

11603-5

03-21-2012

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs  
Registration Division (7505P)  
Ariel Rios Building  
1200 Pennsylvania Ave., NW  
Washington, D.C. 20460

EPA Reg. Number:

Date of Issuance:

11603-51

MAR 21 2012

Term of Issuance:

Unconditional

Name of Pesticide Product:

Technical Fomesafen

NOTICE OF PESTICIDE:

Registration  
 Reregistration  
(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

Agan Chemical Manufacturing, Ltd.  
4515 Falls of Neuse Road  
Suite 300  
Raleigh, NC 27609

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)(5) provided that you:

- 1) Submit and/or cite all data required for registration/reregistration review of your product when the Agency requires all registrants of similar products to submit data. If required, failure to submit acceptable data to fulfill these requirements may result in registration cancellation in accordance with FIFRA section 6(e).
- 2) Generate one-year storage stability (830.6317) and corrosion characteristics (830.6320) data on the product. The observations should be made at 0, 3, 6, 9, and 12 month intervals. The results must be submitted to the Agency in electronic and hard copy format within 15 months of the date on this notice.
- 3) Replace "EPA Reg. No. 11603-" appearing on page 1 with "EPA Reg. No. 11603-51" and assure the EPA Establishment Number and Net Contents also appear on the label.
- 4) Add the phrase "and/or plastic tote" to the NONREFILLABLE CONTAINER (LINED PLASTIC TOTE) section in the STORAGE AND DISPOSAL box on page 3 to address the disposition of the tote. The instructions must read "NONREFILLABLE CONTAINER (LINED PLASTIC TOTE): Do not reuse or refill this container. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into formulation equipment. Then offer for recycling if available or dispose of liner and/or plastic tote in a sanitary landfill or by incineration or, if allowed by state and local authorities, by burning. If burned, stay out of smoke."

SEE NEXT PAGE FOR ADDITIONAL COMMENTS

Signature of Approving Official:

Kathryn V. Montague  
Product Manager 23  
Herbicide Branch  
Registration Division (7505P)

Date:

MAR 21 2012

5) NOTE: The Basic Confidential Statements of Formula dated August 22, 2011 is acceptable.

6) NOTE: While no additional data is being requested at this time, any marketing claims made on the pesticide label at any time must be substantiated by data maintained in your files. If data supporting marketing claims made on the product label is not available then those claims must be removed.

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

8) Submit one (1) copy of the revised final printed label before the product is released for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records.

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# TECHNICAL FOMESAFEN For Manufacturing Use Only

**ACTIVE INGREDIENT:**  
 Fomesafen\* ..... 98.4%  
**OTHER INGREDIENTS:** ..... 1.6%  
**TOTAL**..... 100.0%

\*CAS No. 72178-02-0

EPA Reg. No 11603-

EPA Est. No:

## KEEP OUT OF REACH OF CHILDREN DANGER/PELIGRO

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.)

| FIRST AID   |  |
|---|--|
| <b>If in eyes:</b>  | <ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>  |
| <b>If swallowed:</b>  | <ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by the poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul> |
| <b>If on skin or clothing:</b>  | <ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>  |
| <b>If inhaled:</b>  | <ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>  |
| HOT LINE NUMBER   |  |
| 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. |  |
| NOTE TO PHYSICIAN   |  |
| Probable mucosal damage may contraindicate the use of gastric lavage.   |  |

Manufactured for:  
 Agan Chemical Mfg. Ltd.  
 c/o Makhteshim Agan of North America, Inc.  
 4515 Falls of Neuse Road, Suite 300  
 Raleigh, NC 27609

Net Weight: XXXX lb.

**ACCEPTED  
 with COMMENTS  
 In EPA Letter Dated:  
 MAR 21 2012**

Under the Federal Insecticide,  
 Fungicide, and Rodenticide Act  
 as amended, for the pesticide  
 registered under EPA Reg. No.

11603-51

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**PRECAUTIONARY STATEMENTS  
HAZARDS TO HUMANS AND DOMESTIC ANIMALS  
DANGER**

**CORROSIVE. CAUSES IRREVERSIBLE EYE DAMAGE. DUE TO CORROSIVE NATURE, MAY BE HARMFUL OR FATAL IF SWALLOWED. HARMFUL IF INHALED OR ABSORBED THROUGH SKIN.** Do not get in eyes, on skin or on clothing. Avoid breathing vapors or spray mist. Wash thoroughly with soap and water after handling and before eating, drinking, and chewing gum, using tobacco, or using the toilet.

**Personal Protective Equipment (PPE)**

Manufacturers and other handlers must wear:

- Coveralls.
- Waterproof gloves.
- Shoes plus socks.
- Protective eyewear.

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this technical material. Do not reuse them.

**User Safety Recommendations:**

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing immediately if pesticide gets inside, then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

**ENVIRONMENTAL HAZARDS**

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

**DIRECTIONS FOR USE**

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

For formulating use only into herbicides for the following uses: **TERRESTRIAL – FOOD:** Cotton, Dry Beans, Peppers, Potatoes, Snap Beans, Soybeans and Tomatoes

This product may be used to formulate products for specific use(s) not listed on this label if the formulator, user group or grower has complied with U.S. EPA data submission requirements regarding the support of such use(s).

Each formulator is responsible for obtaining EPA registration for their end-use product(s).

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### STORAGE AND DISPOSAL

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

**Pesticide Storage:**

Store above 32°F in original containers only. If product freezes, return to room temperature and agitate to reconstitute. Keep container closed when not in use. Do not store near food or feed. In case of spill or leak on floor or paved surfaces, soak up with sand, earth, or synthetic absorbent. Remove to chemical waste area.

**Pesticide Disposal:**

Pesticide wastes are acutely hazardous. 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 instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste Representative at the nearest EPA Regional Office for guidance. Open dumping is prohibited.

**Container Handling:**

**NONREFILLABLE CONTAINER (LINED PLASTIC TOTE):** Do not reuse or refill this container. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into formulation equipment. Then offer for recycling if available or dispose of liner in a sanitary landfill or by incineration or, if allowed by state and local authorities by burning. If burned, stay out of smoke.

**NONREFILLABLE CONTAINER (LINED PLASTIC DRUM):** Do not reuse or refill this container. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into formulation equipment. Then offer for recycling if available or dispose of liner and drum in a sanitary landfill or by incineration or, if allowed by state and local authorities by burning. If burned, stay out of smoke.

Do not refill or transport damaged or leaking container.

CONTAINER IS NOT SAFE FOR FOOD, FEED OR DRINKING WATER.

### 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. 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 Mfg. Ltd. However, it is impossible to eliminate all risks associated with the use of this product. All such risks shall be assumed by the user or buyer.

**DISCLAIMER OF WARRANTIES:** To the extent consistent with applicable law, Agan Chemical Mfg. Ltd. 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 Mfg. Ltd. 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 Mfg. Ltd. 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 Mfg. Ltd.'s election, the replacement of product.

Agan Technical Fomesafen (11603- ) (app date); (rev 3-22-11)