EC, in the form of a dilute insecticidal solution, prevents and controls subterranean termite infestations in and around structures and other items by creating a continuous chemically treated zone (horizontal and/or vertical as needed) between the wood and other cellulose material in the structure and termite colonies in the soil. In order to establish a barrier between the wood in the structure and the termites in the soil, adequately disperse the solution of this product in the soil.

To effectively control termites with this product, the service technician should be familiar with current termite control practices including trenching, rodding, sub-slab and void injection, soil surface fan spraying, excavated soil treatment and brush, spray and injection applications to wood. Correct use of these techniques is necessary to effectively control infestations by subterranean termites such as *Coptotermes, Heterotermes, Reticulitermes* and *Zootermopsis*. The service technician should consider the biology and behavior of the termite specie(s) to be controlled to determine which control practices to use.

Treatment standards and procedures for subterranean termite control may vary due to regulations, water table level, structure design, soil types, construction practices and other factors. For advice concerning current control practices with respect to specific local conditions, consult resources in structural pest control and state cooperative extension and regulatory agencies. Follow all federal, state and local regulations and treatment standards for protection of a structure from subterranean termites.

Effective termite control may also include mechanical alteration 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 is advised. Removal of non-essential cellulose containing materials that are in contact with the ground under or around the structure can reduce termite foraging in the area. When untreated wooden parts of the structure touch the ground and such contact cannot be broken, creating a barrier between the soil and such components using a solution of the product may protect the components and the structure against termite attack.

MAXXTHOR EC is labeled for use against subterranean termites as a 0.06% or 0.12% solution in water, however the 0.06% finished solution should be used for typical control situations. When difficult or problem soils or construction types are encountered, it may be necessary to use 0.12% MAXXTHOR EC mixed in reduced volumes of water.

Avoid contamination of water supplies due to backflow under reduced water system pressure by using anti-backflow equipment or procedures to prevent siphoning of any solution back into a water supply. Do not contaminate cisterns or wells. Do not treat soil that is water saturated or frozen. Do not treat while precipitation is occurring. Do not apply solution to an area or site if the soil at the area or site is in such a state or condition that runoff or movement of the solution from the treated area or site is likely to occur. Consult state and local specifications for recommended distances of wells from treated areas, or if such regulations do not exist, refer to Federal Housing Administration Specifications (H.U.D.) for guidance.

For the purposes of this label and its directions, crawl spaces are to be considered to be inside of the structure. Critical areas include areas where the foundation is penetrated by utility services, cracks and expansion joints, bath traps and areas where construction elements such as stairs, patios and slab additions abut the foundation.

### Mixing Directions For MAXXTHOR EC For Use As A Termiticide

Mix MAXXTHOR EC for use as a termiticide in the following manner:

1. Fill tank 1/4 to 1/3 full.
2. Start pump to begin by-pass agitation and place end of treating tool in tank to allow circulation through hose.
3. Add appropriate amount of MAXXTHOR EC.
4. Add remaining amount of water.
5. Let pump run and allow recirculation through the hose for 2 to 3 minutes.

MAXXTHOR EC may also be mixed into full tanks of water, but substantial agitation is required to ensure uniformity of the solution.

### Dilution of MAXXTHOR EC for Use as a Termiticide

For termite control, use rates for MAXXTHOR EC are expressed and the solution is mixed according to the percentage (%) concentration it forms when mixed in water. Use the mixing table or alternately the formulas below to determine the amount of MAXXTHOR EC to add to any quantity of water.

To prepare a 0.06% water solution, ready to use, dilute 1 quart of MAXXTHOR EC with 99.75 gallons of water. To prepare a 0.12% water solution, ready to use, dilute 2 quarts of MAXXTHOR EC with 99.5 gallons of water.

**Mixing Table for MAXXTHOR EC for Use as a Termiticide**

| Solution Percentage Concentration Desired | Gallons of Finished Solution Desired | Amount of MAXXTHOR EC to add | Water to mix with MAXXTHOR EC |
|---|---|---|---|
| 0.06% | 1 | 0.32 oz | 127.68 oz |
| | 5 | 1.60 oz | 4.99 gallons |
| | 10 | 3.2 oz | 9.975 gallons |
| | 25 | 8.0 oz. | 24.94 gallons |
| | 50 | 0.50 quart | 49.875 gallons |
| | 75 | 0.75 quart | 74.8125 gallons |
| | 100 | 1.00 quart | 99.75 gallons |
| | 150 | 1.50 quart | 149.62 gallons |
| | 200 | 2.00 quart | 199.5 gallons |
| 0.12%* | 1 | 0.64 oz | 127.36 oz |
| | 5 | 3.2 oz | 4.975 gallons |
| | 10 | 6.4 oz. | 9.95 gallons |
| | 25 | 0.5 quart | 24.875 gallons |
| | 50 | 1.0 quart | 49.75 gallons |
| | 75 | 1.5 quart | 74.625 gallons |
| | 100 | 2.0 quart | 99.5 gallons |
| | 150 | 3.0 quart | 149.25 gallons |
| | 200 | 1 gallon | 199.0 gallons |

*Only use the 0.12% rate in accordance with the *Adjustments to Application Volume* section. May also be used in accordance with the *FOAM APPLICATION* and *APPLICATIONS TO PROTECT UNDERGROUND ITEMS FROM TERMITE ATTACK* sections.

### Calculating an Amount of MAXXTHOR EC to Mix

To mix any amount of MAXXTHOR EC for termite control, determine:

A = Units of water into which the MAXXTHOR EC will be mixed. Express any partial units as decimal fractions (1/2 = .5). Any unit of measure, such as gallons or quarts, can be used for A. Answers to equations below are in same units as A.

MAXXTHOR EC to add to A for 0.06% = A / 399

MAXXTHOR EC to add to A for 0.12% = A / 199.5

To convert gallons to fluid ounces, multiply number of gallons X 128

128 fluid ounces = 16 cups = 8 pints = 4 quarts = 1 gallon

32 fluid ounces = 1 quart

### Application Volume

To provide maximum control and protection against termite infestation, apply the specified volume of the finished water solution containing the specified amount of MAXXTHOR EC as set out below or as otherwise directed in this label.

**Prescribed Horizontal Barrier Rate:** Unless otherwise directed, horizontal barriers are created by applying a 0.06% solution at a rate of one gallon of solution per 10 square feet. (One gallon of 0.06% solution contains 0.32 fluid ounce of MAXXTHOR EC.)

**Prescribed Vertical Barrier Rate:** Unless otherwise directed, vertical barriers are created by applying a 0.06% solution at a rate of four gallons of solution per 10 linear feet per foot of depth. (Four gallons of 0.06% solution contains 1.28 fluid ounces of MAXXTHOR EC.)

### Adjustments to Application Volume

If soil will not accept the labeled application volumes, the volume may be reduced provided there is a corresponding increase in concentration so that the amount of active ingredient applied to the soil remains the same.

Note: Large reductions of application volume reduce the likelihood of obtaining a continuous barrier. *Variance is allowed when volume and concentration are consistent with label directed* rates and a continuous barrier can still be achieved. When volume is reduced, the spacing of holes created for sub slab injection and soil rodding may need to be reduced to account for decreased dispersion of the solution in the soil.

For example, adjust the amount of solution applied to deliver a horizontal barrier of 10 square feet from 1 gallon to as low as 0.5 gallons and as high as 2 gallons while maintaining the amount of MAXXTHOR EC (.32 fluid ounce) applied per 10 square feet.

For example, adjust the amount of solution applied to deliver a vertical barrier 10 feet long by one foot deep from 4 gallons to as low as 2 gallons and as high as 8 gallons while maintaining the amount of MAXXTHOR EC (1.28 fluid ounces) applied per 10 linear feet.

## PRE-CONSTRUCTION TREATMENT

### All Structures

**Pre-construction treatment: Do not apply at a lower dosage and/or concentration than specified on this label for applications prior to the installation of the finished grade.**

Prior to each application, applicators must notify the general contractor, construction superintendent, or similar responsible party, of the intended termiticide application and intended sites of application and instruct the responsible person to notify construction workers and other individuals to leave the area to be treated during application and until the termiticide is absorbed into the soil.

Effective control of subterranean termites can be accomplished during construction by using a 0.06% solution of MAXXTHOR EC to establish vertical and/or horizontal barriers between the structure and the soil as directed. Applications should be made as a coarse low pressure spray (less than 50 psi). To meet current termite proofing requirements, follow the procedures in the latest edition of the Housing and Urban Development Minimum Property Standards.

### Horizontal Barriers Under Slabs on Ground Including Basements

Create a horizontal barrier on the entire surface of soil or substrate that will be covered by a slab, including, but not limited to, slab floors, footing trenches, garages, carports, basements, porches and entrance platforms by treating the soil or substrate with the solution at the Prescribed Horizontal Barrier Rate.

If the fill under the slab is a coarse material such as washed gravel, apply at 1.5 times the Prescribed Horizontal Barrier Rate to make sure that a sufficient enough amount of dilution is applied that the solution reaches the soil beneath the fill.

Apply solution using a coarse spray nozzle. If the slab over the treated area will not be poured on the same day as the application (and there are no foundation walls in place around the treated soil) cover treated soil with a water-proof barrier such as polyethylene sheeting.

### Vertical Barriers

Create a vertical barrier along the inside and outside of foundation walls, around piers, plumbing and utility service entrances and other points of possible future termite access and entry by treating the soil at these points at the Prescribed Vertical Barrier Rate. When trenching and rodding into the trench, or trenching alone, it is important that the solution reaches the top of the footing. Rod holes must be spaced so as to achieve a continuous termiticidal barrier, but they should in no case be more than 12 inches apart. Trenches need not be wider than 6 inches. Mix the solution into the soil as it is being replaced in the trench. Care should be taken to avoid washing soil out from around footings thereby undermining the stability of the structure. An inside vertical barrier may not be required for a monolithic slab.

When treating foundations deeper than 4 feet, apply the termiticide as the backfill is being replaced, or if the construction contractor fails to notify the applicator in time to permit this, treat the foundation to a minimum depth of 4 feet after the backfill has been installed. The applicator must trench and rod into the trench or trench along the foundation walls and around pillars and other foundation elements, at the rate prescribed from grade to a minimum depth of 4 feet. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. However, in no case should a structure be treated below the footing.

### Hollow Block Foundations and Voids

Hollow block foundations and voids may be treated at a rate of 2 gallons of solution per 10 linear feet to create a continuous treated zone within the voids at the footing.

## POST CONSTRUCTION TREATMENT

### All Structures

Post construction soil applications shall be made by injection, rodding, trenching or coarse fan spray with pressures not exceeding 25 p. s. i. at the nozzle. Care should be taken to avoid washing soil out from around footings thereby undermining the stability of the structure.

Do not apply treatment until the identity and location of all wells, radiant heat pipes, water and sewer lines, electrical conduits and sub-slab heating and air conditioning ducts is established. Caution must be taken to avoid puncturing these elements and/or injecting solution into them. All holes in commonly occupied areas into which material has been applied must be plugged. Plugs must be of a non-cellulose material or covered by an impervious, non-cellulose material.

**Vertical Barrier Depth:** For applications made after the final grade is installed, the applicator must trench and rod into the trench or trench along the foundation walls and around pillars and other foundation elements and treat at the rate prescribed from grade to the top of the footing. When the footing is more than four (4) feet below grade, the applicator must trench and rod into the trench or trench along the foundation walls and treat at the rate prescribed to a minimum depth of four feet. The actual depth of treatment will vary depending on the soil type, degree of compaction, and location of termite activity. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. However, in no case should a structure be treated below the footing.

### Structures Containing Concrete Slabs on Ground (Monolithic/Floating/Supported) including Basements

To make an application beneath existing slabs, it may be necessary to drill holes in the slab or adjacent foundation and to apply solution. Holes should be spaced such that when treatment is applied through them, a continuous treated zone is applied beneath the slab.

**Vertical Barriers Along Exterior of Foundation Walls:** Trench and rod into the trench or trench along the outside of foundation walls and treat at the Prescribed Vertical Barrier Rate to the depth specified under Vertical Barrier Depth. Where physical obstructions such as concrete walkways adjacent to foundation elements or soil type and/or conditions make trenching prohibitive, treatment may be made by rodding alone.

**Vertical Barriers Along Interior of Foundation Walls:** Vertical barriers may be established on the interior side of foundation walls by sub-slab injection of the solution at the Prescribed Vertical Barrier Rate. Injection openings can be drilled either vertically through the slab along the interior of the foundation wall or horizontally from the exterior through the foundation wall low enough on the wall to allow for the deposition of the solution beneath the slab along the interior side of the foundation wall. Drill holes should be spaced so as to achieve a continuous chemical barrier but in no case farther apart than 12 inches. Special care must be taken to distribute the solution evenly. Vertical barriers may also be established beneath the slab along both sides of interior footing-supported walls, one side of interior partitions and along all cracks and expansion joints and utility service entrances and bath traps.

**Horizontal Barriers Beneath Slabs on Ground:** Create a horizontal barrier by treating at the Prescribed Horizontal Barrier Rate beneath slabs by either drilling and long rodding from the exterior or by grid pattern drilling and injection vertically through the slab. Long rodding should be used only when grid pattern drilling and injection and horizontal short rodding and injection cannot be used to deliver the sub slab treatment.

**Bath Traps:** Exposed soil beneath and around areas where plumbing and utility services penetrate the slab should be treated at the rate of 1 gallon of solution per square foot of soil.

### Structures Containing Accessible Crawl Spaces

For crawl spaces, apply vertical termiticide barriers at the rate of 4 gallons of solution per 10 linear feet per foot of depth from grade to the top of the footing, or if the footing is more than 4 feet below grade, to a minimum depth of 4 feet. Apply by trenching and rodding into the trench, or trenching. Treat both sides of foundation and around all piers and pipes. Where physical obstructions such as concrete walkways adjacent to foundation elements prevent trenching, treatment may be made by rodding alone. When soil type and/or conditions make trenching prohibitive, rodding may be used. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. Read and follow the mixing and use direction section of the label if situations are encountered where the soil will not accept the full application volume.

1. Rod holes and trenches must not extend below the bottom of the footing.

2. Rod holes must be spaced so as to achieve a continuous termiticide barrier but in no case more than 12 inches apart.

3. Trenches must be a minimum of 6 inches deep or to the bottom of the footing, whichever is less, and need not be wider than 6 inches. When trenching in sloping (tiered) soil, the trench must be stepped to ensure adequate distribution and to prevent termiticide from running off. The solution must be mixed with the soil as it is replaced in the trench.

4. When treating plenums or crawl spaces, turn off the air circulation system of the structure until application has been completed and all solution has been absorbed by the soil.

### Structures Containing Inaccessible Crawl Spaces

For inaccessible interior areas, such as areas where there is insufficient clearance between floor joists and ground surfaces to allow operator access, excavate, if possible, and treat according to the instructions for accessible crawl spaces. Otherwise, apply one, or a combination of the following two methods.

1. To establish a horizontal barrier, apply to the soil surface, 1 gallon of solution per 10 square feet overall using a nozzle pressure of less than 25 p.s.i. and a coarse application nozzle (e.g., Delavan Type RD Raindrop, RD-7 or larger, or Spraying Systems Co. 8010LP TeeJet or comparable nozzle). For an area that cannot be reached with the application wand, use one or more extension rods to make the application to the soil. Do not broadcast or power spray with higher pressures.

2. To establish a horizontal barrier, drill through the foundation wall or through the floor above and treat the soil perimeter at a rate of 1 gallon of solution per 10 square feet. Drill spacing must be at intervals not to exceed 16 inches. Many states have smaller intervals, so check state regulations which may apply.

When treating plenums or crawl spaces, turn off the air circulation system of the structure until application has been completed and all termiticide has been absorbed by the soil.

### Masonry Voids

Drill and treat voids in multiple masonry elements of the structure extending from the structure to the soil in order to create a continuous treatment barrier in the area to be treated. Apply at the rate of 2 gallons of solution per 10 linear feet of footing using a nozzle pressure of less than 25 p.s.i. When using this treatment access holes must be drilled below the sill plate and should be as close as possible to the footing as is practical. Treatment of voids in block or rubble foundation walls must be closely monitored: Applicators must inspect areas of possible runoff as a precaution against application leakage in the treated areas. Some areas may not be treatable or may require mechanical alteration prior to treatment.

All leaks resulting in the deposition of termiticide in locations other than those prescribed on this label must be cleaned up prior to leaving the application site. Do not allow people or pets to contact contaminated areas or to reoccupy the contaminated areas of the structure until the clean-up is completed.

Note: When drilling veneer walls, care should be taken to not drill beyond the depth of the void behind the veneer into another construction layer behind the veneer. It is however permissible to drill through the veneer and into concrete blocks behind the veneer and to treat the veneer and the concrete blocks at the same time.

Note: Not for use in voids insulated with rigid foam.

## TREATMENT OF STRUCTURES WITH WELLS AND CISTERNS

Do not contaminate wells or cisterns.

### Structures with Wells/Cisterns Inside Foundations

Structures that contain wells or cisterns within the foundation of a structure can only be treated using the following techniques:

1. Do not treat soil while it is beneath or within the foundation or along the exterior perimeter of a structure that contains a well or cistern. The treated backfill method must be used if soil is removed and treated outside/away from the foundation. The treated backfill technique is described as follows:

a. Trench and remove soil to be treated onto heavy plastic sheeting or similar material or into a wheelbarrow.

b. Treat the soil at the rate of 4 gallons of dilute solution per 10 linear feet per foot of depth of the trench, or 1 gallon per 1.0 cubic feet of soil. See *Mixing Directions for MAXXTHOR EC for Use as a Termiticide* section of the label. Mix thoroughly into the soil taking care to contain the liquid and prevent runoff or spillage.

c. After the treated soil has absorbed the solution, replace the soil into the trench.

2. Treat infested and/or damaged wood in place using an injection technique such as described in the *APPLICATION TO WOOD INDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS* or *APPLICATION TO WOOD OUTDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS* sections of this label.

### Structures with Adjacent Wells/Cisterns and/or Other Water Bodies

Applicators must inspect all structures with nearby water sources such as wells, cisterns, surface ponds, streams, and other bodies of water and evaluate, at a minimum, the treatment recommendations listed below prior to making an application.

1. Prior to treatment, if feasible, expose the water pipe(s) coming from a well to the structure, if the pipe(s) enter the structure within 3 feet of grade.

2. Prior to treatment, applicators are advised to take precautions to limit the risk of applying the termiticide into subsurface drains that could empty into any bodies of water. These precautions include evaluating whether application of the termiticide to the top of the footer may result in contamination of the subsurface drain. Factors such as depth to the drain system and soil type and degree of compaction should be taken into account in determining the depth of treatment.

3. When appropriate (for example, on the water side of the structure), the treated backfill technique (described above) can also be used to minimize offsite movement of termiticide.

## FOAM APPLICATION

MAXXTHOR EC, in the form of a foam, can be used to deliver MAXXTHOR EC as a termiticide any time it appears likely this form of delivery will improve the dispersal of MAXXTHOR EC into and within the intended target area. Foam can be particularly useful to deliver MAXXTHOR EC where it either cannot be depended upon to be delivered as just a solution or due to a need to reduce the amount of water used in order to avoid water damage to the target or adjacent areas. In some situations, for example under some slabs, a solution cannot be depended upon to disperse as completely as a foam because of deflection of the liquid stream or some other structural obstacle or defect.

Depending on the circumstances, foam applications of MAXXTHOR EC may be used alone or in combination with liquid solution applications, provided that the cumulative amount of active ingredient per unit of area applied is equivalent to that which would be contained in a 0.06% solution-only application applied to the same area. Mix and apply foam and or foam/liquid emulsion in combination such that at least 1.28 ounces of MAXXTHOR EC concentrate is applied per 10 linear feet when creating vertical barriers or 0.32 ounces of MAXXTHOR EC concentrate is applied per 10 square feet when creating horizontal barriers. Typically, at least 75% of the labeled liquid emulsion volume of product should be applied as a liquid, with the remaining percent delivered as a foam. Foam may be used alone in difficult situations.

Using foam generating equipment, a solution of MAXXTHOR EC, ranging in concentration from 0.06% to 0.12%, may be converted into a foam 2 to 40 times the volume of its liquid equivalent according to the foaming agent and foaming equipment manufacturer's recommendations.

First, form a solution of MAXXTHOR EC of the appropriate percentage concentration and volume. Then add the recommended volume of a foaming agent. Verify that the foaming agent is compatible with MAXXTHOR EC.

Applications may be made behind veneers, piers, chimney bases, into rubble foundations, into block voids, structural voids or other similar voids, under slabs, stoops, porches or to the soil in crawlspaces.

## RETREATMENT

Retreatments for subterranean termites can only be performed if there is clear evidence of reinfestation or disruption of the barrier due to construction, excavation or landscaping and/or evidence of the breakdown of the termiticide barrier in the soil. These vulnerable or reinfested areas may be retreated in accordance with application techniques described in this product's labeling. The timing and type of these retreatments will vary, depending on factors such as termite pressure, soil types, soil conditions and other factors which may reduce the effectiveness of the barrier.

Annual retreatment of the structure is prohibited unless there is clear evidence that reinfestation or barrier disruption has occurred.

## APPLICATION IN CONJUNCTION WITH TERMITE BAITS

Spot only applications of MAXXTHOR EC can be used as a supplement to termite baiting systems. For the purposes of this section, spot only applications are defined as the use of MAXXTHOR EC according to any of the permitted and applicable post-treatment application techniques contained in this label, alone or in combination, to the extent needed or deemed necessary or useful as an adjunct to a termite bait product labeled as a stand alone protection against termite attack. Stand alone termite bait product is defined as a termite bait product that provides sufficient structural protection when applied without other termite control products.

## APPLICATION TO PROTECT UNDERGROUND ITEMS FROM SUBTERRANEAN TERMITE ATTACK

To protect components installed underground such as wires, conduits, cables and pipes buried in soil against termite attack, create an envelope of MAXXTHOR EC treated soil around the components along the entire underground length of the component. First, treat soil through which components will be run with 0.06% to 0.12% solution of MAXXTHOR EC at a rate of 2 gallons of solution per 10 linear feet. Install components, laying them on the treated soil. Cover components with untreated soil and then treat this covering soil using the same percent solution at 2 gallons of solution per 10 linear feet.

Underground components to be protected may be located within the foundation of a structure or outside of a structure such as within a utility right of way, for example. Do not treat items that are electrically energized at the time of application. If the soil will not absorb the indicated amount of solution, as little as 1 gallon of 0.12% solution per 10 linear feet can be used. Treat points where services emerge from the ground at a rate of 1 to 2 gallons of solution at the point of emergence.

## APPLICATIONS TO PROTECT POLES, POSTS AND OTHER WOODEN ITEMS FROM SUBTERRANEAN TERMITE ATTACK

MAXXTHOR EC can be used to protect the below ground portions of wooden structural components from termites. Form a treated zone around components below ground by vertically rodding the soil around their perimeter to a depth of six inches below their maximum depth of placement in the soil and applying a 0.06% solution of MAXXTHOR EC at a rate of 0.4 gallons of solution per linear foot of perimeter around the component per foot of treated depth. Measure the perimeter of the component six inches from the outside of the component.

# APPLICATIONS TO CONTROL WOOD INFESTING INSECTS

Mix and dilute MAXXTHOR EC according to the instructions contained in the *APPLICATION FOR CONTROL OF SUBTERRANEAN TERMITES* section.

