April 23, 2019

New York State Department of Environmental Conservation Division of Materials Management Pesticide Product Registration

Classified for "RESTRICTED USE" in New York State under 6NYCRR Part 326

Doc id: 561348

THIS RECOMMENDATION IS MADE AS PERMITTED UNDER FIFRA SECTION 2(ee) AND HAS NOT BEEN SUBMITTED TO OR APPROVED BY THE EPA.



2(ee) Recommendation

For distribution and use only in: New York State

THIS PRODUCT BULLETIN CONTAINS NEW OR ADDITIONAL DIRECTIONS FOR USE WHICH ARE RECOMMENDED BY ENSYSTEX, Inc. UNDER FIFRA SECTION 2(ee).

EPA Reg. No. 81824-5

DIRECTIONS FOR USE

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

Do not apply as a broadcast application to interior wall and floor surfaces of homes except as otherwise permitted.

Do not apply by aircraft or through an irrigation or chemigation system.

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

Do not apply in greenhouses or nurseries.

Not for use on sod farm turf, golf course turf or grass grown for seed.

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.

Brown Marmorated Stinkbugs

APPLICATION SITE	Dilution %	Fluid oz of Maxxthor SC to add per gallon
Outside Surfaces & Around Structures	0.02% - 0.06%	0.333 – 1.000
Indoors	0.02% - 0.06%	0.333 – 1.000
Food/Feed Handling Establishments	0.02% - 0.06%	0.333 – 1.000

Application Sites

Maxxthor SC controls pests inside and outside of structures. Maxxthor SC can be applied in and around any type of residential or commercial structure, building or mode of transport including food/feed handling establishments unless otherwise prohibited. Permitted sites include but are not limited to the interior and exterior of homes, office buildings, mobile and modular homes, apartments and stores. Do not apply within aircraft cabins.

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

Dilution of Maxxthor SC for Structural Pests

For structural pests, use rates for Maxxthor SC 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 SC that is added to one gallon of water increases the concentration of Maxxthor SC in that one gallon of water by 0.01%. For example, to make a 0.06% solution in one gallon of water, mix 1 fluid ounce (6 teaspoons) of Maxxthor SC in one gallon of water. Use the conversion table and formulas below to determine the amount of Maxxthor SC to add to any quantity of water.

Calculating Amount of Maxxthor SC to Mix for Structural Pests

Calculate the amount of Maxxthor SC to mix for structural pests as follows:

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

B = Fluid ounces (or tablespoons) Maxxthor SC 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 SC to add per gallon in fluid ounces or teaspoons.

Fluid ounces (or teaspoons) Maxxthor SC to mix = A X B

Mix this amount of Maxxthor SC 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.

Application Methods

Apply Maxxthor SC 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 0.02% to 0.06% solution of Maxxthor SC. Use a spray volume of up to 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 procedure 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 protection 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).

PESTS INSIDE STRUCTURES (OTHER THAN FOOD/FEED HANDLING ESTABLISHMENTS) INCLUDING MODES OF TRANSPORT

Application Preparation

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. During any application to overhead areas of structure, cover surfaces below with plastic sheeting or similar material, except for soil surfaces in crawlspaces. Wear protective clothing, unvented goggles, gloves and respirator when making an overhead application or when applying in poorly ventilated indoor areas.

Application Use Rates

Use a 0.02% to 0.06% solution of Maxxthor SC.

Application Methods

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

Maxxthor SC may be converted to foam and used to treat structural voids. First form a solution of Maxxthor SC of the appropriate percentage concentration and volume. Then add recommended volume of a compatible foaming agent. Verify that the foaming agent is compatible with Maxxthor SC.

Application Locations

Apply to and around any areas pests or their evidence is seen or found, could hide or rest or could enter the premises including cracks and crevices, behind and under cabinets and appliances, around doors and windows, in attics and storage areas. Spot treatments to floor or rugs beneath furniture are permitted but do not apply to entire floor area.

CONTROL OF PESTS WITHIN FOOD/FEEDAREAS OF FOOD/FEED HANDLING ESTABLISHMENTS

Food/feed handling establishments are defined as places other than private residences in which exposed food/feed is held, processed, prepared or served. This includes areas for receiving, storing, packing (canning, bottling, wrapping, boxing) food. Also included are areas of edible waste storage and enclosed processing systems (mills, dairies, edible oils, syrups) of food. Serving areas where food is exposed and the facility is in operation are also considered food areas.

Application Location

Applications may be made to both food/feed and nonfood areas of food/feed handling establishments.

Application Methods

Maxxthor SC can be applied within food/feed handling establishments in the form of a general surface, spot or crack and crevice spray.

General Surface Application

Do not use this application method when facility is in use or when foods are exposed. Do not apply solution directly to food. Cover or remove all food processing and/or handling equipment before application. After application in areas where food is commercially prepared or processed, wash all equipment, benches, shelving and other surfaces which food will contact. Rinse thoroughly with fresh, clean water. Clean food handling or processing equipment and thoroughly rinse with clean, fresh water.

