



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Jennifer Yentel
Product Registration
Agent for Again Chemical Manufactures
MANA, Inc.
4515 Falls of Neuse Rd, Suite 300
Raleigh, NC 27609

MAY 8 2009

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request General Label Change
EPA Reg. No. 11603-48
Application Dated April 7, 2009

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 04/07/09 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

A handwritten signature in black ink, appearing to be "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

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United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 11603-48	2. EPA Product Manager Linda Arrington	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Nicosulfuron Technical	PM# 25 Registration Support Branch	
5. Name and Address of Applicant (Include ZIP Code) Agan Chemical Manufacturers c/o MANA 4515 Falls of Neuse Rd., Suite 300 Raleigh, NC 27609 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: NOTIFICATION EPA Reg. No. _____ MAY 08 2009 Product Name _____	

Section - II

Amendment - Explain below. Final printed labels in response to Agency letter dated _____

Resubmission in response to Agency letter dated _____ "Me Too" Application.

Notification - Explain below. Other - Explain below.

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

Notification of label changes per PR Notice 98-10. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of 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 this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, 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 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input checked="" type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> 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
 Label Container

4. Size(s) Retail Container
25-50 kg

5. Location of Label Directions
 on label

6. Manner in Which Label is Affixed to Product
 Lithograph Paper glued Stenciled Other self-adhesive

Section - IV

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

Name Jennifer Yentel	Title Regulatory Specialist	Telephone No. (include Area Code) 319-256-9315
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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 knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

2. Signature 	3. Title Regulatory Specialist	6. Date Application Received (Stamped)
4. Typed Name Jennifer Yentel	5. Date 04/07/2009	

3 7 5



**Makhteshim Agan of
North America, Inc.**

April 7, 2009

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
US EPA
One Potomac Yard
2777 S. Crystal Drive, Room S-4900
Arlington, VA 22202

Re: Nicosulfuron Technical (EPA Reg. No. 11603-48)
Notification per PRN 98-10 (follow-up to Final Printed Label submission of 03-24-09)

To Whom It May Concern,

Makhteshim Agan of North America, Inc., as agent for Agan Chemical Manufacturers, submitted the final print labeling for the above referenced product on 03-24-09 in response to EPA's letter dated 02-24-2009.

All of the corrections detailed in EPA's 02-24-09 letter were made to the label. Please note that while doing the final printed label review, we noticed that there were some inconsistencies between Agan's Nicosulfuron Technical (EPA Reg. No. 11603-48) label and the label to which substantial similarity was claimed (DuPont™ Nicosulfuron Technical, EPA Reg. No. 352-535). The Agan label has been corrected to match the DuPont label. All of the changes that were made are indicated on the attached annotated label. We are considering the changes to typographical in nature since they are making the language on the Agan label consistent with that of the source document that was used for the original product submission.

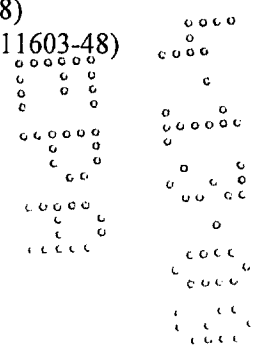
This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, 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.

Enclosed are the following documents in support of this submission:

- Application for Pesticide Registration (EPA Form 8570-1)
- A copy of the DuPont Nicosulfuron Technical label (11603-48)
- Two copies of the final printed labeling for Nicosulfuron Technical (11603-48)
- One copy of the annotated final printed labeling for Nicosulfuron Technical (11603-48)

Sincerely,

Jennifer Yentel
Regulatory Specialist
(Enclosures)



4 8 5

NICOSULFURON TECHNICAL HERBICIDE

FOR USE IN THE MANUFACTURE OF HERBICIDES

ACTIVE INGREDIENT:

% BY WT.