## APPLICATIONS TO CONTROL EXPOSED WOOD INFESTING INSECTS LOCATED ABOVE GROUND

MAXXTHOR EC can be applied above ground as a non-soil treatment to control and kill exposed worker and winged reproductive (swarmer) termites and Carpenter ants. This type of application is only supplementary to and should not be considered as a replacement for soil treatment in the case of termite infestation.

Apply a 0.06% solution as a general fan spray within attics, crawl spaces, unfinished basements and other void areas where termites have been found. Apply treatment directly to swarming termites and areas where they congregate.

## APPLICATIONS TO TERMITE CARTON NESTS LOCATED IN ABOVE GROUND WALL VOIDS

Apply a 0.06% solution of MAXXTHOR EC directly into above ground termite carton nests including nests located in wall voids using a directional injector. Apply as a solution or foam under pressure to distribute solution thoroughly throughout the nest. It may be necessary to inject solution at one or more points and at varying depths within the nest to adequately distribute solution within the interior of the nest.

## APPLICATION TO WOOD INDOORS TO PROTECT AGAINST WOOD INFESTING INSECTS

A 0.06% solution of MAXXTHOR EC applied as a liquid or foam to wooden structural components within structures can be used to protect them against attack from wood infesting insects such as termites, Carpenter ants and wood boring beetles or borers. This type of application is only supplementary to and should not be considered a replacement for soil treatment in the case of termite infestation.

Apply solution as a general fan spray onto the surface of the wood or inject solution under pressure into the wood as a liquid or foam. Inject by either injecting solution through a directional injector directly into existing voids and galleries or by drilling wood to form treatment channels through which the solution can be injected into the insect galleries. Multiple treatment channels of varying depth may need to be drilled to adequately distribute the solution within the wood interior. Application can also be made with a paintbrush.

Before application, locate heat pipes, ducts, water and sewer lines and electrical conduits. Take precautions to avoid puncturing and/or injecting solution into these items. Do not apply solution inside of electrified enclosures, switches or sockets.

Plastic sheeting must be placed below any indoor overhead surfaces being treated that are located anywhere except within a soil-based crawl space. Wear protective clothing, unvented goggles, gloves and respirator when making an overhead application or when applying in poorly ventilated indoor areas. Do not touch surfaces until spray has dried.

When treating in home food preparation and storage areas, cover all food preparation surfaces and utensils prior to beginning treatment. Surfaces or items that cannot be covered or removed should be thoroughly washed after treatment and before use. Food that cannot be covered should be removed. Before application, remove pets, birds and cover and disconnect aquariums. Do not allow humans and pets to touch treated surfaces until they have dried.

## APPLICATION TO WOOD OUTDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS

### On and around structures

A 0.06% solution of MAXXTHOR EC applied as a liquid or foam to exterior structural components can be used to protect them from the attack of wood infesting insects such as termites, Carpenter ants and wood boring beetles or borers. Apply solution by general fan spray to the point of runoff onto the surface of the wood or inject solution under pressure into the wood as a liquid or foam. Inject by either injecting solution directly into existing voids and galleries or drilling wood to form treatment channels through which the solution can be injected into the insect galleries. Multiple treatment channels of varying depth may need to be drilled to adequately distribute the solution within the wood interior. Application can also be made with a paintbrush.

To control Carpenter ants, also apply solution around doors and windows and other areas Carpenter ants have been observed or can be expected to forage.

### Within wooden components and trees

Locate the cavity that the insects (such as Carpenter ants) are inhabiting, drilling to find the interior infested cavity if necessary. Inject a 0.06% solution of MAXXTHOR EC into the cavity as a solution or foam. Apply a sufficient volume of solution to completely flood or fill the cavity. Drill injection channels if necessary.

# APPLICATION TO CONTROL LAWN PESTS

MAXXTHOR EC controls a wide range of turfgrass insect and mite pests. MAXXTHOR EC is not for use on turfgrass being grown for sale, for commercial seed production, for other commercial use or for research.

### Application Sites

For use on any type of landscape or recreational turfgrass in any type of setting or at any type of site except as otherwise prohibited. Permitted sites include but are not limited to lawns, grounds, recreational areas, parks, landscapes and athletic fields. **New York State only: Do not apply MAXXTHOR EC containing solutions to grass or turf within 100 feet of a body of water (lake, pond, river, stream, wetland or drainage ditch).**

### Application Precautions and Preparations

Keep children and pets off treated areas until spray has dried.

If necessary, test the effects of applications of different rates and volumes of mixed solution on a small patch of a type of grass (with observations over one week to detect the occurrence of negative effects) before application of solutions to large areas of that type of grass.

MAXXTHOR EC can be mixed with other pesticides, including insect growth regulators. Follow the label directions of all the products mixed, making sure not to exceed the labeled application rate of any individual product in the mixture. Any tank mixture that has not been tested before should be tested before full scale use by first mixing a small quantity of the mixture to ensure there is no physical or chemical incompatibility.

Do not apply when wind conditions favor downwind drift to nearby water bodies or when wind velocity exceeds 10 miles per hour.

### Application Methods

Apply solution as a broadcast treatment in a quantity sufficient to wet all foliage. Apply using nozzles that provide the largest droplet size compatible with adequate coverage.

To maximize efficacy against sub-surface pests such as mole crickets or chinch bugs, MAXXTHOR EC should be applied with a non-ionic or silicone based surfactant (0.25% v/v) in sufficient water to ensure good penetration of spray into the soil-thatch matrix. Treated areas should then be irrigated with 0.25 to 0.5 inches of water immediately afterwards paying special attention so that run-off or puddling does not occur.

If necessary, consult resources in horticulture in your area (such as your Cooperative Extension Service) to determine appropriate application timing and cultural practices to control different types of pests.

### Reapplication

Reapplications may be necessary particularly in the event of high pest pressure. Do not apply more often than every 7 days. **New York State only: Do make a single reapplication of MAXXTHOR EC if there is renewed insect activity, but not sooner than two weeks after first application.**

### Lawn Application Use Rates and Volumes

Use rates for MAXXTHOR EC for lawn pests are stated in fluid ounces of MAXXTHOR EC per 1000 square feet.

Apply MAXXTHOR EC at 0.07 to 0.30 fluid ounces per 1000 square feet depending on the target pest. Recommended rates for specific pests within this range are given below.

Depending on the length and/or density of grass being treated, application volumes of up to 10 gallons per 1000 square feet can be made in order to obtain uniform coverage. If a minimal volume application is made (2 gallons per 1000 square feet) and the target pest, such as mole crickets or chinch bugs for example, are located in the thatch or below the surface, irrigate the treated area with at least 0.25 to 0.50 inches of water immediately after the application. The addition of a non-ionic or silicone based surfactant (0.25% v/v) is also recommended when making a minimal volume application.

The calculated amount of MAXXTHOR EC can be applied in any volume of water as long as the maximum label rate per 1000 feet is not exceeded. Do not exceed the maximum label rate by applying solution to an area smaller than intended when it was mixed and diluted unless such under dosing will not result in an application rate per 1000 square feet in excess of the maximum label rate.

### Lawn Pest Application Use Rates

The application rates listed below provide control of the listed pests under normal conditions. Use the higher application rates when maximum residual control is needed.

| Use Rate Table for MAXXTHOR EC for Lawn Applications | |
|---|---|
| **Use Rate** | **Fluid ounces MAXXTHOR EC per 1,000 square feet (Range)** |
| A | 0.07⇒0.15 |
| B | 0.07⇒0.30 |
| C | 0.15 |

### Lawn Pests Grouped by Use Rates

**Use Rate A:** Ants, Armyworms, Billbugs, Chinch Bugs, Crane Flies, Crickets, Cutworms, Earwigs, Fall Webworms, Fleas (adults, larvae), Grasshoppers, Mites, Mole Crickets, Sod Webworms, Spittlebugs

**Use Rate B:** Japanese Beetles (adult)

**Use Rate C:** Crane Flies

| Mixing Table for MAXXTHOR EC for Lawn Applications | | | | |
|---|---|---|---|---|
| Application Volume: Gallons/1000 sq. ft. | Use Rate: Fluid oz. / 1000 sq. ft. (select from Use Rate Table) | Add these amounts of MAXXTHOR EC to the indicated volumes of water | | |
| | | 5 gal. | 10 gal. | 25 gal. |
| 2 | .07 | .175 | .35 | 0.875 |
| | .15 | .375 | .75 | 1.875 |
| | .22 | .550 | 1.10 | 2.750 |
| | .30 | .75 | 1.50 | 3.750 |
| 5 | .07 | .07 | .14 | 0.350 |
| | .15 | .15 | .30 | 0.750 |
| | .22 | .22 | .44 | 1.100 |
| | .30 | .30 | .60 | 1.500 |
| 10 | .07 | - | .07 | .175 |
| | .15 | - | .15 | .375 |
| | .22 | - | .22 | .550 |
| | .30 | - | .30 | .750 |

### Calculating Amounts of MAXXTHOR EC to Mix for Lawn Pests

To mix and apply any amount of MAXXTHOR EC for lawn pests, determine:

A = Square feet of area to be treated / 1000

B = Use Rate per 1000 square feet for the target pest(s) in fluid ounces MAXXTHOR EC taken from the Use Rate Table. If treating for more than one type of pest, select the highest rate.

Calculate the amount of MAXXTHOR EC to mix for lawn pests as follows:

Fluid Ounces MAXXTHOR EC to use = A X B

Mix this amount of MAXXTHOR EC in the amount of water needed to make the application.

### Application Recommendations Against Specific Lawn Pests

**Armyworms, Cutworms, Sod Webworms:** Do not water or mow grass within 24 hours of application for optimum control of these surface feeding insects.

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

**Mole Crickets:** For control of overwintering Mole Crickets, apply the lower rate in early Spring. For the control of adult Mole Crickets in late-Summer or early Fall, apply the higher rate.

**Crane Flies:** Treatments can be made to control early to midseason larvae (approximately August - February) as they feed on plant crowns. Treatments made to late-season larvae (approximately March, April) may only provide suppression.

## APPLICATION TO CONTROL ORNAMENTAL PESTS

MAXXTHOR EC controls a wide range of insects and mites on trees, shrubs, foliage plants, non-bearing fruit and nut trees and flowers. Non-bearing trees are perennial plants that will not produce a harvestable agricultural commodity within the next 12 months. MAXXTHOR EC is not for use on plants being grown for sale, for commercial seed production or for research.

### Application Sites

For use on ornamental plants including but not limited to trees, shrubs, ground covers, bedding plants and foliage plants being used for decorative or climate modification purposes. Plants on which use is permitted include those being grown in any type of setting or at any type of site not otherwise prohibited. Permitted sites include but are not limited to ornamental gardens, parks, landscapes, lawns, grounds and interior plantscapes.

### Application Preparation

If necessary, test the effects of applications of different rates and volumes of mixed solution on a small number of a type of plant (with observations over one week to detect the occurrence of negative effects) before application of solution to large numbers of that type of plant.

MAXXTHOR EC can be mixed with other pesticides, including insect growth regulators. Follow the label directions of all the products mixed, making sure not to exceed the label rate of any individual product in the mixture. Any tank mixture that has not been tested before should be tested before full scale use by first mixing a small quantity of the mixture to ensure there is no physical or chemical incompatibility.

### Application Methods

Apply solution in a quantity sufficient to wet all foliage. It may also be necessary to treat non-foliage parts of plants such as trunks and bark to control some pests based on where the pest may be located on the plant at a particular life stage.

For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

### Reapplication

Reapplications may be necessary as plant growth occurs and new foliage appears or in the event of high pest pressure. Do not apply more often than every 7 days.

### Ornamental Application Use Rates and Volumes

Use rates for MAXXTHOR EC for ornamental pests are stated in fluid ounces of MAXXTHOR EC per 4,356 square feet. Recommended ornamental application use rates, based on the target pest, range between 0.26 to 1.28 fluid ounce of MAXXTHOR EC per 4,356 square feet. Recommended rates for specific pests within this range are given below.

The calculated amount of MAXXTHOR EC can be applied in any volume of water as long as the applicable label rate per 4,356 feet is not exceeded. Do not exceed the maximum label rate by applying solution to an area smaller than intended when it was mixed and diluted unless such underdosing will not result in an application rate per 4,356 square feet in excess of the maximum label rate.

### Ornamental Pest Dilution Rates

The dilution rates listed below provide control of the listed pests under normal conditions. Use the higher dilution rate when maximum residual control is needed.

| Dilution Rate Table for MAXXTHOR EC for Ornamental Applications | | |
|---|---|---|
| Dilution Rate | Lbs. a. i. per 10 gallons<br>Lbs. a. i. per 4,356 sq. ft. | Fl. oz. per 10 gallons<br>Fl. oz. per 4,356 sq. ft. |
| A | 0.004 ⇒ 0.02 | 0.26 ⇒ 1.28 |
| B | 0.006 ⇒ 0.02 | 0.38 ⇒ 1.28 |
| C | 0.01 ⇒ 0.02 | 0.64 ⇒ 1.28 |

### Ornamental Pests Grouped by Dilution Rates

**Dilution Rate A:** Ants, Aphids, Bagworms, Black Vine Weevil (adults), Brown Soft Scales, Broad Mites, Budworms, California Red Scales (crawlers), Centipedes, Clover Mites, Crickets, Cutworms, Earwigs, Elm Leaf Beetles, Fall Webworms, Flea Beetles, Fungus Gnats (adults), Grasshoppers, Lace Bugs, Leafhoppers, Leaf feeding Caterpillars, Mealybugs, Millipedes, Mole Crickets, Orchid Weevil, Pillbugs, Pine Needle Scales (crawlers), Plant Bugs (incl. Lygus spp.), San Jose scales (crawlers), Sowbugs, Spiders, Spittlebugs, Tent Caterpillars, Tip Moths, Weevils, Whiteflies

**Dilution Rate B:** Citrus Thrips, Beet Armyworm, Diaprepes (larvae, adult), European Red Mite, Leafrollers, Spider Mites, Thrips, Twig Borers

**Dilution Rate C:** Japanese Beetles (adult), Leafminers, Pecan Leaf Scorch Mite, Black Vine Weevil (larvae), Fungus Gnats (larvae)

| Mixing Table for MAXXTHOR EC for Ornamental Applications | | | | |
|---|---|---|---|---|
| Application Volume: Gallons/4356 sq. ft. | Use Rate: Fluid ounces / 4356 sq. ft. | Add these amounts of MAXXTHOR EC to the indicated volumes of water | | |
| | | 5 gal. | 10 gal. | 25 gal. |
| 2 | 0.26 | 0.650 | 1.30 | 3.25 |
| | 0.38 | 0.950 | 1.90 | 4.75 |
| | 0.64 | 1.600 | 3.20 | 8.0 |
| | 1.28 | 3.200 | 6.40 | 16.00 |
| 5 | 0.26 | 0.260 | 0.52 | 1.30 |
| | 0.38 | 0.380 | 0.76 | 1.90 |
| | 0.64 | 0.640 | 1.28 | 3.20 |
| | 1.28 | 1.280 | 2.56 | 6.40 |
| 10 | 0.26 | -- | 0.26 | 0.65 |
| | 0.38 | -- | 0.38 | 0.95 |
| | 0.64 | -- | 0.64 | 1.60 |
| | 1.28 | -- | 1.28 | 3.20 |

### Calculating Amounts of MAXXTHOR EC to Mix for Ornamental Pests

To mix and apply any amount of MAXXTHOR EC for ornamental pests, determine:

A = Square feet of area to be treated /4,356

B = Use Rate per 4,356 square feet for the target pest(s) in fluid ounces MAXXTHOR EC taken from the Dilution Rate Table. If treating for more than one pest, select the highest rate.

Calculate the amount of MAXXTHOR to mix for ornamental pests as follows:

Fluid Ounces MAXXTHOR EC to use = A X B

Mix this amount of MAXXTHOR EC in the amount of water needed to make the application.

### Application Recommendations Against Specific Ornamental Pests

**Bagworms:** Spray when bagworms first begin to hatch. Apply directly to the larvae. Treatment is most effective against young larvae.

**Scale crawlers and twig borers**: Treat trunks, stems and twigs in addition to plant foliage.

**Black Vine Weevil and Fungus Gnat larvae:** Apply as a drench at the rate of approximately 8 ounces of finished spray per 6 inch pot.

## ORNAMENTAL TREE TRUNK SPRAY TO CONTROL BARK BEETLES

### Control of Dendroctonus bark beetles including mountain pine beetle, southern pine beetle, western pine beetle, Black turpentine beetle, and engraver beetles (Ips spp.)

**Preventative treatment:** Spray an aqueous solution containing 1.0 to 2.0 pints of MAXXTHOR EC per 100 gallons (0.25 to 0.5 lbs. ai/100 gallons) of water to the trunk of the tree in the spring or whenever nearby infested trees create the threat of an infestation. Apply spray directly to the main trunk from the base of the tree to at least half way into the live crown. Wet the bark with the spray thoroughly (usually 1 to 4 gallons of spray per tree). Do not apply more than 0.2 lbs. ai (12.8 fl. Oz.) of this product per acre of trees. Repeat application if infestation occurs. Application rates and application timing differ according to the target pest and other factors. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

**Treatment of infested trees to control emerging brood:** Make applications of a spray mixture containing 2.0 pints of this product per 100 gallons 0.5 lbs. ai/100 gallons) of water to trees that have beetles in their bark. Apply spray directly to the main trunk from the base of the tree to at least half way into the live crown. Spray until the bark is thoroughly wetted by the spray (usually 1 to 4 gallons of spray per tree). Do not apply more than 0.2 lbs. ai (12.8 fl. oz.) of this product per acre of trees.

Beetles are normally no longer present in trees in which all needles have turned brown. Trees in this condition should be sprayed only if a continuing infestation is confirmed. Confirm an infestation by removing bark. If live infestations remain in the trunks, fell the trees and cut into sections. Spray the trunk and large limbs, rotating the trunks as they are sprayed in order to thoroughly treat the exterior of the entire trunk. Do not apply more than 0.2 lbs. ai (12.8 fl. oz.) of this product per acre.

### Control of other bark beetles such as Ambrosia beetles, elm bark beetles and Emerald Ash borer

**Preventative control:** Spray an aqueous solution containing 1.0 to 2.0 pints of MAXXTHOR EC per 100 gallons (0.25 to 0.5 lbs. ai/100 gallons) of water to the trunk, scaffolding and limbs of the tree in the early spring or prior to adult beetle flight and tree infestation. Spray until the bark is thoroughly wetted by the spray (usually 6 to 12 gallons of spray per tree).

Do not apply more than 0.2 lbs. ai of this product per acre of trees. Repeat application may be necessary if reinfestation is likely or for extended adult emergence and flight. Application rates and application timing differ according to the target pest and other factors. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

## CONTROL OF OTHER BORERS ON ORNAMENTAL TREES

Consult the table below for other boring insects. Geographic location and environmental conditions will affect application rate and timing. Spray bark until it is thoroughly wetted by the spray (usually 1 to 4 gallons of spray per tree). Do not apply more than 100 gallons of solution per acre of trees. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

| Pest | Recommended Dilution Rate (Range) | Specific Instructions |
|---|---|---|
| **Clearwing Moth borers**<br>Ash borer, banded ash clearwing, Dogwood borer, Lesser peachtree borer, Lilac borer, Oak borer<br>**Coleopteran borers**<br>Bronze birch borer, Flatheaded appletree borer | 6.4 to 12.8 fl. oz. per 100 gallons | Apply to the lower branches and trunks prior to adult emergence<br><br>Apply 12.8 fl. oz. per 100 gallons for maximum residual control |

## CONTROL OF STRUCTURAL PESTS (OTHER THAN WOOD INFESTING INSECTS) ON AND AROUND BUILDINGS

MAXXTHOR EC controls a wide range of structural pests including nuisance pests outside of structures. MAXXTHOR EC can be applied around any type of residential or commercial structure or building. Permitted sites include but are not limited to the exterior of homes, office buildings, mobile and modular homes, apartments and stores.

### Dilution of MAXXTHOR EC for Structural Pests

For structural pests, use rates for MAXXTHOR EC are expressed and mixed according to the percentage (%) concentration solution it forms when mixed in water. Each 0.166 fluid ounce (1 teaspoon) of MAXXTHOR EC that is added to one gallon of water increases the concentration of MAXXTHOR EC in that one gallon of water by 0.03%. For example, to make a 0.06% solution in one gallon of water, mix 0.333 fluid ounce (2 teaspoons) of MAXXTHOR EC in one gallon of water. Use the conversion table and formulas below to determine the amount of MAXXTHOR EC to add to any quantity of water.

| Mixing Table for MAXXTHOR EC for Structural Pests | | |
|---|---|---|
| % to mix | Fluid ounces to add per gallon of water to mix this % | Teaspoons to add per gallon of water to mix this % |
| 0.03 | 0.166 | 1 |
| 0.06 | 0.333 | 2 |

29.57 milliliters = 2 tablespoons = 6 teaspoons=1 Fluid ounce

### Calculating Amount of MAXXTHOR EC to Mix for Structural Pests

Calculate the amount of MAXXTHOR EC to mix for structural pests as follows:

A = Volume of water, in gallons, into which the MAXXTHOR EC will be mixed. Express any partial gallons as decimal fractions (1/2 = .5)

B = Fluid ounces (or teaspoons) MAXXTHOR EC per gallon from Mixing Table. Select the desired % concentration based on the site of application and the pest(s) to be controlled. Read across to find amount of MAXXTHOR EC to add per gallon in fluid ounces or teaspoons.

Fluid ounces (or teaspoons) MAXXTHOR EC to mix = A X B

Mix this amount of MAXXTHOR EC in the predetermined amount of water (A). Food utensils such as teaspoons and measuring cups should not be used for food purposes after use with pesticides.

### Pests Controlled

Ants, including Carpenter Ants, Armyworms, Bees, Boxelder Bugs, Centipedes, Chiggers, Chinch Bugs, Clover Mites, Crickets, Cutworms, Dichondra Flea Beetles, Earwigs, Elm Leaf Beetles, European Craneflies, Fleas, Flies, Grasshoppers, Hornets, Millipedes, Mosquitoes, Moths, Roaches, including Cockroaches, Scorpions, Silverfish, Sod Webworms, Sowbugs (Pillbugs), spiders including Black Widow Spiders, Springtails and Wasps.

### Application Methods

Apply MAXXTHOR EC as a solution in the form of a general surface, spot, crack and crevice, pinstream or coarse spray. Do not apply as a space spray. May also be applied with a paintbrush.

### Application Use Rates and Volumes

Use a 0.03% to 0.06% solution of MAXXTHOR EC. Use a spray volume of between 2 and 10 gallons of solution per 1,000 square feet. Higher application volumes may be used if necessary to sufficiently wet vegetation and landscaping with the spray solution.

### Re-Application

Treatments should not be repeated more often than once every 7 days. The best efficacy and longest residual control is achieved when the highest concentration is used.

### Application Locations

Apply spray to the exterior surfaces of structures and to grounds, lawns, landscaping, plants and hard surface areas adjacent to structures. Can also be applied to any areas where pests congregate or have been seen.

### Perimeter Band Treatment

To help prevent pest infestation of structures, create a treated zone or band on the structure, soil and vegetation around the entire perimeter of a structure. Apply solution to all surfaces within a band beginning 6 to 10 feet from the exterior foundation of the structure that extends back to the structure and then continues 2 to 3 feet up the exterior surface of the structure from the ground. Application volume will depend upon the nature of the surface being treated. Mulch areas, for example, require more volume and hard surface areas requiring less.

### Control of Specific Structural Pests Outdoors

**Ants (Nuisance ants other than Carpenter Ants) Outdoors:** To achieve the highest level of control, locate and directly treat ant nests. Apply solution to ant trails, around doors and windows and at points where ants can be expected to forage or congregate.