Spot and Crack and Crevice Application

Spot or crack and crevice applications may be made while the facility is in operation. Food should be covered or removed from area being treated. Do not apply directly to food or food handling surfaces.

ATTENTION

Remove or cover and disconnect aquariums during application.

Do not apply a broadcast application to interior surfaces of living 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 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 this product in nursing home or patient rooms or in any rooms while occupied by the elderly or infirmed.

Do not apply in classrooms when they are in use.

Do not apply when occupants are present in the immediate area in institutions such as health care facilities, libraries, schools, offices, etc.

Do not apply in livestock buildings such as barns.

Maxxthor SC will not stain or damage any surface that water alone will not stain or damage.

Brown Marmorated Stinkbugs

APPLICATION SITE	Use Rate Table for Maxxthor SC	
Lawns	0.5 - 1.0 fl oz per 1,000 square feet	
Ornamental	0.5 - 1.0 fl oz per 1,000 square feet	

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 SC 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 SC 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.

Application Methods

Apply solution as a broadcast treatment in a quantity sufficient to wet all foliage. 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 must not occur more often than every 7 days. New York State only: Do make a single reapplication of Maxxthor SC 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 SC for lawn applications are stated in fluid ounces of Maxxthor SC per 1000 square feet. Apply Maxxthor SC at 0.18 to 1.0 fluid ounces per 1000 square feet. Applications of up to 1.0 fluid ounce per 1000 square feet are permitted at the discretion of the applicator to control any pest.

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 are located in the thatch or below the surface, irrigate the treated area with at least 0.25 inches of water immediately after the application.

The calculated amount of Maxxthor SC can be applied in any volume of water as long as the maximum label rate of 1.0 fluid ounce 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.

Calculating Amounts of Maxxthor SC to Mix for Lawn Pests

To mix and apply any amount of Maxxthor SC for lawn pests, determine:

A = Square feet of area to be treated / 1000 (5,500 sq. ft. /1000 = 5.5)

B = Use Rate per 1000 square feet for the target pest(s) in fluid ounces Maxxthor SC taken from the Use Rate Table.

Calculate the amount of Maxxthor SC to mix for lawn pests as follows:

Fluid Ounces Maxxthor SC to use = A X B

Mix this amount of Maxxthor SC in the amount of water needed to make the application. After mixing, the percent of Maxxthor SC active ingredient contained in the mixture can be determined using the following formula.

% a. i. = (0.0617 X fluid oz. of Maxxthor SC added) / gallons of water in container

APPLICATION FOR ORNAMENTAL PESTS

Maxxthor SC can be used for control on trees, scrubs, 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 SC is not for use on plants being grown for sale, for commercial seed production or for research purposes.

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 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 SC 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.

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

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 must not occur more often than every 7 days.

Ornamental Application Use Rates and Volumes

Use rates for Maxxthor SC for ornamental pests are stated in fluid ounces of Maxxthor SC per 1000 square feet. Ornamental application use rates range between 0.125 to 1.0 fluid ounce of Maxxthor SC per 1,000 square feet. Applications of up to 1.0 fluid ounce per 1000 square feet are permitted at the discretion of the applicator to control any pest.

The calculated amount of Maxxthor SC can be applied in any volume of water as long as the maximum label rate of 1.0 fluid ounce 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 underdosing will not result in an application rate per 1000 square feet in excess of the maximum label rate.

Calculating Amounts of Maxxthor SC to Mix for Ornamental Pests

To mix and apply any amount of Maxxthor SC for ornamental applications, determine:

A = Square feet of area to be treated /1000 (5,500 sq. ft. /1000 = 5.5)

B = Use Rate per 1000 square in fluid ounces Maxxthor SC taken from the Use Rate Table.

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

Fluid Ounces Maxxthor SC to use = A X B

Mix this amount of Maxxthor SC in the amount of water needed to make the application. After mixing, the percent of Maxxthor SC active ingredient contained in the mixture can be determined using the following formula.

% a. i. = (0.0617 X fluid oz. of Maxxthor SC added) / gallons of water in container

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 II, Inc., it is impossible for Ensystex II to eliminate all risks associated with the use of this product such as ineffectiveness or unintended consequences. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Ensystex II harmless for any claims relating to such factors.

DISCLAIMER 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. ENSYSTEX II MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE, NOR ANY OTHER EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE SELECTION, PURCHASE, OR USE OF THIS PRODUCT THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. Any warranties, express or implied, having been made are inapplicable if this product has been used contrary to label instructions, under abnormal conditions or under conditions not reasonably foreseeable by (or beyond the control of) seller or Ensystex II, Inc., and buyer assumes the risk of any such use.

LIMITATIONS OF LIABILITY: To the extent consistent with applicable law, Ensystex II shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product. THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF ENSYSTEX II AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF ENSYSTEX II, THE REPLACEMENT OF THE PRODUCT.

This Conditions of Sale and Limitation of Warranty and Liability may not be amended by any oral or written agreement.

Maxthor is a registered trademark of Ensystex II, Inc.

EPA 20130418

Ensystex II, Inc. 202 Fairway Dr Fayetteville, NC 28305