Nicosulfuron, 2-[[[(4,6-dimethoxypyrimidin-2-yl)amino]carbonyl]amino]sulfonyl]-N,N-dimethyl-3-pyridinecarboxamide 1-(4,6-dimethoxypyrimidin-2-yl)-3-(3-dimethylcarbamoyl-2-pyridylsulfonyl)urea 93.6%

OTHER INERT INGREDIENTS:..... 6.4%

TOTAL 100.0%

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

NOTIFICATION

MAY 08 2009

Manufactured for:

Agan Chemical Manufacturers
c/o Makhteshim Agan of North America, Inc.
4515 Falls of Neuse Rd., Suite 300
Raleigh, NC 27609

EPA Reg. No. 11603-48 xx

EPA Est. No. _____

NET CONTENTS: _____ LBS

FIRST AID

IF IN EYES:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
IF ON SKIN OR CLOTHING:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
IF INHALED:	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance then give artificial respiration, preferably mouth-to-mouth if possible. • Call a poison control center or doctor for further treatment advice.
IF SWALLOWED:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for further treatment advice. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Have person sip a glass of water if able to swallow. • Do not give anything by mouth to an unconscious person.
Note to Physician:	No specific antidote is available. Treat symptomatically.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact PROSAR at 1-877-250-9291 for emergency medical treatment information.

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION!**

Causes eye irritation. Harmful if absorbed through skin. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

ENVIRONMENTAL HAZARDS

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional office of EPA.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Formulators using this product are responsible for obtaining EPA registration for their formulated product.

Only for formulation into a herbicide for the following uses:

- 1. **Terrestrial Food Crops:** Corn.
- 2. Uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and
- 3. Uses for experimental purposes that are in compliance with USEPA requirements.

STORAGE AND DISPOSAL

Do not contaminate water, other pesticides, fertilizer, food, or feed by storage and or disposal. ~~Open dumping is prohibited.~~
PESTICIDE STORAGE: ~~Store in original container above 28°F.~~ Store product in original container only. Store in a cool dry place. ~~In case of leak or spill, contain material with absorbent materials and dispose as waste.~~

PESTICIDE DISPOSAL: Wastes resulting from the use of this product must ~~may~~ be disposed of on site or at an approved waste disposal facility.

CONTAINER HANDLING DISPOSAL following commercial use:

Nonrefillable container – bag: Do not reuse or refill this container. Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or if allowed by State and local authorities, by burning. If the bag is disposed of by burning, stay out of smoke. Offer for recycling if available.

Nonrefillable container – drum: Do not reuse or refill this container. Offer drum for recycling if available or dispose of in a sanitary landfill or by incineration, or if allowed by State and local authorities, by burning. If the drum is disposed of by burning, stay out of smoke. ~~Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.~~

FOR 24-HOUR EMERGENCY ASSISTANCE (SPILL, LEAK, OR FIRE), CALL INFOTRAC AT 1-800-535-5053.

LIMITATION OF WARRANTY AND LIABILITY

Read the entire directions for use, conditions of warranties and limitations of liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following **CONDITIONS, DISCLAIMER OF WARRANTIES and LIMITATIONS OF LIABILITY.**

CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Agan Chemical Manufacturers. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: To the extent consistent with applicable law, Agan Chemical Manufacturers makes no other warranties, express or implied, of merchantability or of fitness for a particular purpose or otherwise, that extend beyond the statements made on this label. No agent of Agan Chemical Manufacturers is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. To the extent consistent with applicable law, Agan Chemical Manufacturers disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

LIMITATIONS OF LIABILITY: To the extent consistent with applicable law, the exclusive remedy of the user or buyer for any and all losses, injuries or damages resulting from the use or handling of this product, whether in contract, warranty, tort, negligence, strict liability or otherwise, shall not exceed the purchase price paid or at Agan Chemical Manufacturers' election, the replacement of product.

Nicosulfuron Technical (11603-48) (EPA Approved 02-24-09) (Notif to EPA 04-07-09) Annotated.doc

NOTE REGARDING LABEL ANNOTATIONS:

- Red font = new language not requested by EPA but consistent with the label that we me-tooed.
- ~~Double strike through~~ = deleted language not requested by EPA but consistent with label that we me-tooed.
- Text corrections requested by EPA in 02-24-09 letter are in blue font and ~~single strike through with yellow highlights.~~