**For Ant Mounds:** Treat mounds and area within a 2 foot radius of the center of the mound with 1-2 gallons of a 0.06% solution. When mounds exceed 12 inches in size use the highest volume of solution. Applications in cool weather (65 to 80 degrees F) or the cooler parts of the day are most effective. Do not apply treatment during the heat of the day.

**Bees, Wasps, Hornets, and Yellow Jackets:** Always use the highest rate. Make application in late evening when insects are at rest at the nest for best results and to avoid stings. Spray nest openings in ground, in bushes and wherever insects may be nesting. Spray to the point of saturation. Spray as many insects as possible. Remove and destroy treated nests to prevent emergence of newly hatched insects.

**Centipedes, Earwigs, Beetles, Millipedes, Pillbugs, Sowbugs:** Thoroughly treat mulch areas. The reduction of moisture in mulch areas may also aid in control of these pests.

**Mosquitoes:** Apply solution to lawns and landscaping, under decks and to building foundations. Refer to *APPLICATIONS FOR ORNAMENTAL PESTS* section for mixing and applying large amounts of solution against mosquitoes.

**Fleas:** Treat the entire area where insects could be present. Begin treatments in the spring. Insects may be re-introduced by host animals in the surrounding area. Retreatment may be necessary to achieve and maintain control during periods of high pest pressure.

## CONTROL OF NUISANCE INSECTS INSIDE BUILDINGS

MAXXTHOR EC can be used indoors to control bees, wasps, hornets and yellow jackets by liberally spraying a 0.06% emulsion in the late evening when insects are at rest into hiding and breeding places, especially under attic rafters, contacting as many insects as possible. Repeat application is necessary only if there are signs of renewed insect activity which is more likely in situations of high initial pest pressure. Repeat application should be limited to no more than once every seven days.

Refer to the *CONTROL OF STRUCTURAL PESTS (OTHER THAN WOOD INFESTING INSECTS) ON AND AROUND BUILDINGS* section of this label for directions on mixing MAXXTHOR EC for these types of applications.

**Important:** Do not apply emulsion until location of heat pipes, ducts, water and sewer lines and electrical conduits are known and identified. Caution must be taken to avoid puncturing and injection into these structural elements. Do not apply into electrical fixtures, switches or sockets.

Remove pets, birds and cover aquariums before spraying. Do not permit humans or pets to contact treated surfaces until the spray has dried.

Wear protective clothing, unvented goggles, gloves and respirator, when applying to overhead areas or in poorly ventilated areas. During any overhead applications to overhead interior areas of structures, cover surfaces below with plastic sheeting or similar materials.

In the home, cover all food handling/processing surfaces and cover or remove all food and cooking utensils, or wash thoroughly after treatment.

For use only in nonfood/feed areas of food/feed handling establishments. Do not use in food/feed areas of food/feed handling establishments, restaurants or other areas where food/feed is commercially prepared or processed. Do not use in serving areas while food is exposed or facility is in operation. Serving areas are areas where prepared foods are served such as dining rooms but excluding areas where food may be prepared or held. Nonfood/feed areas of food/feed areas are 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 (after bottling or canning).

Not for use in Federally inspected meat and poultry plants.

## APPLICATION UNDER SLABS TO CONTROL PESTS

Infestations of pests such as ants, cockroaches and scorpions inhabiting areas under slabs may be controlled by drilling and injecting or horizontal roddlng and then injecting 1 gallon of a 0.06% to 0.12% emulsion per 10 square feet or 2 gallons of emulsion per 10 linear ft.

## ATTENTION

Use only in well ventilated areas.

Do not apply to pets, crops, sources of electricity or firewood.

During any application to overhead areas of structure, cover surfaces below with plastic sheeting or similar material, except for soil surfaces in crawlspaces.

Do not allow dripping or runoff to occur during indoor applications.

Do not treat areas where food is exposed.

Do not allow spray to contact food, foodstuffs, food contacting surfaces, food utensils or water supplies.

Thoroughly wash dishes and food handling utensils with soap and water if they become contaminated by application of this product.

Do not allow people or pets to touch or walk on treated surfaces until spray has dried.

Do not apply a broadcast application to interior surfaces of homes.

Do not apply in livestock buildings such as barns.

Do not allow spray to drift onto ponds, streams or lakes.

Do not apply in greenhouses or nurseries or by air.

## 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 must be followed carefully. However, because of manner of use and other factors beyond the control of Ensystex IV, Inc., it is impossible for Ensystex IV 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 Ensystex IV harmless for any claims relating to such factors.

**DIECLAIMER OF WARRANTIES:** Seller warrants that this product conforms to the chemical description in 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. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ENSYSTEX IV 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 Ensystex IV, Inc., and buyer assumes the risk of any such use.

**LIMITATIONS OF LIABILITY:** To the extent consistent with applicable law, Ensystex IV 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 ENSYSTEX IV 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 ENSYSTEX IV, 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.

MAXXTHOR is a registered trademark of Ensystex, Inc.

Revised 11/08

*Please read instructions on reverse before completing form.* Form Approved. OMB No. 2070-0060, Approval expires 2-28-95

EPA

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

☐ Registration
☑ Amendment
☐ Other

OPP Identifier Number

## Application for Pesticide - Section I

| | | |
|---|---|---|
| 1. Company/Product Number<br>83923-6 | 2. EPA Product Manager<br>R. Gebken | 3. Proposed Classification<br>☑ None ☐ Restricted |
| 4. Company/Product (Name)<br>Ensystex IV, Inc. / Maxxthor EC | PM#<br>13 | |
| 5. Name and Address of Applicant *(Include ZIP Code)*<br>Ensystex II, Inc.<br>c/o Pyxis Regulatory Consulting, Inc.<br>4110 136th St. NW<br>Gig Harbor, WA 98332<br>☐ *Check if this is a new address* | 6. **Expedited Reveiw.** In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to:<br>EPA Reg. No. _____<br>Product Name _____ | |

## Section - II

☑ Amendment - Explain below.
☐ Resubmission in response to Agency letter dated _____
☐ Notification - Explain below.
☐ Final printed labels in repsonse to Agency letter dated _____
☐ "Me Too" Application.
☐ Other - Explain below.

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

Submission of an amendment to the Confidential Statement of Formula (Basic Formulation) and labeling for Maxxthor EC. As no data are being submitted with this amendment, nor will data need to be reviewed to approve the proposed labeling, Ensystex believes this action qualifies as a Fast Track amendment and is not subject to a Pesticide Registration Service Fee.

## Section - III

**1. Material This Product Will Be Packaged In:**

| Child-Resistant Packaging | Unit Packaging | Water Soluble Packaging | 2. Type of Container |
|---|---|---|---|
| ☑ Yes<br>☐ No | ☐ Yes<br>☑ No | ☐ Yes<br>☑ No | ☐ Metal<br>☑ Plastic<br>☐ Glass<br>☐ Paper<br>☐ Other (Specify) _____ |
| **** Certification must be submitted*** | If "Yes" Unit Packaging wgt. / No. per container | If "Yes" Package wgt / No. per container | |

| 3. Location of Net Contents Information | 4. Size(s) Retail Container | 5. Location of Label Directions |
|---|---|---|
| ☐ Label ☑ Container | 1 pt., 1 qt., 1 gal., 2.5 gal. | ☑ On Label<br>☐ On Labeling accompanying product |

6. Manner in Which Label is Affixed to Product ☐ Lithograph ☑ Paper glued ☐ Stenciled ☐ Other _____

## Section - IV

1. Contact Point *(Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)*

| Name | Title | Telephone No. (Include Area Code) |
|---|---|---|
| Michael Kellogg | Agent | (253) 353-7369 |

**Certification**

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

6. Date Application Received (Stamped)

| | |
|---|---|
| 2. Signature<br>Michael Kellogg | 3. Title<br>Agent |
| 4. Typed Name<br>Michael Kellogg | 5. Date<br>11/13/08 |

PYXIS REGULATORY CONSULTING, INC.

4110 136th St. NW
Gig Harbor, WA 98332

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

**CONTAINS CONFIDENTIAL BUSINESS INFORMATION**

November 13, 2008

COURIER DELIVERY

Richard Gebken (PM 13)
Document Processing Desk (**AMEND**)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

RE: Ensystex IV, Inc. – Maxxthor EC (EPA Reg. No. 83923-6)
Submission of Amendment to the Confidential Statement of Formula (CSF) and Labeling

Dear Mr. Gebken,

On behalf of Ensystex IV, Inc. please find the enclosed amendment to the Basic CSF and product labeling for Maxxthor EC (EPA Reg. No. 83923-6). Ensystex IV, Inc. is proposing to amend the Maxxthor EC formulation according to the enclosed CSF and as a result, the bifenthrin nominal active ingredient percentage will change and an amended label, reflecting this change is enclosed.

[redacted]

In support of this amendment, we submit the following documents:

1. Copy of the cover letter with Confidential Business Information redacted
2. Completed Application for Amendment (EPA Form 8570-1)
3. Formulators Exemption Statement (EPA Form 8570-27)
4. Two (2) copies of the proposed CSF (Basic Formulation dated November 13, 2008)
5. One (1) copy of the Maxxthor EC label with changes tracked
6. Five (5) copies of the Maxxthor EC label with changes incorporated
7. Material Safety Data Sheets as listed above

The proposed Basic CSF and labeling submitted with this amendment are intended to **REPLACE** the existing Agency approved Basic CSF and label.

As no data are being submitted with this amendment, nor will data need to be reviewed to approve the proposed amendment, Ensystex believes this action qualifies as a Fast Track amendment and is not subject to a Pesticide Registration Service Fee Please feel free to call me if you have any questions or need any additional information.

Sincerely,

Michael Kellogg

Enclosures

cc: David Nimocks; Ensystex IV, Inc.

*Inert ingredient information may be entitled to confidential treatment*

# PYXIS REGULATORY CONSULTING, INC.

4110 136th St. NW
Gig Harbor, WA 98332

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


**CONFIDENTIAL BUSINESS INFORMATION REDACTED**

November 13, 2008

COURIER DELIVERY

Richard Gebken (PM 13)
Document Processing Desk (**AMEND**)
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U.S. Environmental Protection Agency
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Sincerely,

Michael Kellogg

Enclosures

cc: David Nimocks; Ensystex IV, Inc.

Form approved. OMB No. 2070-0060, 2070-0057, 2070-0107, 2070-0122, 2070-0164.

EPA

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

# Formulator's Exemption Statement

*(40 CFR 152.85)*

| Applicant's Name and Address | EPA File Symbol/Registration Number |
|---|---|
| Ensystex IV, Inc.<br>2709 Breezewood Avenue<br>Fayetteville, NC 28303 | 83923-6 |
| | Product Name<br>Maxxthor EC |
| | Date of Confidential Statement of Formula *(EPA Form 8570-4)*<br>11/13/2008 |

As an authorized representative of the applicant for registration of the product identified above, I certify that:

(1) This product contains the following active ingredient(s):

Bifenthrin

(2) Of these, each active ingredient listed in paragraph (4) is present solely as the result of the use of that active ingredient in the manufacturing, formulation or repackaging another product which contains that active ingredient which is registered under FIFRA Section 3, is purchased by us from another person and meets the requirements of 40 CFR section 158.50(e)(2) or (3).

(3) Indicate by checking (A) or (B) below which paragraph applies:

☑ (A) An accurate Confidential Statement of Formula *(EPA FORM 8570-4)* for the above identified product is attached to this statement. That formula statement indicates, by company name, registration number, and product name, the source of the active ingredient(s) listed in paragraph (1).

**OR**

☐ (B) The Confidential Statement of Formula (CSF)(EPA Form 8570-4) referenced above and on file with the EPA is complete, current, an accurate and contains the information required on the current CSF.

(4) The following active ingredients in this product qualify for the formulator's exemption.

**Source**

| Active Ingredient | Product Name | Registration Number |
|---|---|---|
| Bifenthrin | [redacted] | [redacted] |

| Signature | Name and Title | Date |
|---|---|---|
| Michael Kellogg | Michael Kellogg / Agent | 11/13/08 |

EPA Form 8570-27 (Rev. 06-2004)

Copy 1 - EPA
Copy 2 - Applicant copy

*Product ingredient source information may be entitled to confidential treatment*

PM-13 IB

# FAST-TRACK AMENDMENTS–Completeness Screening Checklist

Experts In-Processing Signature: RKumar

| EPA Reg. Number: 83923-6 | EPA Receipt Date: 11-14-08 | | |
|---|---|---|---|
| | Check List Item | Yes | No | NA |
| 1 | **Application Form** (EPA Form 8570-1) –signed? | ✓ | | |
| | | | | |
| 2 | **Confidential Statement of Formula** (EPA Form 8570-29) – signed? | ✓ | | |
| | | | | |
| 3 | **Certification with Respect to Citation of Data** (EPA Form 8570-34) signed? | | | ✓ |
| | | | | |
| 4 | **Formulator's Exemption Statement** (EPA Form 8570-27) - signed? | | | ✓ |
| | | | | |
| 5 | **Data Matrix** (EPA Form 8570-35) [Applicable, for adding me-too uses] | | | ✓ |
| | a) Selective Method? | | | |
| | b) Cite-All Method? Applicant owns data or list only the companies offered to pay | | | |
| | c) Public copy of Matrix provided? See PR Notice 98-5 | | | |
| | | | | |
| 6 | **Is Label Included? (5 copies)** | ✓ | | |
| | | | | |
| | **Comments:** | | | |

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

November 17, 2008

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

JANELLE KAY
PYXIS REGULATORY CONSULTING, INC.
ENSYSTEX IV, INC
4110 136TH STREET
GIG HARBOR, WA 98332-

PRODUCT NAME: MAXXTHOR EC
COMPANY NAME: ENSYSTEX IV, INC
OPP IDENTIFICATION NUMBER:
EPA FILE SYMBOL: 83923-6
EPA RECEIPT DATE: 11/14/08

SUBJECT: RECEIPT OF AMENDMENT

DEAR REGISTRANT:

The Office of Pesticide Programs has received your application for an amendment and it has passed an administrative screen for completeness.

During the initial screen we determined that the application appears to qualify for fast track review. The package will now be forwarded to the Product Manager for review to determine its acceptability for fast track status.

If you have any questions, please contact Registration Division, Risk Management Team 13, at (703) 305-6701.

Sincerely,

PK Moore

Front End Processing Staff
Information Services Branch
Information Technology & Resources Management Division

# Fee for Service

{840067.~

This package includes the following

- ○ New Registration
- ○ Amendment

☐ Studies? ☐ Fee Waiver?

☐ volpay % Reduction: ___

for Division

- ○ AD
- ○ BPPD
- ◉ RD

Risk Mgr. 13

| | | |
|---|---|---|
| Receipt No. | S- | 840067 |
| EPA File Symbol/Reg. No. | | 83923-6 |
| Pin-Punch Date: | | 11/14/2008 |

☒ This item is NOT subject to FFS action.

**Action Code:**

Requested:

Granted:

Amount Due: $ _____

**Parent/Child Decisions:**

Inerts approved for non-food use

☒ Inert Cleared for Intended Use ☐ Uncleared Inert in Product

Reviewer: RKumar Date: 11-17-08

Remarks:

Revised CSF & Label.

U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (H7505C)
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

| EPA Reg. Number: | Date of Issuance: |
|---|---|
| 83923-6 | MAY 30 2008 |
| Term of Issuance: Conditional | |
| Name of Pesticide Product: Maxxthor EC | |

NOTICE OF PESTICIDE:
X Registration
___ Reregistration

(Under FIFRA as amended)

Name and Address of Registrant (include ZIP Code):
Ensystex IV, Inc.
c/o Pyxis Regulatory Consulting, Inc
4110 136th St. NW
Gig 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 sec. 3(c)(7)(A), provided that:

1. You will submit and/or cite all data required for registration/reregistration 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.

2. Based upon the toxicity profile (Warning) for this product, the container sizes and use in or around residential areas it is subject to child resistant packing. Thus prior to marketing of this product you must submit a certification stating that the product is in CRP and needs the standards of CFR 40 Section 157.32. Alternatively if you limit the container size to 5 gallons or greater it would not be required to be in CRP. Refer to CFR 40 Section 157.20 for more information on CRP.

3. You will make the following label changes before you release the product for shipment:

   a) Revise the EPA Registration Number to read "EPA Reg. No. 83923-6."

   b) Since you make reference to your web-site on the label for product use information, you must either delete "visit www.for-thor.com" or submit the web-site information to the Agency for review.

| Signature of Approving Official: | Date: |
|---|---|
| Brenda Alexander for<br>George T. LaRocca, Product Manager (13)<br>Insecticide Branch/Registration Division (7505C) | May 30, 2008 |

Enclosure

c) Delete "only" from the statement, "For Use only by pest control operators … etc". The term implies that it can only be applied by these groups of applicators which is unenforceable unless the product is restricted use.

d) Through-out the Reapplications sections of the label replace, Reapplications should not occur more often than every 7 days" with "Do not apply more often than every 7 days". Also, delete the statement, "Reapply as needed based on pest re-infestation".

e) Revise the container disposal statement so that it is consistent with the criteria for container disposal under PR Notice 2007-4.

4. Generate and submit the results of an one year storage stability and corrosion characteristics study to the Agency on completion. It is recommended that the observations be made at 0, 3, 6, 9, and 12 months intervals.

5. Please submit three (3) copies of your final printed labeling before releasing the product 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 bearing amended labeling constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records.

If you have any questions regarding this action, please contact BeWanda Alexander of my team at (703) 305-7460.

07/07

# MAXXTHOR EC

**For use only by individuals/firms licensed or registered by the state to apply termiticide products when applied as a termiticide. States may have more restrictive requirements regarding qualifications of persons using this product. Consult the structural pest control regulatory agency of your state prior to use of this product. For use only by pest contol operators or commercial operators to control pests on lawns and ornamental plants.**

| Active Ingredient: | By Wt. |
|---|---|
| Bifenthrin* | 23.4% |
| Other Ingredients**: | 76.6% |
| TOTAL: | 100.0% |

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

**Contains petroleum distillates

**EPA Reg. No. 83923-x EPA Est. 81824-NC-001**

MAXXTHOR EC contains 2 pounds active ingredient per gallon.

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

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

**For product use information call 1-866-FOR-THOR (367-8467) or visit www.for-thor.com.**

## KEEP OUT OF REACH OF CHILDREN

## WARNING

***ENSYSTEX IV, Inc.***

Fayetteville, NC 28303

**Net Contents: As marked on container**

## FIRST AID

| | |
|---|---|
| **If swallowed** | • Immediately call a poison control center or doctor.<br>• Do not induce vomiting unless told to do so by a poison control center or doctor.<br>• Do not give any liquid to the person.<br>• Do not give anything by mouth to an unconscious person. |
| **If inhaled** | • Move person to fresh air.<br>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.<br>• Call a poison control center or doctor for further treatment advice. |
| **If on skin or clothing** | • Take off contaminated clothing.<br>• Rinse skin immediately with plenty of water for 15 to 20 minutes.<br>• 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.<br>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.<br>• Call a poison control center or doctor for treatment advice. |

## HOTLINE NUMBER

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

## NOTE TO PHYSICIAN

This product is a pyrethroid. This product also contains aromatic hydrocarbons. Because of the risk of hydrocarbon pneumonitis if even tiny amounts are aspirated into the lung during emesis, consideration should be given to gastric lavage with endotracheal tube in place. Treatment is symptomatic and supportive. Animal and vegetable fats, milk, cream and alcohol may increase absorption and should not be administered.

## PRECAUTIONARY STATEMENTS

### Hazards to Humans and Domestic Animals

May be fatal if swallowed. Causes skin irritation and moderate eye irritation. Do not get on skin or on clothing. Avoid breathing vapors or spray mist, and contact with eyes. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Remove contaminated clothing and wash contaminated clothing before reuse.

**Personal Protective Equipment:** All pesticide handlers (mixers, loaders and applicators) must wear longsleeved coveralls worn over a minimum of short-sleeved shirt and short pants, socks, chemical-resistant footwear, chemical-resistant gloves and protective eyewear. After the product is diluted in accordance with label directions for use (or if an in-line injector system is used) shirts, pants, socks, shoes and waterproof gloves are sufficient. All pesticide handlers must wear a respiratory protection device when handling the concentrate or when working in a non-ventilated space (such as a NIOSH approved respirator with any R, P or HE filter or a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any R, P or HE pre-filter). All pesticide handlers must wear protective eyewear, such as goggles, faceshield or safety glasses, when working in a non-ventilated space or when applying as a termiticide by rodding or sub-slab injection.

**Termite Control Treatment:** When treating adjacent to an existing structure, the applicator must check the area to be treated and immediately adjacent areas of the structure for visible and accessible cracks and holes to prevent any leaks or significant exposures to persons occupying the structure. People present or residing in the structure during application must be advised to remove their pets and themselves from the structure if they see any signs of leakage. After application, the applicator is required to check for leaks. All leaks resulting in the deposition of termiticide in locations other than those prescribed on this label must be cleaned up prior to leaving the application site. Do not allow people or pets to contact contaminated areas or to reoccupy contaminated areas of the structure until the clean-up is completed.

### Environmental Hazards

This pesticide is extremely toxic to 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. Do not contaminate water by cleaning of equipment or disposal of equipment washwaters. Do not apply when weather conditions favor drift from treated areas. Care should be used when spraying to avoid fish and reptile pets in/around ornamental ponds.

Do not apply this product or allow it to drift to crops or weeds on which bees are actively foraging. Additional information may be obtained from your Cooperative Extension Service.

### Physical and Chemical Hazards

*Do not use or store near heat or open flame.*

Do not apply this product in or on electrical equipment 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.

ACCEPTED
with COMMENTS
In EPA Letter Dated
MAY 30 2008
Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No.
83923-6

## STORAGE AND DISPOSAL

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

**Pesticide Storage:** If crystals are observed, warm material to above 60°F by placing container in warm location. Shake or roll container periodically to redissolve solids. Do not use external source of heat for warming container.

Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use, replace lids and close tightly. Do not put concentrate or dilute material into food or drink containers. Do not contaminate other pesticides, fertilizers, water, food, or feed by storage or disposal.

**In Case of Spill:** Confine it, avoid contact, isolate area and keep animals and unprotected persons away. If spill is liquid, form dike around spill area and/or absorb spill with absorbent materials, such as sand, cat litter or clay. If spill is dry material, cover to prevent dispersal. Place damaged package in a holding container and identify contents. Contact Ensystex at 1-866-367-8467 or Chemtrec at 1-800-424-9300 for any assistance

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

**Container Disposal:** Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill or by incineration, or by other methods approved by State and local authorities.

## APPLICATION FOR CONTROL OF SUBTERRANEAN TERMITES

### General

MAXXTHOR EC, in the form of a dilute insecticidal solution, prevents and controls subterranean termite infestations in and around structures and other items by creating a continuous chemically treated zone (horizontal and/or vertical as needed) between the wood and other cellulose material in the structure and termite colonies in the soil. In order to establish a barrier between the wood in the structure and the termites in the soil, adequately disperse the solution of this product in the soil.

To effectively control termites with this product, the service technician should be familiar with current termite control practices including trenching, rodding, sub-slab and void injection, soil surface fan spraying, excavated soil treatment and brush, spray and injection applications to wood. Correct use of these techniques is necessary to effectively control infestations by subterranean termites such as *Coptotermes, Heterotermes, Reticulitermes* and *Zootermopsis*. The service technician should consider the biology and behavior of the termite specie(s) to be controlled to determine which control practices to use.

Treatment standards and procedures for subterranean termite control may vary due to regulations, water table level, structure design, soil types, construction practices and other factors. For advice concerning current control practices with respect to specific local conditions, consult resources in structural pest control and state cooperative extension and regulatory agencies. Follow all federal, state and local regulations and treatment standards for protection of a structure from subterranean termites.

Effective termite control may also include mechanical alteration 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 is advised. Removal of non-essential cellulose containing materials that are in contact with the ground under or around the structure can reduce termite foraging in the area. When untreated wooden parts of the structure touch the ground and such contact cannot be broken, creating a barrier between the soil and such components using a solution of the product may protect the components and the structure against termite attack.

MAXXTHOR EC is labeled for use against subterranean termites as a 0.06% or 0.12% solution in water, however the 0.06% finished solution should be used for typical control situations. When difficult or problem soils or construction types are encountered, it may be necessary to use 0.12% MAXXTHOR EC mixed in reduced volumes of water.

Avoid contamination of water supplies due to backflow under reduced water system pressure by using anti-backflow equipment or procedures to prevent siphoning of any solution back into a water supply. Do not contaminate cisterns or wells. Do not treat soil that is water saturated or frozen. Do not treat while precipitation is occurring. Do not apply solution to an area or site if the soil at the area or site is in such a state or condition that runoff or movement of the solution from the treated area or site is likely to occur. Consult state and local specifications for recommended distances of wells from treated areas, or if such regulations do not exist, refer to Federal Housing Administration Specifications (H.U.D.) for guidance.

For the purposes of this label and its directions, crawl spaces are to be considered to be inside of the structure. Critical areas include areas where the foundation is penetrated by utility services, cracks and expansion joints, bath traps and areas where construction elements such as stairs, patios and slab additions abut the foundation.

### Mixing Directions For MAXXTHOR EC For Use As A Termiticide

Mix MAXXTHOR EC for use as a termiticide in the following manner:

1. Fill tank 1/4 to 1/3 full.
2. Start pump to begin by-pass agitation and place end of treating tool in tank to allow circulation through hose.
3. Add appropriate amount of MAXXTHOR EC.
4. Add remaining amount of water.
5. Let pump run and allow recirculation through the hose for 2 to 3 minutes.

MAXXTHOR EC may also be mixed into full tanks of water, but substantial agitation is required to ensure uniformity of the solution.

### Dilution of MAXXTHOR EC for Use as a Termiticide

For termite control, use rates for MAXXTHOR EC are expressed and the solution is mixed according to the percentage (%) concentration it forms when mixed in water. Use the mixing table or alternately the formulas below to determine the amount of MAXXTHOR EC to add to any quantity of water.

To prepare a 0.06% water solution, ready to use, dilute 1 quart of MAXXTHOR EC with 99.75 gallons of water. To prepare a 0.12% water solution, ready to use, dilute 2 quarts of MAXXTHOR EC with 99.5 gallons of water.

**Mixing Table for MAXXTHOR EC for Use as a Termiticide**

| Solution Percentage Concentration Desired | Gallons of Finished Solution Desired | Amount of MAXXTHOR EC to add | Water to mix with MAXXTHOR EC |
|---|---|---|---|
| 0.06% | 1 | 0.32 oz | 127.68 oz |
| | 5 | 1.60 oz | 4.99 gallons |
| | 10 | 3.2 oz | 9.975 gallons |
| | 25 | 8.0 oz. | 24.94 gallons |
| | 50 | 0.50 quart | 49.875 gallons |
| | 75 | 0.75 quart | 74.8125 gallons |
| | 100 | 1.00 quart | 99.75 gallons |
| | 150 | 1.50 quart | 149.62 gallons |
| | 200 | 2.00 quart | 199.5 gallons |
| 0.12%* | 1 | 0.64 oz | 127.36 oz |
| | 5 | 3.2 oz | 4.975 gallons |
| | 10 | 6.4 oz. | 9.95 gallons |
| | 25 | 0.5 quart | 24.875 gallons |
| | 50 | 1.0 quart | 49.75 gallons |
| | 75 | 1.5 quart | 74.625 gallons |
| | 100 | 2.0 quart | 99.5 gallons |
| | 150 | 3.0 quart | 149.25 gallons |
| | 200 | 1 gallon | 199.0 gallons |

*Only use the 0.12% rate in accordance with the *Adjustments to Application Volume* section. May also be used in accordance with the *FOAM APPLICATION* and *APPLICATIONS TO PROTECT UNDERGROUND ITEMS FROM TERMITE ATTACK* sections.

### Calculating an Amount of MAXXTHOR EC to Mix

To mix any amount of Isothor EC for termite control, determine:

A = Units of water into which the MAXXTHOR EC will be mixed. Express any partial units as decimal fractions (1/2 = .5). Any unit of measure, such as gallons or quarts, can be used for A. Answers to equations below are in same units as A.

MAXXTHOR EC to add to A for 0.06% = A / 399

MAXXTHOR EC to add to A for 0.12% = A / 199.5

To convert gallons to fluid ounces, multiply number of gallons X 128

128 fluid ounces = 16 cups = 8 pints = 4 quarts = 1 gallon

32 fluid ounces = 1 quart

### Application Volume

To provide maximum control and protection against termite infestation, apply the specified volume of the finished water solution containing the specified amount of MAXXTHOR EC as set out below or as otherwise directed in this label.

**Prescribed Horizontal Barrier Rate:** Unless otherwise directed, horizontal barriers are created by applying a 0.06% solution at a rate of one gallon of solution per 10 square feet. (One gallon of 0.06% solution contains 0.32 fluid ounce of MAXXTHOR EC.)

**Prescribed Vertical Barrier Rate:** Unless otherwise directed, vertical barriers are created by applying a 0.06% solution at a rate of four gallons of solution per 10 linear feet per foot of depth. (Four gallons of 0.06% solution contains 1.28 fluid ounces of MAXXTHOR EC.)

### Adjustments to Application Volume

If soil will not accept the labeled application volumes, the volume may be reduced provided there is a corresponding increase in concentration so that the amount of active ingredient applied to the soil remains the same.

Note: Large reductions of application volume reduce the likelihood of obtaining a continuous barrier. Variance is allowed when volume and concentration are consistent with label directed rates and a continuous barrier can still be achieved. When volume is reduced, the spacing of holes created for sub slab injection and soil rodding may need to be reduced to account for decreased dispersion of the solution in the soil.

For example, adjust the amount of solution applied to deliver a horizontal barrier of 10 square feet from 1 gallon to as low as 0.5 gallons and as high as 2 gallons while maintaining the amount of MAXXTHOR EC (.32 fluid ounce) applied per 10 square feet.

For example, adjust the amount of solution applied to deliver a vertical barrier 10 feet long by one foot deep from 4 gallons to as low as 2 gallons and as high as 8 gallons while maintaining the amount of MAXXTHOR EC (1.28 fluid ounces) applied per 10 linear feet.

## PRE-CONSTRUCTION TREATMENT

### All Structures

**Pre-construction treatment: Do not apply at a lower dosage and/or concentration than specified on this label for applications prior to the installation of the finished grade.**

Prior to each application, applicators must notify the general contractor, construction superintendent, or similar responsible party, of the intended termiticide application and intended sites of application and instruct the responsible person to notify construction workers and other individuals to leave the area to be treated during application and until the termiticide is absorbed into the soil.

Effective control of subterranean termites can be accomplished during construction by using a 0.06% solution of MAXXTHOR EC to establish vertical and/or horizontal barriers between the structure and the soil as directed. Applications should be made as a coarse low pressure spray (less than 50 psi). To meet current termite proofing requirements, follow the procedures in the latest edition of the Housing and Urban Development Minimum Property Standards.

### Horizontal Barriers Under Slabs on Ground Including Basements

Create a horizontal barrier on the entire surface of soil or substrate that will be covered by a slab, including, but not limited to, slab floors, footing trenches, garages, carports, basements, porches and entrance platforms by treating the soil or substrate with the solution at the Prescribed Horizontal Barrier Rate.

If the fill under the slab is a coarse material such as washed gravel, apply at 1.5 times the Prescribed Horizontal Barrier Rate to make sure that a sufficient enough amount of dilution is applied that the solution reaches the soil beneath the fill.

Apply solution using a coarse spray nozzle. If the slab over the treated area will not be poured on the same day as the application (and there are no foundation walls in place around the treated soil) cover treated soil with a water-proof barrier such as polyethylene sheeting.

### Vertical Barriers

Create a vertical barrier along the inside and outside of foundation walls, around piers, plumbing and utility service entrances and other points of possible future termite access and entry by treating the soil at these points at the Prescribed Vertical Barrier Rate. When trenching and rodding into the trench, or trenching alone, it is important that the solution reaches the top of the footing. Rod holes must be spaced so as to achieve a continuous termiticidal barrier, but they should in no case be more than 12 inches apart. Trenches need not be wider than 6 inches. Mix the solution into the soil as it is being replaced in the trench. Care should be taken to avoid washing soil out from around footings thereby undermining the stability of the structure. An inside vertical barrier may not be required for a monolithic slab.

When treating foundations deeper than 4 feet, apply the termiticide as the backfill is being replaced, or if the construction contractor fails to notify the applicator in time to permit this, treat the foundation to a minimum depth of 4 feet after the backfill has been installed. The applicator must trench and rod into the trench or trench along the foundation walls and around pillars and other foundation elements, at the rate prescribed from grade to a minimum depth of 4 feet. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. However, in no case should a structure be treated below the footing.

### Hollow Block Foundations and Voids

Hollow block foundations and voids may be treated at a rate of 2 gallons of solution per 10 linear feet to create a continuous treated zone within the voids at the footing.

## POST CONSTRUCTION TREATMENT

### All Structures

Post construction soil applications shall be made by injection, rodding, trenching or coarse fan spray with pressures not exceeding 25 p. s. i. at the nozzle. Care should be taken to avoid washing soil out from around footings thereby undermining the stability of the structure.

Do not apply treatment until the identity and location of all wells, radiant heat pipes, water and sewer lines, electrical conduits and sub-slab heating and air conditioning ducts is established. Caution must be taken to avoid puncturing these elements and/or injecting solution into them. All holes in commonly occupied areas into which material has been applied must be plugged. Plugs must be of a non-cellulose material or covered by an impervious, non-cellulose material.

**Vertical Barrier Depth:** For applications made after the final grade is installed, the applicator must trench and rod into the trench or trench along the foundation walls and around pillars and other foundation elements and treat at the rate prescribed from grade to the top of the footing. When the footing is more than four (4) feet below grade, the applicator must trench and rod into the trench or trench along the foundation walls and treat at the rate prescribed to a minimum depth of four feet. The actual depth of treatment will vary depending on the soil type, degree of compaction, and location of termite activity. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. However, in no case should a structure be treated below the footing.

### Structures Containing Concrete Slabs on Ground (Monolithic/Floating/Supported) including Basements

To make an application beneath existing slabs, it may be necessary to drill holes in the slab or adjacent foundation and to apply solution. Holes should be spaced such that when treatment is applied through them, a continuous treated zone is applied beneath the slab.

**Vertical Barriers Along Exterior of Foundation Walls:** Trench and rod into the trench or trench along the outside of foundation walls and treat at the Prescribed Vertical Barrier Rate to the depth specified under Vertical Barrier Depth. Where physical obstructions such as concrete walkways adjacent to foundation elements or soil type and/or conditions make trenching prohibitive, treatment may be made by rodding alone.

**Vertical Barriers Along Interior of Foundation Walls:** Vertical barriers may be established on the interior side of foundation walls by sub-slab injection of the solution at the Prescribed Vertical Barrier Rate. Injection openings can be drilled either vertically through the slab along the interior of the foundation wall or horizontally from the exterior through the foundation wall low enough on the wall to allow for the deposition of the solution beneath the slab along the interior side of the foundation wall. Drill holes should be spaced so as to achieve a continuous chemical barrier but in no case farther apart than 12 inches. Special care must be taken to distribute the solution evenly. Vertical barriers may also be established beneath the slab along both sides of interior footing-supported walls, one side of interior partitions and along all cracks and expansion joints and utility service entrances and bath traps.

**Horizontal Barriers Beneath Slabs on Ground:** Create a horizontal barrier by treating at the Prescribed Horizontal Barrier Rate beneath slabs by either drilling and long rodding from the exterior or by grid pattern drilling and injection vertically through the slab. Long rodding should be used only when grid pattern drilling and injection and horizontal short rodding and injection cannot be used to deliver the sub slab treatment.

**Bath Traps:** Exposed soil beneath and around areas where plumbing and utility services penetrate the slab should be treated at the rate of 1 gallon of solution per square foot of soil.

### Structures Containing Accessible Crawl Spaces

For crawl spaces, apply vertical termiticide barriers at the rate of 4 gallons of solution per 10 linear feet per foot of depth from grade to the top of the footing, or if the footing is more than 4 feet below grade, to a minimum depth of 4 feet. Apply by trenching and rodding into the trench, or trenching. Treat both sides of foundation and around all piers and pipes. Where physical obstructions such as concrete walkways adjacent to foundation elements prevent trenching, treatment may be made by rodding alone. When soil type and/or conditions make trenching prohibitive, rodding may be used. When the top of the footing is exposed, the applicator must treat the soil adjacent to the footing to a depth not to exceed the bottom of the footing. Read and follow the mixing and use direction section of the label if situations are encountered where the soil will not accept the full application volume.

1. Rod holes and trenches must not extend below the bottom of the footing.

2. Rod holes must be spaced so as to achieve a continuous termiticide barrier but in no case more than 12 inches apart.

3. Trenches must be a minimum of 6 inches deep or to the bottom of the footing, whichever is less, and need not be wider than 6 inches. When trenching in sloping (tiered) soil, the trench must be stepped to ensure adequate distribution and to prevent termiticide from running off. The solution must be mixed with the soil as it is replaced in the trench.

4. When treating plenums or crawl spaces, turn off the air circulation system of the structure until application has been completed and all solution has been absorbed by the soil.

### Structures Containing Inaccessible Crawl Spaces

For inaccessible interior areas, such as areas where there is insufficient clearance between floor joists and ground surfaces to allow operator access, excavate, if possible, and treat according to the instructions for accessible crawl spaces. Otherwise, apply one, or a combination of the following two methods.

1. To establish a horizontal barrier, apply to the soil surface, 1 gallon of solution per 10 square feet overall using a nozzle pressure of less than 25 p.s.i. and a coarse application nozzle (e.g., Delavan Type RD Raindrop, RD-7 or larger, or Spraying Systems Co. 8010LP TeeJet or comparable nozzle). For an area [illegible] annot be reached with the application wand, use one or more extension rods to make the application to the soil. Do not broadcast or power spray with higher pressures.

2. To establish a horizontal barrier, drill through the foundation wall or through the floor above and treat the soil perimeter at a rate of 1 gallon of solution per 10 square feet. Drill spacing must be at intervals not to exceed 16 inches. Many states have smaller intervals, so check state regulations which may apply.

When treating plenums or crawl spaces, turn off the air circulation system of the structure until application has been completed and all termiticide has been absorbed by the soil.

### Masonry Voids

Drill and treat voids in multiple masonry elements of the structure extending from the structure to the soil in order to create a continuous treatment barrier in the area to be treated. Apply at the rate of 2 gallons of solution per 10 linear feet of footing using a nozzle pressure of less than 25 p.s.i. When using this treatment access holes must be drilled below the sill plate and should be as close as possible to the footing as is practical. Treatment of voids in block or rubble foundation walls must be closely monitored: Applicators must inspect areas of possible runoff as a precaution against application leakage in the treated areas. Some areas may not be treatable or may require mechanical alteration prior to treatment.

All leaks resulting in the deposition of termiticide in locations other than those prescribed on this label must be cleaned up prior to leaving the application site. Do not allow people or pets to contact contaminated areas or to reoccupy the contaminated areas of the structure until the clean-up is completed.

Note: When drilling veneer walls, care should be taken to not drill beyond the depth of the void behind the veneer into another construction layer behind the veneer. It is however permissible to drill through the veneer and into concrete blocks behind the veneer and to treat the veneer and the concrete blocks at the same time.

Note: Not for use in voids insulated with rigid foam.

## TREATMENT OF STRUCTURES WITH WELLS AND CISTERNS

Do not contaminate wells or cisterns.

### Structures with Wells/Cisterns Inside Foundations

Structures that contain wells or cisterns within the foundation of a structure can only be treated using the following techniques:

1. Do not treat soil while it is beneath or within the foundation or along the exterior perimeter of a structure that contains a well or cistern. The treated backfill method must be used if soil is removed and treated outside/away from the foundation. The treated backfill technique is described as follows:

a. Trench and remove soil to be treated onto heavy plastic sheeting or similar material or into a wheelbarrow.

b. Treat the soil at the rate of 4 gallons of dilute solution per 10 linear feet per foot of depth of the trench, or 1 gallon per 1.0 cubic feet of soil. See *Mixing Directions for MAXXTHOR EC for Use as a Termiticide* section of the label. Mix thoroughly into the soil taking care to contain the liquid and prevent runoff or spillage.

c. After the treated soil has absorbed the solution, replace the soil into the trench.

2. Treat infested and/or damaged wood in place using an injection technique such as described in the *APPLICATION TO WOOD INDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS* or *APPLICATION TO WOOD OUTDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS* sections of this label.

### Structures with Adjacent Wells/Cisterns and/or Other Water Bodies

Applicators must inspect all structures with nearby water sources such as wells, cisterns, surface ponds, streams, and other bodies of water and evaluate, at a minimum, the treatment recommendations listed below prior to making an application.

1. Prior to treatment, if feasible, expose the water pipe(s) coming from a well to the structure, if the pipe(s) enter the structure within 3 feet of grade.

2. Prior to treatment, applicators are advised to take precautions to limit the risk of applying the termiticide into subsurface drains that could empty into any bodies of water. These precautions include evaluating whether application of the termiticide to the top of the footer may result in contamination of the subsurface drain. Factors such as depth to the drain system and soil type and degree of compaction should be taken into account in determining the depth of treatment.

3. When appropriate (for example, on the water side of the structure), the treated backfill technique (described above) can also be used to minimize offsite movement of termiticide.

## FOAM APPLICATION

MAXXTHOR EC, in the form of a foam, can be used to deliver MAXXTHOR EC as a termiticide any time it appears likely this form of delivery will improve the dispersal of MAXXTHOR EC into and within the intended target area. Foam can be particularly useful to deliver MAXXTHOR EC where it either cannot be depended upon to be delivered as just a solution or due to a need to reduce the amount of water used in order to avoid water damage to the target or adjacent areas. In some situations, for example under some slabs, a solution cannot be depended upon to disperse as completely as a foam because of deflection of the liquid stream or some other structural obstacle or defect.

Depending on the circumstances, foam applications of MAXXTHOR EC may be used alone or in combination with liquid solution applications, provided that the cumulative amount of active ingredient per unit of area applied is equivalent to that which would be contained in a 0.06% solution-only application applied to the same area. Mix and apply foam and or foam/liquid emulsion in combination such that at least 1.28 ounces of Maxxthor EC concentrate is applied per 10 linear feet when creating vertical barriers or 0.32 ounces of MAXXTHOR EC concentrate is applied per 10 square feet when creating horizontal barriers. Typically, at least 75% of the labeled liquid emulsion volume of product should be applied as a liquid, with the remaining percent delivered as a foam. Foam may be used alone in difficult situations.

Using foam generating equipment, a solution of MAXXTHOR EC, ranging in concentration from 0.06% to 0.12%, may be converted into a foam 2 to 40 times the volume of its liquid equivalent according to the foaming agent and foaming equipment manufacturer's recommendations.

First, form a solution of MAXXTHOR EC of the appropriate percentage concentration and volume. Then add the recommended volume of a foaming agent. Verify that the foaming agent is compatible with MAXXTHOR EC.

Applications may be made behind veneers, piers, chimney bases, into rubble foundations, into block voids, structural voids or other similar voids, under slabs, stoops, porches or to the soil in crawlspaces.

## RETREATMENT

Retreatments for subterranean termites can only be performed if there is clear evidence of reinfestation or disruption of the barrier due to construction, excavation or landscaping and/or evidence of the breakdown of the termiticide barrier in the soil. These vulnerable or reinfested areas may be retreated in accordance with application techniques described in this product's labeling. The timing and type of these retreatments will vary, depending on factors such as termite pressure, soil types, soil conditions and other factors which may reduce the effectiveness of the barrier.

Annual retreatment of the structure is prohibited unless there is clear evidence that reinfestation or barrier disruption has occurred.

## APPLICATION IN CONJUNCTION WITH TERMITE BAITS

Spot only applications of MAXXTHOR EC can be used as a supplement to termite baiting systems. For the purposes of this section, spot only applications are defined as the use of MAXXTHOR EC according to any of the permitted and applicable post-treatment application techniques contained in this label, alone or in combination, to the extent needed or deemed necessary or useful as an adjunct to a termite bait product labeled as a stand alone protection against termite attack. Stand alone termite bait product is defined as a termite bait product that provides sufficient structural protection when applied without other termite control products.

## APPLICATION TO PROTECT UNDERGROUND ITEMS FROM SUBTERRANEAN TERMITE ATTACK

To protect components installed underground such as wires, conduits, cables and pipes buried in soil against termite attack, create an envelope of MAXXTHOR EC treated soil around the components along the entire underground length of the component. First, treat soil through which components will be run with 0.06% to 0.12% solution of MAXXTHOR EC at a rate of 2 gallons of solution per 10 linear feet. Install components, laying them on the treated soil. Cover components with untreated soil and then treat this covering soil using the same percent solution at 2 gallons of solution per 10 linear feet.

Underground components to be protected may be located within the foundation of a structure or outside of a structure such as within a utility right of way, for example. Do not treat items that are electrically energized at the time of application. If the soil will not absorb the indicated amount of solution, as little as 1 gallon of 0.12% solution per 10 linear feet can be used. Treat points where services emerge from the ground at a rate of 1 to 2 gallons of solution at the point of emergence.

## APPLICATIONS TO PROTECT POLES, POSTS AND OTHER WOODEN ITEMS FROM SUBTERRANEAN TERMITE ATTACK

MAXXTHOR EC can be used to protect the below ground portions of wooden structural components from termites. Form a treated zone around components below ground by vertically rodding the soil around their perimeter to a depth of six inches below their maximum depth of placement in the soil and applying a 0.06% solution of MAXXTHOR EC at a rate of 0.4 gallons of solution per linear foot of perimeter around the component per foot of treated depth. Measure the perimeter of the component six inches from the outside of the component.

# APPLICATIONS TO CONTROL WOOD INFESTING INSECTS

Mix and dilute MAXXTHOR EC according to the instructions contained in the *APPLICATION FOR CONTROL OF SUBTERRANEAN TERMITES* section.

## APPLICATIONS TO CONTROL EXPOSED WOOD INFESTING INSECTS LOCATED ABOVE GROUND

MAXXTHOR EC can be applied above ground as a non-soil treatment to control and kill exposed worker and winged reproductive (swarmer) termites and Carpenter ants. This type of application is only supplementary to and should not be considered as a replacement for soil treatment in the case of termite infestation.

Apply a 0.06% solution as a general fan spray within attics, crawl spaces, unfinished basements and other void areas where termites have been found. Apply treatment directly to swarming termites and areas where they congregate.

## APPLICATIONS TO TERMITE CARTON NESTS LOCATED IN ABOVE GROUND WALL VOIDS

Apply a 0.06% solution of MAXXTHOR EC directly into above ground termite carton nests including nests located in wall voids using a directional injector. Apply as a solution or foam under pressure to distribute solution thoroughly throughout the nest. It may be necessary to inject solution at one or more points and at varying depths within the nest to adequately distribute solution within the interior of the nest.

## APPLICATION TO WOOD INDOORS TO PROTECT AGAINST WOOD INFESTING INSECTS

A 0.06% solution of MAXXTHOR EC applied as a liquid or foam to wooden structural components within structures can be used to protect them against attack from wood infesting insects such as termites, Carpenter ants and wood boring beetles or borers. This type of application is only supplementary to and should not be considered a replacement for soil treatment in the case of termite infestation.

Apply solution as a general fan spray onto the surface of the wood or inject solution under pressure into the wood as a liquid or foam. Inject by either injecting solution through a directional injector directly into existing voids and galleries or by drilling wood to form treatment channels through which the solution can be injected into the insect galleries. Multiple treatment channels of varying depth may need to be drilled to adequately distribute the solution within the wood interior. Application can also be made with a paintbrush.

Before application, locate heat pipes, ducts, water and sewer lines and electrical conduits. Take precautions to avoid puncturing and/or injecting solution into these items. Do not apply solution inside of electrified enclosures, switches or sockets.

Plastic sheeting must be placed below any indoor overhead surfaces being treated that are located anywhere except within a soil-based crawl space. Wear protective clothing, unvented goggles, gloves and respirator when making an overhead application or when applying in poorly ventilated indoor areas. Do not touch surfaces until spray has dried.

When treating in home food preparation and storage areas, cover all food preparation surfaces and utensils prior to beginning treatment. Surfaces or items that cannot be covered or removed should be thoroughly washed after treatment and before use. Food that cannot be covered should be removed. Before application, remove pets, birds and cover and disconnect aquariums. Do not allow humans and pets to touch treated surfaces until they have dried.

## APPLICATION TO WOOD OUTDOORS TO PROTECT AGAINST WOOD DESTROYING INSECTS

### On and around structures

A 0.06% solution of MAXXTHOR EC applied as a liquid or foam to exterior structural components can be used to protect them from the attack of wood infesting insects such as termites, Carpenter ants and wood boring beetles or borers. Apply solution by general fan spray to the point of runoff onto the surface of the wood or inject solution under pressure into the wood as a liquid or foam. Inject by either injecting solution directly into existing voids and galleries or drilling wood to form treatment channels through which the solution can be injected into the insect galleries. Multiple treatment channels of varying depth may need to be drilled to adequately distribute the solution within the wood interior. Application can also be made with a paintbrush.

To control Carpenter ants, also apply solution around doors and windows and other areas Carpenter ants have been observed or can be expected to forage.

### Within wooden components and trees

Locate the cavity that the insects (such as Carpenter ants) are inhabiting, drilling to find the interior infested cavity if necessary. Inject a 0.06% solution of MAXXTHOR EC into the cavity *as a solution or foam. Apply a sufficient volume of solution to completely flood or fill the cavity.* Drill injection channels if necessary.

# APPLICATION TO CONTROL LAWN PESTS

MAXXTHOR EC controls a wide range of turfgrass insect and mite pests. MAXXTHOR EC is not for use on turfgrass being grown for sale, for commercial seed production, for other commercial use or for research.

### Application Sites

For use on any type of landscape or recreational turfgrass in any type of setting or at any type of site except as otherwise prohibited. Permitted sites include but are not limited to lawns, grounds, recreational areas, parks, landscapes and athletic fields. **New York State only: Do not apply MAXXTHOR EC containing solutions to grass or turf within 100 feet of a body of water (lake, pond, river, stream, wetland or drainage ditch).**

### Application Precautions and Preparations

Keep children and pets off treated areas until spray has dried.

If necessary, test the effects of applications of different rates and volumes of mixed solution on a small patch of a type of grass (with observations over one week to detect the occurrence of negative effects) before application of solutions to large areas of that type of grass.

MAXXTHOR EC can be mixed with other pesticides, including insect growth regulators. Follow the label directions of all the products mixed, making sure not to exceed the labeled application rate of any individual product in the mixture. Any tank mixture that has not been tested before should be tested before full scale use by first mixing a small quantity of the mixture to ensure there is no physical or chemical incompatibility.

Do not apply when wind conditions favor downwind drift to nearby water bodies or when wind velocity exceeds 10 miles per hour.

### Application Methods

Apply solution as a broadcast treatment in a quantity sufficient to wet all foliage. Apply using nozzles that provide the largest droplet size compatible with adequate coverage.

To maximize efficacy against sub-surface pests such as mole crickets or chinch bugs, MAXXTHOR EC should be applied with a non-ionic or silicone based surfactant (0.25% v/v) in sufficient water to ensure good penetration of spray into the soil-thatch matrix. Treated areas should then be irrigated with 0.25 to 0.5 inches of water immediately afterwards paying special attention so that run-off or puddling does not occur.

If necessary, consult resources in horticulture in your area (such as your Cooperative Extension Service) to determine appropriate application timing and cultural practices to control different types of pests.

### Reapplication

Reapplications may be necessary particularly in the event of high pest pressure. Reapply as needed based on pest reinfestation. Reapplications should not occur more often than every 7 days. **New York State only: Do make a single reapplication of MAXXTHOR EC if there is renewed insect activity, but not sooner than two weeks after first application.**

### Lawn Application Use Rates and Volumes

Use rates for MAXXTHOR EC for lawn pests are stated in fluid ounces of MAXXTHOR EC per 1000 square feet.

Apply MAXXTHOR EC at 0.07 to 0.30 fluid ounces per 1000 square feet depending on the target pest. *Recommended rates for specific pests within this range are given below.*

Depending on the length and/or density of grass being treated, application volumes of up to 10 gallons per 1000 square feet can be made in order to obtain uniform coverage. If a minimal volume application is made (2 gallons per 1000 square feet) and the target pest, such as mole crickets or chinch bugs for example, are located in the thatch or below the surface, irrigate the treated area with at least 0.25 to 0.50 inches of water immediately after the application. The addition of a non-ionic or silicone based surfactant (0.25% v/v) is also recommended when making a minimal volume application.

The calculated amount of MAXXTHOR EC can be applied in any volume of water as long as the maximum label rate per 1000 feet is not exceeded. Do not exceed the maximum label rate by applying solution to an area smaller than intended when it was mixed and diluted unless such under dosing will not result in an application rate per 1000 square feet in excess of the maximum label rate.

### Lawn Pest Application Use Rates

The application rates listed below provide control of the listed pests under normal conditions. Use the higher application rates when maximum residual control is needed.

| Use Rate Table for MAXXTHOR EC for Lawn Applications | |
|---|---|
| Use Rate | Fluid ounces MAXXTHOR EC per 1,000 square feet (Range) |
| A | 0.07⇒0.15 |
| B | 0.07⇒0.30 |
| C | 0.15 |

### Lawn Pests Grouped by Use Rates

**Use Rate A:** Ants, Armyworms, Billbugs, Chinch Bugs, Crane Flies, Crickets, Cutworms, Earwigs, Fall Webworms, Fleas (adults, larvae), Grasshoppers, Mites, Mole Crickets, Sod Webworms, Spittlebugs

**Use Rate B:** Japanese Beetles (adult)

**Use Rate C:** Crane Flies

| Mixing Table for MAXXTHOR EC for Lawn Applications | | | | |
|---|---|---|---|---|
| Application Volume: Gallons/1000 sq. ft. | Use Rate: Fluid oz. / 1000 sq. ft. (select from Use Rate Table) | Add these amounts of MAXXTHOR EC to the indicated volumes of water | | |
| | | 5 gal. | 10 gal. | 25 gal. |
| 2 | .07 | .175 | .35 | 0.875 |
| | .15 | .375 | .75 | 1.875 |
| | .22 | .550 | 1.10 | 2.750 |
| | .30 | .75 | 1.50 | 3.750 |
| 5 | .07 | .07 | .14 | 0.350 |
| | .15 | .15 | .30 | 0.750 |
| | .22 | .22 | .44 | 1.100 |
| | .30 | .30 | .60 | 1.500 |
| 10 | .07 | - | .07 | .175 |
| | .15 | - | .15 | .375 |
| | .22 | - | .22 | .550 |
| | .30 | - | .30 | .750 |

### Calculating Amounts of MAXXTHOR EC to Mix for Lawn Pests

To mix and apply any amount of MAXXTHOR EC for lawn pests, determine:

A = Square feet of area to be treated / 1000

B = Use Rate per 1000 square feet for the target pest(s) in fluid ounces MAXXTHOR EC taken from the Use Rate Table. If treating for more than one type of pest, select the highest rate.

Calculate the amount of MAXXTHOR EC to mix for lawn pests as follows:

Fluid Ounces MAXXTHOR EC to use = A X B

Mix this amount of MAXXTHOR EC in the amount of water needed to make the application.

### Application Recommendations Against Specific Lawn Pests

**Armyworms, Cutworms, Sod Webworms:** Do not water or mow grass within 24 hours of application for optimum control of these surface feeding insects.

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

**Mole Crickets:** For control of overwintering Mole Crickets, apply the lower rate in early Spring. For the control of adult Mole Crickets in late-Summer or early Fall, apply the higher rate.

**Crane Flies:** Treatments can be made to control early to midseason larvae (approximately August - February) as they feed on plant crowns. Treatments made to late-season larvae (approximately March, April) may only provide suppression.

## APPLICATION TO CONTROL ORNAMENTAL PESTS

MAXXTHOR EC controls a wide range of insects and mites on trees, shrubs, foliage plants, non-bearing fruit and nut trees and flowers. Non-bearing trees are perennial plants that will not produce a harvestable agricultural commodity within the next 12 months. MAXXTHOR EC is not for use on plants being grown for sale, for commercial seed production or for research.

### Application Sites

For use on ornamental plants including but not limited to trees, shrubs, ground covers, bedding plants and foliage plants being used for decorative or climate modification purposes. Plants on which use is permitted include those being grown in any type of setting or at any type of site not otherwise prohibited. Permitted sites include but are not limited to ornamental gardens, parks, landscapes, lawns, grounds and interior plantscapes.

### Application Preparation

If necessary, test the effects of applications of different rates and volumes of mixed solution on a small number of a type of plant (with observations over one week to detect the occurrence of negative effects) before application of solution to large numbers of that type of plant.

MAXXTHOR EC can be mixed with other pesticides, including insect growth regulators. Follow the label directions of all the products mixed, making sure not to exceed the label rate of any individual product in the mixture. Any tank mixture that has not been tested before should be tested before full scale use by first mixing a small quantity of the mixture to ensure there is no physical or chemical incompatibility.

### Application Methods

Apply solution in a quantity sufficient to wet all foliage. It may also be necessary to treat non-foliage parts of plants such as trunks and bark to control some pests based on where the pest may be located on the plant at a particular life stage.

For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

### Reapplication

Reapplications may be necessary as plant growth occurs and new foliage appears or in the event of high pest pressure. Reapply as needed based on pest re-infestation. Reapplications should not occur more often than every 7 days.

### Ornamental Application Use Rates and Volumes

Use rates for MAXXTHOR EC for ornamental pests are stated in fluid ounces of MAXXTHOR EC per 4,356 square feet. Recommended ornamental application use rates, based on the target pest, range between 0.26 to 1.28 fluid ounce of MAXXTHOR EC per 4,356 square feet. Recommended rates for specific pests within this range are given below.

The calculated amount of MAXXTHOR EC can be applied in any volume of water as long as the applicable label rate per 4,356 feet is not exceeded. Do not exceed the maximum label rate by applying solution to an area smaller than intended when it was mixed and diluted unless such underdosing will not result in an application rate per 4,356 square feet in excess of the maximum label rate.

### Ornamental Pest Dilution R

The dilution rates listed below provide control of the listed pests under normal conditions. Use the higher dilution rate when maximum residual control is needed.

| Dilution Rate Table for MAXXTHOR EC for Ornamental Applications | | |
|---|---|---|
| Dilution Rate | Lbs. a. i. per 10 gallons<br>Lbs. a. i. per 4,356 sq. ft. | Fl. oz. per 10 gallons<br>Fl. oz. per 4,356 sq. ft. |
| A | 0.004 ⇒ 0.02 | 0.26 ⇒ 1.28 |
| B | 0.006 ⇒ 0.02 | 0.38 ⇒ 1.28 |
| C | 0.01 ⇒ 0.02 | 0.64 ⇒ 1.28 |

### Ornamental Pests Grouped by Dilution Rates

**Dilution Rate A:** Ants, Aphids, Bagworms, Black Vine Weevil (adults), Brown Soft Scales, Broad Mites, Budworms, California Red Scales (crawlers), Centipedes, Clover Mites, Crickets, Cutworms, Earwigs, Elm Leaf Beetles, Fall Webworms, Flea Beetles, Fungus Gnats (adults), Grasshoppers, Lace Bugs, Leafhoppers, Leaf feeding Caterpillars, Mealybugs, Millipedes, Mole Crickets, Orchid Weevil, Pillbugs, Pine Needle Scales (crawlers), Plant Bugs (incl. Lygus spp.), San Jose scales (crawlers), Sowbugs, Spiders, Spittlebugs, Tent Caterpillars, Tip Moths, Weevils, Whiteflies

**Dilution Rate B:** Citrus Thrips, Beet Armyworm, Diaprepes (larvae, adult), European Red Mite, Leafrollers, Spider Mites, Thrips, Twig Borers

**Dilution Rate C:** Japanese Beetles (adult), Leafminers, Pecan Leaf Scorch Mite, Black Vine Weevil (larvae), Fungus Gnats (larvae)

| Mixing Table for MAXXTHOR EC for Ornamental Applications | | | | |
|---|---|---|---|---|
| Application Volume: Gallons/4356 sq. ft. | Use Rate: Fluid ounces / 4356 sq. ft. | Add these amounts of MAXXTHOR EC to the indicated volumes of water | | |
| | | 5 gal. | 10 gal. | 25 gal. |
| 2 | 0.26 | 0.650 | 1.30 | 3.25 |
| | 0.38 | 0.950 | 1.90 | 4.75 |
| | 0.64 | 1.600 | 3.20 | 8.0 |
| | 1.28 | 3.200 | 6.40 | 16.00 |
| 5 | 0.26 | 0.260 | 0.52 | 1.30 |
| | 0.38 | 0.380 | 0.76 | 1.90 |
| | 0.64 | 0.640 | 1.28 | 3.20 |
| | 1.28 | 1.280 | 2.56 | 6.40 |
| 10 | 0.26 | -- | 0.26 | 0.65 |
| | 0.38 | -- | 0.38 | 0.95 |
| | 0.64 | -- | 0.64 | 1.60 |
| | 1.28 | -- | 1.28 | 3.20 |

### Calculating Amounts of MAXXTHOR EC to Mix for Ornamental Pests

To mix and apply any amount of MAXXTHOR EC for ornamental pests, determine:

A = Square feet of area to be treated /4,356

B = Use Rate per 4,356 square feet for the target pest(s) in fluid ounces MAXXTHOR EC taken from the Dilution Rate Table. If treating for more than one pest, select the highest rate.

Calculate the amount of MAXXTHOR to mix for ornamental pests as follows:

Fluid Ounces MAXXTHOR EC to use = A X B

Mix this amount of MAXXTHOR EC in the amount of water needed to make the application.

### Application Recommendations Against Specific Ornamental Pests

**Bagworms:** Spray when bagworms first begin to hatch. Apply directly to the larvae. Treatment is most effective against young larvae.

**Scale crawlers and twig borers:** Treat trunks, stems and twigs in addition to plant foliage.

**Black Vine Weevil and Fungus Gnat larvae:** Apply as a drench at the rate of approximately 8 ounces of finished spray per 6 inch pot.

## ORNAMENTAL TREE TRUNK SPRAY TO CONTROL BARK BEETLES

### Control of Dendroctonus bark beetles including mountain pine beetle, southern pine beetle, western pine beetle, Black turpentine beetle, and engraver beetles (Ips spp.)

**Preventative treatment:** Spray an aqueous solution containing 1.0 to 2.0 pints of MAXXTHOR EC per 100 gallons (0.25 to 0.5 lbs. ai/100 gallons) of water to the trunk of the tree in the spring or whenever nearby infested trees create the threat of an infestation. Apply spray directly to the main trunk from the base of the tree to at least half way into the live crown. Wet the bark with the spray thoroughly (usually 1 to 4 gallons of spray per tree). Do not apply more than 0.2 lbs. ai (12.8 fl. Oz.) of this product per acre of trees. Repeat application if infestation occurs. Application rates and application timing differ according to the target pest and other factors. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

**Treatment of infested trees to control emerging brood:** Make applications of a spray mixture containing 2.0 pints of this product per 100 gallons 0.5 lbs. ai/100 gallons) of water to trees that have beetles in their bark. Apply spray directly to the main trunk from the base of the tree to at least half way into the live crown. Spray until the bark is thoroughly wetted by the spray (usually 1 to 4 gallons of spray per tree). Do not apply more than 0.2 lbs. ai (12.8 fl. oz.) of this product per acre of trees.

Beetles are normally no longer present in trees in which all needles have turned brown. Trees in this condition should be sprayed only if a continuing infestation is confirmed. Confirm an infestation by removing bark. If live infestations remain in the trunks, fell the trees and cut into sections. Spray the trunk and large limbs, rotating the trunks as they are sprayed in order to thoroughly treat the exterior of the entire trunk. Do not apply more than 0.2 lbs. ai (12.8 fl. oz.) of this product per acre.

### Control of other bark beetles such as Ambrosia beetles, elm bark beetles and Emerald Ash borer

**Preventative control:** Spray an aqueous solution containing 1.0 to 2.0 pints of MAXXTHOR EC per 100 gallons (0.25 to 0.5 lbs. ai/100 gallons) of water to the trunk, scaffolding and limbs of the tree in the early spring or prior to adult beetle flight and tree infestation. Spray until the bark is thoroughly wetted by the spray (usually 6 to 12 gallons of spray per tree).

Do not apply more than 0.2 lbs. ai of this product per acre of trees [illegible] at application may be necessary if reinfestation is likely or for extended adult emergence and flight. Application rates and application timing differ according to the target pest and other factors. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

## CONTROL OF OTHER BORERS ON ORNAMENTAL TREES

Consult the table below for other boring insects. Geographic location and environmental conditions will affect application rate and timing. Spray bark until it is thoroughly wetted by the spray (usually 1 to 4 gallons of spray per tree). Do not apply more than 100 gallons of solution per acre of trees. For specific recommendations for your area and situation, consult your local County or State Extension specialist or other qualified authority.

| Pest | Recommended Dilution Rate (Range) | Specific Instructions |
|---|---|---|
| **Clearwing Moth borers**<br>Ash borer, banded ash clearwing, Dogwood borer, Lesser peachtree borer, Lilac borer, Oak borer<br>**Coleopteran borers**<br>Bronze birch borer, Flatheaded appletree borer | 6.4 to 12.8 fl. oz. per 100 gallons | Apply to the lower branches and trunks prior to adult emergence<br><br>Apply 12.8 fl. oz. per 100 gallons for maximum residual control |

## CONTROL OF STRUCTURAL PESTS (OTHER THAN WOOD INFESTING INSECTS) ON AND AROUND BUILDINGS

MAXXTHOR EC controls a wide range of structural pests including nuisance pests outside of structures. MAXXTHOR EC can be applied around any type of residential or commercial structure or building. Permitted sites include but are not limited to the exterior of homes, office buildings, mobile and modular homes, apartments and stores.

### Dilution of MAXXTHOR EC for Structural Pests

For structural pests, use rates for MAXXTHOR EC are expressed and mixed according to the percentage (%) concentration solution it forms when mixed in water. Each 0.166 fluid ounce (1 teaspoon) of MAXXTHOR EC that is added to one gallon of water increases the concentration of MAXXTHOR EC in that one gallon of water by 0.03%. For example, to make a 0.06% solution in one gallon of water, mix 0.333 fluid ounce (2 teaspoons) of MAXXTHOR EC in one gallon of water. Use the conversion table and formulas below to determine the amount of MAXXTHOR EC to add to any quantity of water.

| Mixing Table for MAXXTHOR EC for Structural Pests | | |
|---|---|---|
| % to mix | Fluid ounces to add per gallon of water to mix this % | Teaspoons to add per gallon of water to mix this % |
| 0.03 | 0.166 | 1 |
| 0.06 | 0.333 | 2 |

29.57 milliliters = 2 tablespoons = 6 teaspoons=1 Fluid ounce

### Calculating Amount of MAXXTHOR EC to Mix for Structural Pests

Calculate the amount of MAXXTHOR EC to mix for structural pests as follows:

A = Volume of water, in gallons, into which the MAXXTHOR EC will be mixed. Express any partial gallons as decimal fractions (1/2 = .5)

B = Fluid ounces (or teaspoons) MAXXTHOR EC per gallon from Mixing Table. Select the desired % concentration based on the site of application and the pest(s) to be controlled. Read across to find amount of MAXXTHOR EC to add per gallon in fluid ounces or teaspoons.

Fluid ounces (or teaspoons) MAXXTHOR EC to mix = A X B

Mix this amount of MAXXTHOR EC in the predetermined amount of water (A). Food utensils such as teaspoons and measuring cups should not be used for food purposes after use with pesticides.

### Pests Controlled

Ants, including Carpenter Ants, Armyworms, Bees, Boxelder Bugs, Centipedes, Chiggers, Chinch Bugs, Clover Mites, Crickets, Cutworms, Dichondra Flea Beetles, Earwigs, Elm Leaf Beetles, European Craneflies, Fleas, Flies, Grasshoppers, Hornets, Millipedes, Mosquitoes, Moths, Roaches, including Cockroaches, Scorpions, Silverfish, Sod Webworms, Sowbugs (Pillbugs), spiders including Black Widow Spiders, Springtails and Wasps.

### Application Methods

Apply MAXXTHOR EC as a solution in the form of a general surface, spot, crack and crevice, pinstream or coarse spray. Do not apply as a space spray. May also be applied with a paintbrush.

### Application Use Rates and Volumes

Use a 0.03% to 0.06% solution of MAXXTHOR EC. Use a spray volume of between 2 and 10 gallons of solution per 1,000 square feet. Higher application volumes may be used if necessary to sufficiently wet vegetation and landscaping with the spray solution.

### Re-Application

Treatments should not be repeated more often than once every 7 days. The best efficacy and longest residual control is achieved when the highest concentration is used.

### Application Locations

Apply spray to the exterior surfaces of structures and to grounds, lawns, landscaping, plants and hard surface areas adjacent to structures. Can also be applied to any areas where pests congregate or have been seen.

### Perimeter Band Treatment

To help prevent pest infestation of structures, create a treated zone or band on the structure, soil and vegetation around the entire perimeter of a structure. Apply solution to all surfaces within a band beginning 6 to 10 feet from the exterior foundation of the structure that extends back to the structure and then continues 2 to 3 feet up the exterior surface of the structure from the ground. Application volume will depend upon the nature of the surface being treated. Mulch areas, for example, require more volume and hard surface areas requiring less.

### Control of Specific Structural Pests Outdoors

**Ants (Nuisance ants other than Carpenter Ants) Outdoors:** To achieve the highest level of control, locate and directly treat ant nests. Apply solution to ant trails, around doors and windows and at points where ants can be expected to forage or congregate.

**For Ant Mounds:** Treat mounds and area within a 2 foot radius of the center of the mound with 1-2 gallons of a 0.06% solution. When mounds exceed 12 inches in size use the highest volume of solution. Applications in cool weather (65 to 80 degrees F) or the cooler parts of the day are most effective. Do not apply treatment during the heat of the day.

**Bees, Wasps, Hornets, and Yellow Jackets:** Always use the highest rate. Make application in late evening when insects are at rest at the nest for best results and to avoid stings. Spray nest openings in ground, in bush[illegible] wherever insects may be nesting. Spray to the point of saturation. Spray as many in[illegible]s as possible. Remove and destroy treated nests to prevent emergence of newly hatched insects.

**Centipedes, Earwigs, Beetles, Millipedes, Pillbugs, Sowbugs:** Thoroughly treat mulch areas. The reduction of moisture in mulch areas may also aid in control of these pests.

**Mosquitoes:** Apply solution to lawns and landscaping, under decks and to building foundations. Refer to *APPLICATIONS FOR ORNAMENTAL PESTS* section for mixing and applying large amounts of solution against mosquitoes.

**Fleas:** Treat the entire area where insects could be present. Begin treatments in the spring. Insects may be re-introduced by host animals in the surrounding area. Retreatment may be necessary to achieve and maintain control during periods of high pest pressure.

## CONTROL OF NUISANCE INSECTS INSIDE BUILDINGS

MAXXTHOR EC can be used indoors to control bees, wasps, hornets and yellow jackets by liberally spraying a 0.06% emulsion in the late evening when insects are at rest into hiding and breeding places, especially under attic rafters, contacting as many insects as possible. Repeat application is necessary only if there are signs of renewed insect activity which is more likely in situations of high initial pest pressure. Repeat application should be limited to no more than once every seven days.

Refer to the *CONTROL OF STRUCTURAL PESTS (OTHER THAN WOOD INFESTING INSECTS) ON AND AROUND BUILDINGS* section of this label for directions on mixing MAXXTHOR EC for these types of applications.

**Important:** Do not apply emulsion until location of heat pipes, ducts, water and sewer lines and electrical conduits are known and identified. Caution must be taken to avoid puncturing and injection into these structural elements. Do not apply into electrical fixtures, switches or sockets.

Remove pets, birds and cover aquariums before spraying. Do not permit humans or pets to contact treated surfaces until the spray has dried.

Wear protective clothing, unvented goggles, gloves and respirator, when applying to overhead areas or in poorly ventilated areas. During any overhead applications to overhead interior areas of structures, cover surfaces below with plastic sheeting or similar materials.

In the home, cover all food handling/processing surfaces and cover or remove all food and cooking utensils, or wash thoroughly after treatment.

For use only in nonfood/feed areas of food/feed handling establishments. Do not use in food/feed areas of food/feed handling establishments, restaurants or other areas where food/feed is commercially prepared or processed. Do not use in serving areas while food is exposed or facility is in operation. Serving areas are areas where prepared foods are served such as dining rooms but excluding areas where food may be prepared or held. Nonfood/feed areas of food/feed areas are 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 (after bottling or canning).

Not for use in Federally inspected meat and poultry plants.

## APPLICATION UNDER SLABS TO CONTROL PESTS

Infestations of pests such as ants, cockroaches and scorpions inhabiting areas under slabs may be controlled by drilling and injecting or horizontal rodding and then injecting 1 gallon of a 0.06% to 0.12% emulsion per 10 square feet or 2 gallons of emulsion per 10 linear ft.

## ATTENTION

Use only in well ventilated areas.

Do not apply to pets, crops, sources of electricity or firewood.

During any application to overhead areas of structure, cover surfaces below with plastic sheeting or similar material, except for soil surfaces in crawlspaces.

Do not allow dripping or runoff to occur during indoor applications.

Do not treat areas where food is exposed.

Do not allow spray to contact food, foodstuffs, food contacting surfaces, food utensils or water supplies.

Thoroughly wash dishes and food handling utensils with soap and water if they become contaminated by application of this product.

Do not allow people or pets to touch or walk on treated surfaces until spray has dried.

Do not apply a broadcast application to interior surfaces of homes.

Do not apply in livestock buildings such as barns.

Do not allow spray to drift onto ponds, streams or lakes.

Do not apply in greenhouses or nurseries or by air.

## 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 must be followed carefully. However, because of manner of use and other factors beyond the control of Ensystex IV, Inc., it is impossible for Ensystex IV 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 Ensystex IV harmless for any claims relating to such factors.

**DIECLAIMER OF WARRANTIES:** Seller warrants that this product conforms to the chemical description in 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. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ENSYSTEX IV 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 Ensystex IV, Inc., and buyer assumes the risk of any such use.

**LIMITATIONS OF LIABILITY:** To the extent consistent with applicable law, Ensystex IV 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 ENSYSTEX IV 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 ENSYSTEX IV, 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.

MAXXTHOR is a registered trademark of Ensystex, Inc.

Revised 07/07

April 24, 2008

MEMORANDUM

Subject: EPA Reg. No.: 83923-A **Maxthor EC**
DP Barcode: 351759
Decision No: 381554

From: Masih Hashim, Toxicologist MH
Technical Review Branch
Registration Division (7505P) RSW

To: Bewanda Alexander, RM Team 13
Insecticide Branch
Registration Division (7505 P)

Applicant: Ensystex IV, Inc

FORMULATION FROM LABEL:

| Active Ingredient(s): | % by wt. |
|---|---|
| 128825 Bifenthrin | 23.4 |
| Inert Ingredient(s): | 76.6 |
| Total: | 100.0 |

ACTION DESIRED: Similarity action is requested between the (cited #279-3177, and the proposed #83923-A) products.

RECOMMENDATION: The cited and the proposed products are substantially similar, TRB has no objection to bridging data between them. The tox profile for the new product is as follows:

| | | |
|---|---|---|
| acute oral toxicity | II | cite all 279-3177 |
| acute dermal toxicity | IV | cite all 279-3177 |
| acute inhalation toxicity | IV | cite all 279-3177 |
| primary eye irritation | III | cite all 279-3177 |
| primary skin irritation | II | cite all 279-3177 |
| dermal sensitization | pos. | cite all 279-3177 |

LABEL:

**PRODUCT ID #:** **083923-00006**

**PRODUCT NAME: MAXXTHOR EC**

**PRECAUTIONARY STATEMENTS**

**SIGNAL WORD: WARNING**

**SPANISH SIGNAL WORD:**
**AVISO**

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand the label, find someone to explain it to you in detail.)

**Hazards to Humans and Domestic Animals:**

Contains Petroleum Distillate.

May be fatal if swallowed. Causes skin irritation. Causes moderate eye irritation. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Do not get on skin or on clothing. Wear long-sleeved shirt and long pants, socks, chemical-resistant footwear, and gloves. Remove and wash contaminated clothing before reuse. Avoid contact with eyes or clothing. Wear protective eyewear (IF APPROPRIATE).

Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Follow the manufacturer\'s instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry. For overhead exposure wear chemical-resistant headgear. When cleaning equipment wear a chemical-resistant apron.

**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 by a poison control center or doctor.
-Do not give anything to an unconscious person.

If on skin:
-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.

If in eyes:
-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.
-Call a poison control center or doctor for treatment advice.

May pose an aspiration pneumonia hazard. Contains petroleum distillate.
NOTE TO PHYSICIAN: Note to PM/CRM/Registrant: The following statements are suggested types of information that may be included, if applicable: - technical information on symptomatology; - use of supportive treatments to maintain life functions; - medicine that will counteract the specific physiological effects of the pesticide; - company telephone number to specific medical personnel who can provide specialized medical 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-xxx-xxxx for emergency medical treatment information.

**DP BARCODE No.:** D351758 **File Symbol No.:** 83923-A **PRODUCT NA** Maxxthor EC

**DATE OUT:** 28 / APR / 2008

FEE

**SUBJECT:** **FEE.PRODUCT CHEMISTRY REVIEW OF MP [ ] EP [X]**
**DP BARCODE No.:** D351758 **File Symbol No.:** 83923-A
**PRODUCT NAME:** Maxxthor EC
**COMPANY:** Ensystex IV, Incorporation
**FOOD USE [ ]** **INTEGRATED FORMULATION [ ]**
**PCC:** 128825; **Decision No.** 381554; **Action Code:** R30

**FROM:** Shyam B. Mathur
Product Chemistry Team Leader
Technical Review Branch / RD (7505P)

SBMathur 4/28/08

**TO:** BeWanda Alexander / George Larocca, RM 13
Insecticide Branch / RD (7505P)

**INTRODUCTION:**

The registrant has submitted product chemistry data in support of the registration application for the proposed end-use product. The registrant has submitted the product chemistry data corresponding to group A & B under MRID Nos. 471849-01, 471849-02, 471849-03 and the supplemental data under MRID No. 473915-01.The registrant has submitted a CSF for basic formulation (dated 02-27-08) along with the product label. The registrant has claimed that the proposed product is substantially similar to the registered product with Reg. No. 279-3177. TRB has been asked to evaluate product chemistry data submitted and determine the acceptability of the proposed basic CSF and its similarity to the registered product.

**SUMMARY OF FINDINGS**

1. The proposed end use product contains [redacted] as the active ingredient with product label claims of 23.4%.

2. The CSF of basic formulation (dated 02-27-08) is filled out correctly & completely. The nominal concentration of the active ingredient concurs with the product label claim nominal concentration. The CSF for basic formulation is in compliance with PR Notice 91-2. All the inert ingredients present in the formulation are approved by the Agency (IIAB, 04-16-08). The certified limits for the AI and inert ingredients are in compliance with standard certified limit table set forth in 40CFR§158.350(b)(2). The data submitted corresponding to guidelines 830.1550 (product identity & composition) and 830.1750 (certified limits) satisfy the product chemistry data requirements of 40CFR§158.320 & 158.350 respectively [MRID No. 471849-01].

3. The data submitted corresponding to guideline 830.1600 (description of materials used to produce the product), 830.1650 (description of formulation process), and 830.1670 (discussion on the formation of impurity) satisfy the data requirements of 40CFR §158.325, §158.335, & §158.340 respectively [MRID No. 471849-01 and 473915-01].

4. The data submitted corresponding to guideline 830.1800 (enforcement analytical method) satisfy the data requirements of 40CFR§158.355. A GC-FID method was used for the determination of the active ingredient in the proposed end use product. The GLC analytical method employed a DB-5 column, 30 m x 0.25 mm, 0.25 µm with external standard quantization [MRID No. 471849-01].

*Product ingredient source information may be entitled to confidential treatment*

5. The data submitted corresponding to guideline 830 series subgroup B (physical-chemical properties) satisfy the data requirements of 40CFR158.190, excluding one year storage stability (830.6317) and corrosion characteristics (830.6320) data [MRID No. 471849-02].

6. The registrant has not submitted data for the guidelines 830.6317(one year storage stability) and 830.620 (corrosion characteristics) under warehouse conditions. It is advised that the registrant conduct the one year studies for these guidelines and it is recommended that observations must be made at 0, 3, 6, 9, and 12 month interval periods. The results of one year studies must be submitted to the Agency on completion.

7. The registrant has requested waivers with proper justifications for the guidelines: 830.6302, 830.6304, 830.6313, 830.6316, 830.6319, 830.6321, 830.7050, 830.7200, 830.7220, 830.7370, 830.7550-830.7570, 830.7840-830.7860, and 830.7950.

**CONCLUSIONS:**

The TRB has reviewed the product chemistry data submitted for the proposed end use product and has concluded that:

1. The product chemistry data submitted for the guidelines 830 Series Subgroup A & Subgroup B are acceptable, except for one year storage stability & corrosion characteristics studies.

2. The proposed CSF for basic formulation (dated 02-27-08) is acceptable.

3. The registrant must submit the results of one year storage stability (830.6317) and corrosion characteristics (830.6320) studies on completion.

4. The proposed end use product with File Symbol No. 83923-A was determined to be substantially similar to the registered product with Reg. No. 279-3177 from the product chemistry point of view.

5. Based on the justifications provided, the Agency has no objection in accepting waivers for the guidelines: 830.6302, 830.6304, 830.6313, 830.6316, 830.6319, 830.6321, 830.7050, 830.7200, 830.7220, 830.7370, 830.7550-830.7570, 830.7840-830.7860, and 830.7950.

Product Chemistry Data Group and Group B(Physical-chemical properties)

| Subgroup A | Data Required Fulfilled | MRID No. |
|---|---|---|
| 830.1550. Chemical Identity (Basic CSF) | A | 02-27-08 |
| 830.1600. Beginning Materials | A | 471849-01<br>473915-01 |
| 830.1650. Formulation Process | A | 471849-01 |
| 830.1670. Discussion of Impurities | A | 471849-01 |
| 830.1700. Preliminary Analysis | NA | |
| 830.1750. Certified Limits (Basic CSF) | A | 02-27-08 |
| 830.1800. Enforcement Analytical Method | A | 471849-01 |

| Subgroup B | Data Required Fulfilled | Value or Qualitat. Descrip. | MRID No. |
|---|---|---|---|
| 830.6302. Color | W | | 471849-03 |
| 830.6303. Physical State | A | Liquid | 471849-02 |
| 830.6304. Odor | W | | 471849-03 |
| 830.6314. Oxidation/Reduction Action | A | Compatible with water, 10% MAP*, Fe powder, and kerosene. Not compatible with 10% $KMnO_4$ | 471849-02 |
| 830.6315. Flammability | A | 165.92°F | " " " |
| 830.6316. Explodability | W | | 471849-03 |
| 830.6317. Storage stability | G | | |
| 830.6319. Miscibility | W | | 471849-03 |
| 830.6320. Corrosion Characteristics | G | | |
| 830.6321. Dielectric Breakdown Voltage | W | | 471849-03 |
| 830.7000. pH | A | 4.04 @ 25°C | 471849-02 |
| 830.7100. Viscosity (20 $^0$C)<br>(40 $^0$C) | A | 34.748 cts<br>12.532 cts | 471849-02 |
| 830.7000. Density/Bulk Density (20 $^0$C) | A | 1.022 g/cc | 471849-02 |

Explanations: A = The Requirements Were Fulfilled; N = The Requirements Were Not Fulfilled; NA = Not Applicable; G = Data Gap; U = Requires Upgrading; I = Incomplete or In Progress; W = Waived.
*MAP = 10% Monoammonium phosphate.

830.1800. Enforcement analytical method: (MRID No. 471849-01)

The following information is taken directly from the data submitted by the registrant on the analytical method to determine active ingredient contents in the proposed end use product "Maxxthor EC".

**GLC Operating Conditions**
GLC system: Agilent 6890N
Column: DB-5 (30m x 0.25 mm ID x 0.25 μm film thickness)
Autosampler: Agilent 7683
Carrier Gas: Helium
Detector Type/Temp: FID / @ 300°C
Total Run Time (min): 11.50
Column Temperature: Initial temperature 160°C (hold for 0.5 min); Increased 10°C/min to 220°C; Increased 65°C/min to 285°C (hold for 4.0 min)
Retention Time Observed (min): ~9.08-9.15

Correlation Coefficient: 1.000
Precision: Relative standard Deviation: 0.80%
Accuracy: Standard Recovery: 98.54%-101.02%
Spike Recovery: 99.48

**Sample Preparation:**
Prepare duplicate test substance samples by weighing out approximately 1.0 grams of test substance and mixing with 50 ml of ethyl acetate. Mix thoroughly. Sonicate for 10 minutes to ensure the complete extraction of the active.

**Determination:**
Equilibrate GLC until a stable, consistent chromatogram is obtained. Inject standards and samples at consistent time intervals in order to maintain a steady baseline. Inject samples in duplicate. Following up to eight sample injections, run a standard to confirm system reliability and calibration.

**Calculation:**

$$\% \text{ Assay} = \frac{(\text{Pk Counts for Sample})(\text{Conc. Of Std. In mg/ml})(\text{Dilution Factor})(\text{Final Volume in ml})(100)}{(\text{Avg. Pk Counts for Std.})(\text{Sample Weight in g})(1000)}$$

**Recommendation of Division Directors**
**Negotiated Due Dates**

| | | |
|---|---|---|
| **Decision #: 381554** | **Registration #: 83923-A** | **Petition #:** |
| **Fee Category: R30** | **PRIA Decision Time Frame: 90 days** | |
| **Submitted by: BeWanda Alexander** | **Branch: RD/IB** | **Date: 2-4-2008** |
| **Company: Pyxis Regulatory Consulting, Inc. for Ensystex** | | |
| **Original Due Date: 11-11-2007** | **Proposed New Due Date: 5-30-2008** | |
| **Previous Negotiated Due Dates: 2-21-2008** | | |
| **Is the "Fix" in-house? No** | **If not, date "Fix" expected: 2-29-2008** | |

**Issue (describe in detail):**

**The Registrar submitted an application for pesticide registration on July 19, 2007. The CSF submitted in support of this application contained [redacted] un-cleared inert ingredients requiring additional information.**

**Summary of Deficiency Type(s): Not Submitted (N) Deficiencies (D)**
**Product Chemistry: _D_ Acute Tox: ___ Efficacy: ____ Labeling: ____ Other (describe): ____**

**Describe Interactions with Company (describe when contacted and company's response including response to previous negotiated due dates):**
**The Company was first notified on August 24, 2007 that the CSF didn't pass inert screening. On October 3, 2007 Ensystex IV, Inc. submitted a revised CSF and MSDS for the inert ingredients. The revised CSF (dated 10/3/2007) also didn't pass inert review. The Company was faxed and sent via certified mail a 75 day letter on October 24, 2007 informing them on the CSF status and requesting additional information. First, Ensystex IV, Inc. agreed to submit a revised CSF and supporting documentation by November 21, 2007. Now, Ensystex IV, Inc. agrees to submit a revised CSF and supporting documentation by February 29, 2008.**

**"75 Day" Letter sent? _10-24-2007_ (Date sent) Yes ____No and reason for none?**

**Rationale for Proposed Due Date:**

**The Company has agreed to submit required information by February 29, 2008. The negotiated PRIA date is 90 days from the proposed submission of required information.**

**Registrant notified that this is the last negotiation? _____Yes _____Not Applicable**

| | |
|---|---|
| **Approve:** ✓ | **Disapprove:** |

**If disapproved, action to be taken:**

| | |
|---|---|
| **OD or DOD Signature:** | **Date:** 2-21-08 |

Form revised: May 2007

*Inert ingredient information may be entitled to confidential treatment*

"Mike Kellogg"
<Mike@PyxisRC.com>
01/31/2008 04:12 PM

To BeWanda Alexander/DC/USEPA/US@EPA

cc George LaRocca/DC/USEPA/US@EPA, "Ann Tillman" <Ann@PyxisRC.com>

bcc

Subject Maxxthor EC (EPA File Symbol No. 83923-A)

Ms. Alexander,

Pursuant to our telephone conversation this afternoon please let this email serve as Ensystex IV Inc.'s request to renegotiate the February 8, 2008 PRIA date until May 30, 2008 for the Maxxthor EC application for registration (EPA File Symbol No. 83923-A). We fully expect to submit our response to the Agency on or before February 29, 2008 and the May 30, 2008 date will allow the Agency at least 90 days to review our submission.

Please do not hesitate to contact me should you require any additional action pursuant to this PRIA renegotiation.

Regards,

Mike Kellogg
Pyxis Regulatory Consulting, Inc.
4110 136th St. NW
Gig Harbor, WA 98332
T: (253) 853-7369
F: (253) 853-5516

"Mike Kellogg"
<Mike@PyxisRC.com>
01/29/2008 12:19 PM

To BeWanda Alexander/DC/USEPA/US@EPA
cc George LaRocca/DC/USEPA/US@EPA
bcc
Subject Maxxthor EC (EPA File Symbol No. 83923-A)

Ms. Alexander,

On October 25, 2007 we requested a renegotiated PRIA date from November 11, 2007 to February 8, 2008 for Ensystex IV, Inc.'s application for registration of Maxxthor EC (EPA File Symbol No. 83923-A) to correct deficiencies noted in the product chemistry review. Ensystex is working closely with a laboratory wrapping up some additional chemical analysis for our response to the Agency however it does not appear as though we will be able to meet the February 8 timeline as this date is drawing close and the Agency will require time to review our response.

By way of this email, we respectfully request to renegotiate the February 8, 2008 PRIA date an additional 30 days to March 10, 2008. Please let me know if this meets with the Agency's approval.

Best Regards,

Mike Kellogg
Pyxis Regulatory Consulting, Inc.
4110 136th St. NW
Gig Harbor, WA 98332
T: (253) 853-7369
F: (253) 853-5516

logged into OPPIN on 11/08/'07

**Recommendation of Division Directors**
**Negotiated Due Dates**

| | | |
|---|---|---|
| **Decision#: 381554** | **Registration#: 83923-A** | **Petition #:** |
| **Fee Category: R30** | **PRIA Decision Time Frame: 90 days** | |
| **Submitted by: BeWanda Alexander** | **Branch: RD/IB** | **Date: 11-02-2007** |
| **Company: Pyxis Regulatory Consulting, Inc. for Ensystex** | | |
| **Original Due Date: 11-11-2007** | **Proposed New Due Date: 02/21/2008** | |
| **Previous Negotiated Due Dates:** | | |
| **Is the "Fix" in-house? No** | **If not, date "Fix" expected: 11/21/2007** | |

**Issue (describe in detail):**

**The CSF has [redacted] uncleared inert ingredients requiring additional information.**

**Summary of Deficiency Type: Not Submitted (N) Deficiencies (D)**
**Product Chemistry: _D__ Acute Tox: ___ Efficacy: ____ Labeling: ____ Other: ____**

**Describe Interactions with Company (describe when contacted and company's response including response to previous negotiated due dates):**

**The Company was first noticified on August 24, 2007 that the CSF didn't pass inert screening. On October 3, 2007 Ensystex IV, Inc. submitted a revised CSF an MSDS for the new ingredient. The revised CSF (dated 10/3/2007) also didn't pass inert review. The Company was faxed and sent via certified mail a 75 day letter on October 24, 2007 informing them on the CSF status and requesting additional information. Ensystex IV, Inc. has agreed to submit a revised CSF and supporting documentation by November 21, 2007.**

**Rationale for Proposed Due Date:**

**The Company has agreed to submit required information by November 21, 2007. The negotiated PRIA date is 90 days from the proposed submission of required information.**

**Registrant notified that this is the last negotiation? _____Yes __X___Not Applicable**

| | |
|---|---|
| **Approve:** ✓ | **Disapprove:** |
| **If disapproved, action to be taken:** | |
| **OD or DOD Signature:** | **Date:** 11-8-07 |

*Inert ingredient information may be entitled to confidential treatment*

Maxxthor EC (EPA File Symbol No.
83923-A)

Ms. Alexander,

Please let this email serve as Ensystex IV, Inc.'s request to renegotiate the PRIA date of November 11, 2007 for Ensystex' Maxxthor EC product (EPA File Symbol No. 83923-A), an additional 90 days to February 8, 2008. We are working on obtaining the inert information you have requested and will provide this information as soon as possible.

Please let me know should you require anything further for the PRIA renegotiation.

Regards,

Mike Kellogg
Pyxis Regulatory Consulting, Inc.
4110 136th St. NW
Gig Harbor, WA 98332
T: (253) 853-7369
F: (253) 853-5516

"Mike Kellogg"
<Mike@PyxisRC.com>
11/02/2007 05:50 PM

To BeWanda Alexander/DC/USEPA/US@EPA
cc George LaRocca/DC/USEPA/US@EPA
bcc
Subject RE: Maxxthor EC (EPA File Symbol No. 83923-A)

Ms. Alexander,

Pursuant to our telephone conversation this afternoon, Ensystex agrees to submit a revised Confidential Statement of Formula and supporting documentation (as required) for its Maxxthor EC product (EPA File Symbol No. 83923-A) by November 21, 2007. Ensystex understands the renegotiated PRIA date will be 90 days from November 21, 2007.

Regards,

Michael Kellogg
Pyxis Regulatory Consulting, Inc.
4110 136th St. NW
Gig Harbor, WA 98332
T: 253-853-7369
F: 253-853-5516
E: Mike@PyxisRC.com

---

**From:** Alexander.Bewanda@epamail.epa.gov [mailto:Alexander.Bewanda@epamail.epa.gov]
**Sent:** Thu 10/25/2007 4:00 PM
**To:** Mike Kellogg
**Cc:** larocca.george@epa.gov
**Subject:** Re: Maxxthor EC (EPA File Symbol No. 83923-A)

Thank you for your quick response.

BeWanda Alexander
US Environmental Protection Agency
OPPTS/Office of Pesticide Programs
Registration Division
Insecticide Branch, Team 13
Mail code: 7505P
(703)305-7460
alexander.bewanda@epa.gov

"Mike Kellogg"
<Mike@PyxisRC.co
m>
10/25/2007 06:46
PM

To
BeWanda Alexander/DC/USEPA/US@EPA
cc
George LaRocca/DC/USEPA/US@EPA
Subject

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

April 7, 2008

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

PYXIS REGULATORY CONSULTING, INC.
ENSYSTEX IV, INC
4110 136TH STREET
GIG HARBOR, WA 98332-

Report of Analysis for Compliance with PR Notice 86-5

Thank you for your submittal of 03-APR-08. Our staff has completed a preliminary analysis of the material. The results are provided as follows:

Your submittal was found to be in full compliance with the standards for submission of data contained in PR Notice 86-5. A copy of your bibliography is enclosed, annotated with Master Record ID's (MRIDs) assigned to each document submitted. Please use these numbers in all future references to these documents. Thank you for your cooperation. If you have any questions concerning this data submission, please raise them with the cognizant Product Manager, to whom the data have been released.

*Please read instructions on reverse before completing form.*

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95

EPA

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

- [ ] Registration
- [ ] Amendment
- [x] Other

OPP Identifier Number

## Application for Pesticide - Section I

| 1. Company/Product Number | 2. EPA Product Manager | 3. Proposed Classification |
|---|---|---|
| 83923- | G. LaRocca | [x] None [ ] Restricted |
| **4. Company/Product (Name)** | **PM#** | |
| Ensystex IV, Inc. / Maxxthor EC | 13 | |

**5. Name and Address of Applicant** *(Include ZIP Code)*
Ensystex IV, Inc.
c/o Pyxis Regulatory Consulting, Inc.
4110 136th St. NW
Gig Harbor, WA 98332
[ ] *Check if this is a new address*

**6. Expedited Reveiw.** In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to:
EPA Reg. No. _____
Product Name _____

## Section - II

- [ ] Amendment - Explain below.
- [x] Resubmission in response to Agency letter dated 10/24/2007
- [ ] Notification - Explain below.
- [ ] Final printed labels in repsonse to Agency letter dated _____
- [ ] "Me Too" Application.
- [ ] Other - Explain below.

**Explanation:** Use additional page(s) if necessary. (For section I and Section II.)
This application is a response to the EPA letter dated 10/24/2007.

## Section - III

**1. Material This Product Will Be Packaged In:**

| Child-Resistant Packaging | Unit Packaging | Water Soluble Packaging | 2. Type of Container |
|---|---|---|---|
| [ ] Yes | [ ] Yes | [ ] Yes | [ ] Metal |
| [ ] No | [ ] No | [ ] No | [ ] Plastic |
| * *Certification must be submitted* | If "Yes" Unit Packaging wgt. / No. per container | If "Yes" Package wgt / No. per container | [ ] Glass |
| | | | [ ] Paper |
| | | | [ ] Other (Specify) _____ |

| 3. Location of Net Contents Information | 4. Size(s) Retail Container | 5. Location of Label Directions |
|---|---|---|
| [ ] Label [ ] Container | | [ ] On Label [ ] On Labeling accompanying product |

**6. Manner in Which Label is Affixed to Product** [ ] Lithograph [ ] Paper glued [ ] Stenciled [ ] Other _____

## Section - IV

**1. Contact Point** *(Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)*

| Name | Title | Telephone No. (Include Area Code) |
|---|---|---|
| Michael Kellogg | Agent | (253) 853-7369 |

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

**6. Date Application Received** (Stamped)

| 2. Signature | 3. Title | 4. Typed Name | 5. Date |
|---|---|---|---|
| Michael Kellogg | Agent | Michael Kellogg | 4/1/08 |

EPA Form 8570-1 (Rev. 3-94) Previous editions are obsolete.

White - EPA File Copy (original) • Yellow - Applicant Copy

PYXIS REGULATORY CONSULTING, INC.

4110 136th St. NW
Gig Harbor, WA 98332

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

April 1, 2008

COURIER DELIVERY

George LaRocca (PM 13)
Document Processing Desk (APPL)
Office of Pesticide Programs
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

RE: Ensystex IV, Inc. – Maxxthor EC (EPA File Symbol No. 83923-A)
Response to Agency Letter dated October 24, 2007

Dear Mr. LaRocca,

On behalf of Ensystex IV, Inc. and in response to the Agency letter of October 24, 2007 regarding inert ingredient clearance in the Maxxthor EC formulation, I am providing additional information requested by the reviewer regarding the composition of the solvent. In addition, I am submitting a revised Confidential Statement of Formula to remove the fragrances.

In support of the original application, please find enclosed the following documents:

1. Completed Application for Registration
2. Revised Confidential Statement of Formula (Basic formulation dated February 27, 2008)
3. Letter of Authorization
4. Product Specific Data (3 copies of each report):

| | | | |
|---|---|---|---|
| 47391501 | Volume 1 | 830.1600 | Tillman, M. Description of the Materials Used for Maxxthor EC. Supplemental Report to MRID 47184901. ***Contains Confidential Business Information.*** |

In addition, pursuant to our telephone conversation of March 31, 2008 please let this letter serve as our request to renegotiate the PRIA date for this action to July 1, 2008 (~90 days from date of submission).

Please feel free to contact me if you have any questions or need any additional information.

Sincerely,

Michael Kellogg

Enclosures

83923-A

**DER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**Mr. Michael Kellogg**
**Agent for Ensystex IV, Inc.**
**Pyxis Regulatory Consulting Inc.**
**4110 136th Street, NW**
**Gig Harbor, WA 98332**

**PLETE THIS SECTION ON DELIVERY**

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) Michael Kellogg
C. Date of Delivery 10/29

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

☐ Yes

2. [redacted]

146

102595-02-M-1540

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**BeWanda Alexander**
**Environmental Protection Agency**
**Office of Pesticide Programs (7505P)**
**Ariel Rios Building**
**1200 Pennsylvania Ave., NW**
**Washington, DC** [redacted]

[redacted]

**U.S. Postal Service**
**CERTIFIED MAIL RECEIPT**
*(Domestic Mail Only; No Insurance Coverage Provided)*

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| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | $ |

Postmark Here

Sent To
Mr. Michael Kellogg
Street, Apt. No.; or PO Box No.
4110 136th Street NW
City, State, ZIP+4
Gig Harbor, WA 98332

PS Form 3800, May 2000 See Reverse for Instructions

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

October 24, 2007

Mr. Michael Kellogg
Agent for Ensystex IV, Inc.
Pyxis Regulatory Consulting, Inc.
4110 136th Street, NW
Gig Harbor, WA 98332

Subject: Application for Pesticide Registration
Maxxthor EC
EPA File Symbol 83923-A
Your Applications Dated July 19, 2007 and October 4, 2007

Dear Mr. Kellogg:

Our records indicate that the decision review period for EPA to make a determination pursuant to the Pesticide Registration Improvement Act (PRIA) regarding the above referenced application ends on November 11, 2007. The Agency has reviewed your resubmission dated October 3, 2007 and determined that additional information from your suppliers of [redacted] inert ingredients is required. See attached inert clearance statue form for specific details. You will need to contact your suppliers and have them provide us with the necessary information to clear these inerts or you may alternatively substitute other inerts in your formulations.

Since the PRIA due date is November 11, 2007 and the application for pesticide registration is incomplete we will need to renegotiate the due date to allow the Agency time to review the application. Assuming you provide the additional information requested above as soon as possible the new PRIA due date will extended ninety (90) days from the current date or February 8, 2008. Please agree to this new PRIA date. Alternative you may request withdrawal of this application without prejudice to future filing.

Pursuant to 40 CFR § 152.105, you have 75 days to address the deficiencies or notify the Agency when the information will be submitted to address the deficiencies. If you do not respond within 75 days of the date of this letter, the Agency will treat your application as if it has been withdrawn. Once the application is withdrawn, any subsequent submission relating to this action must be submitted as a new application.

*Inert ingredient information may be entitled to confidential treatment*

If you have questions concerning this letter, please contact BeWanda Alexander at (703)305-7460 or me at (703)305-6100.

Sincerely,

BeWanda Alexander for

George T. LaRocca
Product Manager 13
Insecticide Branch
Registration Division (7505P)

Enclosure

# INERT CLEARANCE STATUS FORM

| Reviewer Name: Keri Grinstead | | | Request date: 10/16/2007 |
|---|---|---|---|
| Tel: 703-308-8373 | RD/IIAB | CUBE: S-7953 | MAIL CODE: 7505P |

**A. COMMENTS:**

Re-review of Maxxthor EC (83923). CSF dated 7/17/2007 not cleared by IIAB. Registrant/Consultant information and new CSF dated 10/4/07 received by Agency and results of review included here:

CSF dated 10/4/2007 - Uncleared inerts – additional information required – see below.

**B. PESTICIDE PRODUCT INFORMATION:**

| | | |
|---|---|---|
| Receipt Number: | Date on CSF: 10/4/2007 | Food-Use Pesticide: [] Yes [X]No |
| EPA Reg. No/File Symbol: 83923- | Formulation: 10/3/2007 | |
| Product Name: Maxxthor EC | | |

**C. INGREDIENT INFORMATION:**

**Ingredient No.1**

| | Tolerance Exemption(s)[1] | | | | | |
|---|---|---|---|---|---|---|
| | 910 | 920 | 930 | 940 | 950 | 960 |
| Chem. Name: [redacted] | | | | | | |
| Trade Name: [redacted] | | | | | | |
| CAS Reg. No.: [redacted] | | | | | | |

Comments: MSDS does not contain enough information for Agency to review. Manufacturer of [redacted] needs to submit to the Agency, the composition of this trade/mixture name. Compositional information **needs to be on manufacturer letterhead** and must include chemical name, CAS number, and percentage in formulation for **each component** of [redacted] component total must =100%. MSDS does not indicate that this trade/mixture name is 100% of the chemical name/CAS number indicated, therefore, this information must be defined by the manufacturer.

**Ingredient No. 2**

| | | | | | | |
|---|---|---|---|---|---|---|
| Chem. Name: | | | | | | |
| Trade Name: [redacted] | | | | | | |
| CAS Reg. No.: | | | | | | |

Comments: unable to verify composition of fragrance. Compositional information needs to be submitted **by manufacturer of fragrance on manufacturer letterhead**. Chemical name, CAS number, and percentage in formulation of each fragrance component must be listed. Component total must =100%.

**Ingredient No. 3**

| | | | | | | |
|---|---|---|---|---|---|---|
| Chem. Name: | | | | | | |
| Trade Name: [redacted] | | | | | | |
| CAS Reg. No.: | | | | | | |

Comments: unable to verify composition of fragrance. Compositional information needs to be submitted **by manufacturer of fragrance on manufacturer letterhead**. Chemical name, CAS number, and percentage in formulation of each fragrance component must be listed. Component total must =100%.

*Inert ingredient information may be entitled to confidential treatment*

# PYXIS REGULATORY CONSULTING, INC.

4110 136th St. NW
Gig Harbor, WA 98332

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


**CONTAINS CONFIDENTIAL BUSINESS INFORMATION**

October 3, 2007

COURIER DELIVERY

George LaRocca (PM 13)
Document Processing Desk (APPL)
Office of Pesticide Programs
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

RE: Ensystex IV, Inc. – Maxxthor EC (EPA File Symbol No. 83923-A)
Response to Agency Letter dated August 24, 2007

Dear Mr. LaRocca,

On behalf of Ensystex IV, Inc. and in response to the Agency letter of August 24, 2007 regarding inert ingredient clearance in the Maxxthor EC formulation, Ensystex is substituting the inert ingredient [redacted] in place of [redacted] An MSDS for the new ingredient is enclosed as well as a revised Confidential Statement of Formula reflecting this changed ingredient.

Additionally, please find the enclosed ingredient information for the two fragrances in the Maxxthor EC formulation, [redacted] and [redacted] identified in your August 24, 2007 letter.

In support of this submission, please find the following:

1. Revised Confidential Statement of Formula (Basic formulation dated October 3, 2007)
2. MSDS for new solvent
3. Fragrance ingredient composition

Please feel free to contact me if you have any questions or need any additional information.

Sincerely,

Michael Kellogg

Enclosures

*Inert ingredient information may be entitled to confidential treatment*

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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES
OFFICE OF PESTICIDE PROGRAMS
REGISTRATION DIVISION (7505C)

Lois Rossi, Director
(703) 305-5447

August 24, 2007

Mr. Michael Kellogg
Agent for Ensystex IV, Inc.
Pyxis Regulatory Consulting, Inc.
4110 136th St. NW
Gig Harbor, WA 98332

Subject: Application for Pesticide Registration
Maxxthor EC
EPA File Symbol 83923-A
Your Applications Dated July 19, 2007

Dear Mr. Kellogg:

Our records indicate that the decision review period for EPA to make a determination pursuant to the Pesticide Registration Improvement Act (PRIA) regarding the above referenced application ends on November 11, 2007. The Agency has reviewed your application and determined that your proposed product contains several inert ingredients (solvent and fragrances) that have not been cleared for use in a pesticide formulation. You will need to contact your suppliers [redacted] to provide us with the necessary information to clear these inerts or you may alternatively substitute other inerts in your formulations.

Pursuant to 40 CFR § 152.105, you have 75 days to address the deficiencies or notify the Agency when the information will be submitted to address the deficiencies. If you do not respond within 75 days of the date of this letter, the Agency will treat your application as if it has been withdrawn. Once the application is withdrawn, any subsequent submission relating to this action must be submitted as a new application.

If you have questions concerning this letter, please contact Mr. George LaRocca, Product Manager 13 at (703) 305-6100.

Sincerely,

Linda G. Arrington
PRIA Ombudsman
Registration Division

*Product ingredient source information may be entitled to confidential treatment*

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

July 25, 2007

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

PYXIS REGULATORY CONSULTING, INC.
ENSYSTEX IV, INC
4110 136TH STREET
GIG HARBOR, WA 98332-

Report of Analysis for Compliance with PR Notice 86-5

Thank you for your submittal of 23-JUL-07. Our staff has completed a preliminary analysis of the material. The results are provided as follows:

Your submittal was found to be in full compliance with the standards for submission of data contained in PR Notice 86-5. A copy of your bibliography is enclosed, annotated with Master Record ID's (MRIDs) assigned to each document submitted. Please use these numbers in all future references to these documents. Thank you for your cooperation. If you have any questions concerning this data submission, please raise them with the cognizant Product Manager, to whom the data have been released.

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

July 25, 2007

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

PLEASE RETURN A COPY OF THIS LETTER WITH PAYMENT
Or Pay On-Line at www.Pay.Gov

OPP Decision Number: D-381554
EPA File Symbol or Registration Number: 83923-A
Product Name: MAXXTHOR EC
EPA Receipt Date: 23-Jul-2007
EPA Company Number: 83923
Company Name: ENSYSTEX IV, INC

Michael Kellogg
PYXIS REGULATORY CONSULTING, INC.
ENSYSTEX IV, INC
4110 136TH STREET
GIG HARBOR, WA 98332-

SUBJECT: Receipt of Application Subject to Registration Service Fee - Fast Track

Dear Registrant:

The Office of Pesticide Programs has received your application for registration. If you submitted data with this application, the results of the PRN-86-5 screen will be communicated separately. During the administrative screen, the Office of Pesticide Programs has determined that this Action is subject to a Pesticide Registration Service Fee as defined in the Pesticide Registration Improvement Act.

The Action has been identified as Action Code: R30

NEW PRODUCT;ME-TOO PRODUCT FAST TRACK;

Within 30 days, please remit payment in the amount of: $ 1,050 to the address below.

If you do not submit payment within 30 days of the date of this letter, the Agency will reject your application pursuant to Section 3(c)(3)(B) of FIFRA. Any subsequent submission relating to this action must be submitted as a new application.

By USPS:
USEPA Washington Finance Center
Pesticide Registration Service Fee

PO Box 360277
Pittsburgh, PA 15251
By Courier:
U.S. EPA Washington Finance Center
Pesticide Registration Service Fee
C/O Mellon Client Service Center
500 Ross Street, Room 670
Box 360277
Pittsburgh, PA 15251-6277
Attn: EPA Module Supervisor
Telephone: (412) 236-2294

All payments must be in United States currency by check, bank draft, or money order drawn to the order of the Environmental Protection Agency. To ensure proper credit, please write the OPP DECISION NUMBER on your check, and enclose a copy of this letter with your payment.

You may be eligible for a full or partial waiver of the registration service fee if, for example, you qualify as a small business or are applying for a minor use, or if your application is solely associated with an IR-4 tolerance petition. Please be advised that if you intend to request a waiver, you must do so in writing within 15 days of receipt of this invoice instead of remitting the amount indicated above. OPP will not consider waiver requests after the registration service fee has been paid. Information regarding eligibility and how th request and document a fee waiver is available on the OPP Fee for Service web site at www.epa.gov/pesticides/fees.

Please send Registration Service Fee Waiver requests to:

By USPS:
Document Processing Desk (WAIVER)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

By Courier:
Document Processing Desk (WAIVER)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S, Crystal Drive.
Arlington, VA 22202

A PRIA decision time review period will not start until a fee waiver is granted and/or the Agency receives certification that the outstanding fee has been paid. If the Agency does not receive certification of payment for this action or a fee waiver request within the next 45 days, the Agency will presume that you no longer want to pursue this action. The Agency will then initiate a process that may result in administrative withdrawal of this action.

If you have any questions, please contact the Pesticide Registration Service Fee Ombudsman at (703) 305-6249.

Sincerely,
Front End Processing Staff
Information Technology & Resources Management Division

N

# Fee for Service

{813843-~

This package includes the following

- New Registration
- Amendment

✓ Studies? ☐ Fee Waiver?

volpay % Reduction: ___

for Division

- AD
- BPPD
- RD

Risk Mgr. 13

| | |
|---|---|
| Receipt No. S- | 813843 |
| EPA File Symbol/Reg. No. | 83923-A |
| Pin-Punch Date: | 7/23/2007 |

☐ This item is NOT subject to FFS action.

**Action Code:**

Requested: R30

Granted: R30

Amount Due: $ 1050

**Parent/Child Decisions:**

Inert Cleared for Intended Use X Uncleared Inert in Product

Reviewer: [signature] Date: 7/24/07

Remarks:

– CSF not cleared. See inert clearance form attached to CSF. KP 7/24/07

*Please read instructions on reverse before completing form.* Form Approved. OMB No. 2070-0060, Approval expires 2-28-95

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

[✓] **Registration** [ ] **Amendment** [ ] **Other**

OPP Identifier Number

843

## Application for Pesticide - Section I

| | | |
|---|---|---|
| 1. Company/Product Number<br>83923- A | 2. EPA Product Manager<br>G. LaRocca | 3. Proposed Classification<br>[✓] None [ ] Restricted |
| 4. Company/Product (Name)<br>Ensystex IV, Inc. / Maxxthor EC | PM#<br>13 | |
| 5. Name and Address of Applicant *(Include ZIP Code)*<br>Ensystex IV, Inc.<br>c/o Pyxis Regulatory Consulting, Inc.<br>4110 136th St. NW<br>Gig Harbor, WA 98332<br>[ ] *Check if this is a new address* | 6. **Expedited Reveiw.** In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to:<br>EPA Reg. No. 279-3177<br>Product Name Biflex SFR Termiticide/Insecticide | |

## Section - II

[ ] Amendment - Explain below.

[ ] Resubmission in response to Agency letter dated _____

[ ] Notification - Explain below.

[ ] Final printed labels in repsonse to Agency letter dated _____

[✓] "Me Too" Application.

[ ] Other - Explain below.

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

This application falls under Category R30 (85: New product – Me-Too, Fast Track) as only product chemistry data are being submitted and the cite-all option under the selective method is being used to support product specific acute toxicity and efficacy data requirements. In addition, the technical source of active ingredient is based on a registered source of supply. The fee due is $1050 and the decision timeline is 3 months. Please email or fax the fee for service invoice to: fees@PyxisRC.com or 253-853-5516.

## Section - III

**1. Material This Product Will Be Packaged In:**

| Child-Resistant Packaging | Unit Packaging | Water Soluble Packaging | 2. Type of Container |
|---|---|---|---|
| [ ] Yes<br>[✓] No | [ ] Yes<br>[✓] No | [ ] Yes<br>[✓] No | [ ] Metal<br>[✓] Plastic<br>[ ] Glass<br>[ ] Paper<br>[ ] Other (Specify) _____ |
| ***Certification must be submitted** | If "Yes" Unit Packaging wgt. / No. per container | If "Yes" Package wgt / No. per container | |

| 3. Location of Net Contents Information | 4. Size(s) Retail Container | 5. Location of Label Directions |
|---|---|---|
| [ ] Label [✓] Container | 1 pt., 1 qt., 1 gal., 2.5 gallon | [✓] On Label<br>[ ] On Labeling accompanying product |

6. Manner in Which Label is Affixed to Product [✓] Lithograph [ ] Paper glued [ ] Stenciled [ ] Other _____

## Section - IV

1. Contact Point *(Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)*

| Name | Title | Telephone No. (Include Area Code) |
|---|---|---|
| Michael Kellogg | Agent | (253) 853-7369 |

**Certification**

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

6. Date Application Received (Stamped)

| | | |
|---|---|---|
| 2. Signature<br>Michael Kellogg | 3. Title<br>Agent | |
| 4. Typed Name<br>Michael Kellogg | 5. Date<br>7/19/07 | |

PYXIS REGULATORY CONSULTING, INC.

471849-00

4110 136th St. NW
Gig Harbor, WA 98332

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

July 19, 2007

COURIER DELIVERY

George LaRocca (PM 13)
Document Processing Desk (REGFEE)
Office of Pesticide Programs
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

RE: Ensystex IV, Inc. – Maxxthor EC (EPA Reg. No. 83923- )
Application for New Pesticide Registration

Dear Mr. LaRocca,

On behalf of Ensystex IV, Inc. we are submitting an application for registration of Maxxthor EC, an end-use product containing bifenthrin as the active ingredient. In support of this application, we submit the following documents:

1. Application for Registration (EPA Form 8570-1)
2. Confidential Statement of Formula
3. Formulators Exemption Statement (EPA Form 8570-27)
4. Five (5) copies of the proposed labeling
5. Certification with Respect to Citation of Data (EPA Form 8570-34)
6. Agency Internal Use Copy of the Data Matrix (EPA Form 8570-35)
7. Public File Copy of the Data Matrix (EPA Form 8570-35)
8. Letter of Authorization
9. Product Specific Data:

| | | | |
|---|---|---|---|
| 47184901 | Volume 1 | 830.1550, 830.1600, 830.1650, 830.1670, 830.1750, 830.1800 | Kellogg, M. Product Identity and Composition, Description of the Materials Used, Description of the Formulation Process, Discussion of the Formation of Impurities, Certified Limits, and Analytical Methods to Verify Certified Limits for Maxxthor EC. |
| 47184902 | Volume 2 | 830.6303, 830.6314, 830.6315, 830.7000, 830.7100, 830.7300 | Wo, C. Maxxthor EC; Physical and Chemical Characteristics: Physical State, Oxidation/Reduction, Flammability, pH, Viscosity, and Density/Relative Density. |
| 47184903 | Volume 3 | 830.6302, 830.6304, 830.6313, 830.6316, 830.6319, 830.6321, 830.7050, 830.7200, 830.7220, 830.7370, 830.7550-830.7570, 830.7840-830.7860, 830.7950 | Kellogg, M. Waiver Request for Certain Data Requirements for Maxxthor EC. |

Ensystex IV, Inc. believes its product, Maxxthor EC, is substantially similar to a currently registered product (EPA Reg. No. 279-3177). Ensystex IV, Inc. believes this application falls under Category R30 (85: New product – Me-Too, Fast Track) as only product chemistry data are being submitted to support the application for registration and the cite-all option under the selective method is being used to support product specific acute toxicity and efficacy data requirements. In addition, the technical source of active ingredient is based on a registered source of supply and therefore, Maxxthor EC qualifies for Formulators Exemption for bifenthrin generic data requirements.

We trust you will find this application complete. However, please feel free to contact me if you have any questions or need any additional information.

Sincerely,

Michael Kellogg

Enclosures

cc: David Nimocks; Ensystex IV, Inc.

Form Approved OMB No. 2070-0060

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**
**401 M Street, S.W.**
**WASHINGTON, D.C. 20460**

**Paperwork Reduction Act Notice:** The public reporting burden for this collection of information is estimated to average 1.25 hours per response for registration and 0.25 hours per response for reregistration and special review activities, including time for reading the instructions and completing the necessary forms. Send comments regarding burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden to: Director, OPPE Information Management Division (2137), U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, DC 20460.
Do not send the completed form to this address.

## Certification with Respect to Citation of Data

| | |
|---|---|
| Applicant's/Registrant's Name, Address, and Telephone Number<br>Ensystex IV, Inc.; 2709 Breezewood Ave.; Fayetteville, NC 28302; (800) 753-2847 | EPA Registration Number/File Symbol<br>83923- 6 |
| Active Ingredient(s) and/or representative test compound(s)<br>Bifenthrin | Date<br>July 19, 2007 |
| General Use Pattern(s) (list all those claimed for this product using 40 CFR Part 158)<br>Terrestrial Nonfood, Domestic Outdoor | Product Name<br>Maxxthor EC |

**NOTE:** If your product is a 100% repackaging of another purchased EPA-registered product labeled for all the same uses on your label, you do not need to submit this form. You must submit the Formulator's Exemption Statement (EPA Form 8570-27).

☐ I am responding to a Data-Call-In Notice, and have included with this form a list of companies sent offers of compensation (the Data Matrix form should be used for this purpose).

**SECTION I: METHOD OF DATA SUPPORT** (Check one method only)

☐ I am using the cite-all method of support, and have included with this form a list of companies sent offers of compensation (the Data Matrix form should be used for this purpose).

☑ I am using the selective method of support (or cite-all option under the selective method), and have included with this form a completed list of data requirements (the Data Matrix form must be used).

**SECTION II: GENERAL OFFER TO PAY**

[Required if using the cite-all method or when using the cite-all option under the selective method to satisfy one or more data requirements]

☑ I hereby offer and agree to pay compensation, to other persons, with regard to the approval of this application, to the extent required by FIFRA.

**SECTION III: CERTIFICATION**

I certify that this application for registration, this form for reregistration, or this Data-Call-In response is supported by all data submitted or cited in the application for registration, the form for reregistration, or the Data-Call-In response. In addition, if the cite-all option or cite-all option under the selective method is indicated in Section I, this application is supported by all data in the Agency's files that (1) concern the properties or effects of this product or an identical or substantially similar product, or one or more of the ingredients in this product; and (2) is a type of data that would be required to be submitted under the data requirements in effect on the date of approval of this application if the application sought the initial registration of a product of identical or similar composition and uses .

I certify that for each exclusive use study cited in support of this registration or reregistration, that I am the original data submitter or that I have obtained the written permission of the original data submitter to cite that study.

I certify that for each study cited in support of this registration or reregistration that is not an exclusive use study, either: (a) I am the original data submitter; (b) I have obtained the permission of the original data submitter to use the study in support of this application; (c) all periods of eligibility for compensation have expired for the study; (d) the study is in the public literature; or (e) I have notified in writing the company that submitted the study and have offered (I) to pay compensation to the extent required by sections 3(c)(1)(F) and/or 3(c)(2)(B) of FIFRA; and (ii) to commence negotiations to determine the amount and terms of compensation, if any, to be paid for the use of the study.

I certify that in all instances where an offer of compensation is required, copies of all offers to pay compensation and evidence of their delivery in accordance with sections 3(c)(1)(F) and/or 3(c)(2)(B) of FIFRA are available and will be submitted to the Agency upon request. Should I fail to produce such evidence to the Agency upon request, I understand that the Agency may initiate action to deny, cancel or suspend the registration of my product in conformity with FIFRA.

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

| Signature | Date | Typed or Printed Name and Title |
|---|---|---|
| Michael Kellogg | 7/19/07 | Michael Kellogg; Agent |

EPA Form 8570-34 (9-97) Electronic and Paper versions available. Submit only Paper version.

Form Approved OMB No. 2070-0060

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**
**401 M Street, S.W.**
**WASHINGTON, D.C. 20460**

**Paperwork Reduction Act Notice:** The public reporting burden for this collection of information is estimated to average 0.25 hours per response for registration activities and 0.25 hours per response for reregistration and special review activities, including time for reading the instructions and completing the necessary forms. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden to: Director, OPPE Information Management Division (2137), U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, DC 20460. Do not send the form to this address.

## DATA MATRIX

| | | |
|---|---|---|
| Date July 19, 2007 | EPA Reg No./File Symbol 83923- | Page 1 of 8 |
| Applicant's/Registrant's Name & Address<br>Ensystex IV, Inc.<br>2709 Breezewood Avenue<br>Fayetteville, NC 28303 | Product<br>Maxxthor EC | |

Ingredient Bifenthrin

| Guideline Reference Number | Guideline Study Name | MRID Number | Submitter | Status | Note |
|---|---|---|---|---|---|
| **Product Specific Data Requirements – Product Chemistry** | | | | | |
| 830.1550 | Product Identity and Composition | Volume 1 | Ensystex IV, Inc. | OWN | |
| 830.1600 | Description of Materials Used to Produce the Product | Volume 1 | Ensystex IV, Inc. | OWN | |
| 830.1620 | Description of Production Process | | | | Not required[1] |
| 830.1650 | Description of Formulation Process | Volume 1 | Ensystex IV, Inc. | OWN | |
| 830.1670 | Discussion of Formation of Impurities | Volume 1 | Ensystex IV, Inc. | OWN | |
| 830.1700 | Preliminary Analysis | | | | Not required[2] |
| 830.1750 | Certified Limits | Volume 1 | Ensystex IV, Inc. | OWN | |
| 830.1800 | Enforcement Analytical Method | Volume 1 | Ensystex IV, Inc. | OWN | |
| 830.6302 | Color | | | | Not required[3] |
| 830.6303 | Physical State | Volume 2 | Ensystex IV, Inc. | OWN | |
| 830.6304 | Odor | | | | Not required[3] |
| 830.6313 | Stability to Normal and Elevated Temperatures, Metals, and Metal Ions | | | | Not required[3] |
| 830.6314 | Oxidation/Reduction: Chemical Incompatibility | Volume 2 | Ensystex IV, Inc. | OWN | |
| 830.6315 | Flammability | Volume 2 | Ensystex IV, Inc. | OWN | |
| 830.6316 | Explodability | | | | Not required[4] |

| Signature | Name and Title | Date |
|---|---|---|
| Michael Kellogg | Michael Kellogg, Consultant | 7/19/07 |

EPA Form 8570-35 (9-97) Electronic and Paper versions available. Submit only Paper version.

**Agency Internal Use Copy**

Form Approved OMB No. 2070-0060

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**
**401 M Street, S.W.**
**WASHINGTON, D.C. 20460**

**Paperwork Reduction Act Notice:** The public reporting burden for this collection of information is estimated to average 0.25 hours per response for registration activities and 0.25 hours per response for reregistration and special review activities, including time for reading the instructions and completing the necessary forms. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden to: Director, OPPE Information Management Division (2137), U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, DC 20460. Do not send the form to this address.

## DATA MATRIX

| | | |
|---|---|---|
| Date July 19, 2007 | EPA Reg No./File Symbol 83923- | Page 2 of 8 |
| Applicant's/Registrant's Name & Address<br>Ensystex IV, Inc.<br>2709 Breezewood Avenue<br>Fayetteville, NC 28303 | Product<br>Maxxthor EC | |

Ingredient Bifenthrin

| Guideline Reference Number | Guideline Study Name | MRID Number | Submitter | Status | Note |
|---|---|---|---|---|---|
| 830.6317 | Storage Stability | | | | PRN 92-5[5] |
| 830.6319 | Miscibility | | | | Not required[6] |
| 830.6320 | Corrosion Characteristics | | | | See endnote[5] |
| 830.6321 | Dielectric Breakdown Voltage | | | | Not required[7] |
| 830.7000 | pH | Volume 2 | Ensystex IV, Inc. | OWN | |
| 830.7050 | UV/Visible Absorption | | | | Not required[3] |
| 830.7100 | Viscosity | Volume 2 | Ensystex IV, Inc. | OWN | |
| 830.7200 | Melting Point/Melting Range | | | | Not required[3] |
| 830.7220 | Boiling Point/Boiling Range | | | | Not required[3] |
| 830.7300 | Density/Relative Density/Bulk Density | Volume 2 | Ensystex IV, Inc. | OWN | |
| 830.7370 | Dissociation Constants in Water | | | | Not required[3] |
| 830.7550 | Partition Coefficient (n-octanol/water), Shake Flask Method | | | | Not required[3] |
| 830.7560 | Partition Coefficient (n-octanol/water), Generator Column Method | | | | Not required[3] |
| 830.7570 | Partition Coefficient (n-octanol/water), Estimation by Liquid Chromatography | | | | Not required[3] |

| | | |
|---|---|---|
| Signature<br>Michael Kellogg | Name and Title<br>Michael Kellogg, Consultant | Date<br>7/19/07 |

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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**
**401 M Street, S.W.**
**WASHINGTON, D.C. 20460**

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## DATA MATRIX

| | | |
|---|---|---|
| Date July 19, 2007 | EPA Reg No./File Symbol 83923- | Page 3 of 8 |
| Applicant's/Registrant's Name & Address<br>Ensystex IV, Inc.<br>2709 Breezewood Avenue<br>Fayetteville, NC 28303 | Product<br>Maxxthor EC | |

Ingredient Bifenthrin

| Guideline Reference Number | Guideline Study Name | MRID Number | Submitter | Status | Note |
|---|---|---|---|---|---|
| 830.7840 | Water Solubility: Column Elution Method; Shake Flask Method | | | | Not required[3] |
| 830.7860 | Water Solubility, Generator Column Method | | | | Not required[3] |
| 830.7950 | Vapor Pressure | | | | Not required[3] |
| | | | | | |
| **Product Specific Data Requirements – Acute Toxicity** | | | | | |
| 870.1100 | Acute Oral Toxicity: Rat | Cite-All | | PAY | |
| 870.1200 | Acute Dermal Toxicity: Rat | Cite-All | | PAY | |
| 870.1300 | Acute Inhalation Toxicity: Rat | Cite-All | | PAY | |
| 870.2400 | Primary Eye Irritation: Rabbit | Cite-All | | PAY | |
| 870.2500 | Primary Dermal Irritation | Cite-All | | PAY | |
| 870.2600 | Dermal Sensitization | Cite-All | | PAY | |
| | | | | | |
| **Product Specific Data Requirements - Efficacy** | | | | | |
| 810.3400 | Mosquito, Black Fly, and Biting Midge (Sand Fly) Treatments | Cite-All | | PAY | |
| 810.3500 | Premises Treatments | Cite-All | | PAY | |
| 810.3600 | Structural Treatments | Cite-All | | PAY | |

| Signature | Name and Title | Date |
|---|---|---|
| Michael Kellogg | Michael Kellogg, Consultant | 7/19/07 |

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## DATA MATRIX

| | | | | | |
|---|---|---|---|---|---|
| Date July 19, 2007 | | | EPA Reg No./File Symbol 83923- | | Page 4 of 8 |
| Applicant's/Registrant's Name & Address<br>Ensystex IV, Inc.<br>2709 Breezewood Avenue<br>Fayetteville, NC 28303 | | | Product<br>Maxxthor EC | | |
| Ingredient Bifenthrin | | | | | |
| Guideline Reference Number | Guideline Study Name | MRID Number | Submitter | Status | Note |
| **Maxxthor EC Product Specific Acute Toxicity and Efficacy Data Requirements** | | | | | |
| Ensystex IV, Inc. is using the cite-all option under the selective method to satisfy acute toxicity and efficacy data requirements. Ensystex IV, Inc. will make offers-to-pay to the following companies on the data submitters list of March 31, 2007. | | | | | |
| **Bifenthrin Product Specific Data Requirements** | | | | | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | Nufarm Americas Inc. | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | The Ortho Business Group | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | FMC Corp. | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | Bayer Environmental Science | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | The Scotts Company | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | McLaughlin Gormley King Co. | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | Fuller System, Inc. | PAY | |
| Signature<br>Michael Kellogg | | | Name and Title<br>Michael Kellogg, Consultant | | Date<br>7/18/07 |

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## DATA MATRIX

| Date July 19, 2007 | EPA Reg No./File Symbol 83923- | Page 5 of 8 |
|---|---|---|
| Applicant's/Registrant's Name & Address<br>Ensystex IV, Inc.<br>2709 Breezewood Avenue<br>Fayetteville, NC 28303 | Product<br>Maxxthor EC | |

Ingredient Bifenthrin

| Guideline Reference Number | Guideline Study Name | MRID Number | Submitter | Status | Note |
|---|---|---|---|---|---|
| Bifenthrin Product Specific Data Requirements | Cite-All | | Amvac Chemical Corp. | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | Helena Chemical Co. | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | Southern States Cooperative, Inc. | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | Nippon Soda Co. Ltd. | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | The Andersons Lawn Fertilizer Division, Inc. | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | Sunniland Corp. | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | Lesco Inc. | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | Makhteshim Chemical Works Ltd. | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | Loveland Products, Inc. | PAY | |

| Signature | Name and Title | Date |
|---|---|---|
| Michael Kellogg | Michael Kellogg, Consultant | 7/19/07 |

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## DATA MATRIX

| Date July 19, 2007 | EPA Reg No./File Symbol 83923- | Page 6 of 8 |
|---|---|---|
| Applicant's/Registrant's Name & Address<br>Ensystex IV, Inc.<br>2709 Breezewood Avenue<br>Fayetteville, NC 28303 | Product<br>Maxxthor EC | |

Ingredient Bifenthrin

| Guideline Reference Number | Guideline Study Name | MRID Number | Submitter | Status | Note |
|---|---|---|---|---|---|
| Bifenthrin Product Specific Data Requirements | Cite-All | | Howard Fertilizer & Chemical | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | Albaugh, Inc. | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | BASF Sparks LLC | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | Control Solutions, Inc. | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | Arizona Chemical Group Inc. | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | Makhteshim-Agan of North America Inc. | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | Spray Drift Task Force | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | Bengal Products Inc. | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | United Phosphorus Inc. | PAY | |

| Signature | Name and Title | Date |
|---|---|---|
| Michael Kellogg | Michael Kellogg, Consultant | 7/19/07 |

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## DATA MATRIX

| | | |
|---|---|---|
| Date July 19, 2007 | EPA Reg No./File Symbol 83923- | Page 7 of 8 |
| Applicant's/Registrant's Name & Address<br>Ensystex IV, Inc.<br>2709 Breezewood Avenue<br>Fayetteville, NC 28303 | Product<br>Maxxthor EC | |

Ingredient Bifenthrin

| Guideline Reference Number | Guideline Study Name | MRID Number | Submitter | Status | Note |
|---|---|---|---|---|---|
| Bifenthrin Product Specific Data Requirements | Cite-All | | Outdoor Residential Exposure Task Force, LLC | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | Agricultural Reentry Task Force | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | Sapstain Industry Group | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | Non-Dietary Exposure Task Force (NDETF) | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | Univar USA Inc. | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | FIFRA Endangered Species Task Force, LLC | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | Residential Exposure Joint Venture (REJV) | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | Atex, Inc. | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | Agricultural Handlers Exposure Task Force | PAY | |

| | | |
|---|---|---|
| Signature<br>Michael Kellogg | Name and Title<br>Michael Kellogg, Consultant | Date<br>7/19/07 |

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## DATA MATRIX

Date July 19, 2007 | EPA Reg No./File Symbol 83923- | Page 8 of 8

Applicant's/Registrant's Name & Address: Ensystex IV, Inc.
2709 Breezewood Avenue
Fayetteville, NC 28303

Product: Maxxthor EC

Ingredient Bifenthrin

| Guideline Reference Number | Guideline Study Name | MRID Number | Submitter | Status | Note |
|---|---|---|---|---|---|
| Bifenthrin Product Specific Data Requirements | Cite-All | | Ensystex II, Inc. | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | J. Oliver Products, LLC | PAY | |
| Bifenthrin Product Specific Data Requirements | Cite-All | | AXSS USA, LLC | PAY | |
| | | | | | |
| | | | | | |
| **Bifenthrin Generic Data Requirements** | | | | | |
| Ensystex IV, Inc. qualifies for Formulator's Exemption for bifenthrin generic data requirements. | | | | | |
| | | | | | |
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| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

Signature: Michael Kellogg

Name and Title: Michael Kellogg, Consultant

Date: 7/19/07

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## Endnotes for Data Matrix for Maxxthor EC

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[1] **830.1620** - Per OPPTS 830.1000, these data are not required for the registration of an end-use product. See 830.1650 for formulation process information.

[2] **830.1700** – This product does not consist solely of the technical grade active ingredient (TGAI) and is not produced by an integrated system, therefore, per OPPTS 830.1700, these data are not required.

[3] **830.6302, 830.6304, 830.6313, 830.7050, 830.7200, 830.7220, 830.7370, 830.7550, 830.7560, 830.7570, 830.7840, 830.7860 and 830.7950** – Per OPPTS 830.1000, these data are not required for the registration of an end-use product.

[4] **830.6316** – This product does not have explosive characteristics; therefore these data are not required. Please refer to the Confidential Statement of Formula for additional information on the composition of Maxxthor EC.

[5] **830.6317, 830.6320** – Ensystex IV, Inc. is currently conducting storage stability and corrosion characteristic studies to satisfy guidelines 830.6317 and 830.6320, respectively. Per PR Notice 92-5, storage stability data are not required to be submitted unless specifically requested by the Agency. OPPTS 830.6317 and 830.6320 guidelines allow the corrosion characteristics study and storage stability study to be conducted simultaneously. Ensystex IV, Inc. will submit these data upon completion. As these studies take over a year to complete, Ensystex IV, Inc. requests that a conditional registration for Maxxthor EC be granted on the submission of these data.

[6] **830.6319** – Maxxthor EC is an emulsifiable concentrate however, the proposed label recommends dilution of Maxxthor EC with water, not oil; therefore, these data are not applicable nor are these data required.

[7] **830.6321** – The Maxxthor EC label specifically prohibits application in or around electrical equipment, therefore, these data are not applicable nor are these required.

# ENSYSTEX, Inc.

2713 Breezewood Ave., Fayetteville, NC 28303 USA
Telephone - 1-910-485-5720 x 5203 Fax - 1-888-368-4749 email david@ensystex.com

August 13, 2007

To Whom It May Concern:

RE: Letter of Authorization

Dear Sir or Madam:

Please let this letter serve to confirm that Pyxis Regulatory Consulting, Inc. is authorized to act as agent for Ensystex, Inc. (EPA Company Number 68850), before the U.S. Environmental Protection Agency and state governmental agencies in all matters regarding our pesticide registrations pursuant to the Federal Insecticide, Fungicide and Rodenticide Act ("FIFRA"), 7 U.S.C. § 136 et seq. and state law.

If you have any questions, please do not hesitate to contact me.

Sincerely,

David Nimocks
Chairman

cc: Pyxis Regulatory Consulting, Inc.

Notary

Signed and Sworn before me this 13th day of August 2007.
My commission Expires May 10, 2008

Linda M Barber
Notary Public

LINDA M. BARBER
NOTARY
PUBLIC
CUMBERLAND COUNTY, NC

State of NC
County of Cumberland.

# ENSYSTEX II, Inc.

2709 Breezewood Ave., P. O. Box 2587, Fayetteville, NC 28302-2587
Telephone - 1-910-484-6163 x 203 Fax - 1-910-484-3378

August 18, 2004

To Whom It May Concern:

Re Letter of Authorization

Dear Sir or Madam:

Please let this letter serve to confirm that Pyxis Regulatory Consulting, Inc. is authorized to act as agent for Ensystex II, Inc. (EPA Company Number pending), before the U.S. Environmental Protection Agency and state governmental agencies in all matters regarding our pesticide registrations pursuant to the Federal Insecticide, Fungicide and Rodenticide Act ("FIFRA"), 7 U.S.C. § 136 et seq. and state law.

If you have any questions, please do not hesitate to contact me.

Sincerely,

David R Nimocks III
President

cc: Pyxis Regulatory Consulting, Inc.

State of North Carolina
County of Cumberland

I, Linda Barber, a Notary Public for said County and State, do hereby certify that David R. Nimocks, III personally appeared before me this day, August 18, 2004 and acknowledged the due execution of the foregoing instrument.

Linda M Barber

Form approved. OMB No. 2070-0060, 2070-0057, 2070-0107, 2070-0122, 2070-0164.

EPA

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

# Formulator's Exemption Statement

*(40 CFR 152.85)*

| Applicant's Name and Address | EPA File Symbol/Registration Number |
|---|---|
| Ensystex IV, Inc.<br>2709 Breezewood Avenue<br>Fayetteville, NC 28303 | 83923- |
| | Product Name<br>Maxxthor EC |
| | Date of Confidential Statement of Formula *(EPA Form 8570-4)*<br>07/17/2007 |

As an authorized representative of the applicant for registration of the product identified above, I certify that:

(1) This product contains the following active ingredient(s):

Bifenthrin

(2) Of these, each active ingredient listed in paragraph (4) is present solely as the result of the use of that active ingredient in the manufacturing, formulation or repackaging another product which contains that active ingredient which is registered under FIFRA Section 3, is purchased by us from another person and meets the requirements of 40 CFR section 158.50(e)(2) or (3).

(3) Indicate by checking (A) or (B) below which paragraph applies:

☑ (A) An accurate Confidential Statement of Formula *(EPA FORM 8570-4)* for the above identified product is attached to this statement. That formula statement indicates, by company name, registration number, and product name, the source of the active ingredient(s) listed in paragraph (1).

**OR**

☐ (B) The Confidential Statement of Formula (CSF)(EPA Form 8570-4) referenced above and on file with the EPA is complete, current, an accurate and contains the information required on the current CSF.

(4) The following active ingredients in this product qualify for the formulator's exemption.

**Source**

| Active Ingredient | Product Name | Registration Number |
|---|---|---|
| Bifenthrin | [redacted] | [redacted] |

*Product ingredient source information may be entitled to confidential treatment*

| Signature | Name and Title | Date |
|---|---|---|
| Michael Kellogg | Michael Kellogg / Agent | 7/19/07 |

EPA Form 8570-27 (Rev. 06-2004)

Copy 1 – EPA
Copy 2 - Applicant copy