

241-245

9/23/2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY SEP 23 2009
Washington, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Craig D. Kleppe
BASF Corporation
P.O. Box 13528
26 Davis Drive
Research Triangle Park, NC 27709

Subject: Label Amendment (Add New Use on Olive)
Pendimethalin Technical
EPA Reg. No. 241-245
Application Dated July 15, 2008

Dear Mr. Kleppe:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable, provided you make the following changes:

1. Remove the use site "forage grasses", since it has not been approved for pendimethalin.
2. Add residue removal instructions to the Container Disposal section in accordance with PR Notice 2007-4 for non-refillable containers.
3. Include Net Contents information on the label.

A stamped copy of your label is enclosed for your records. This label supercedes all previously accepted labels. You must submit one (1) copy of the final printed label before you release the product for shipment. Products shipped after twelve (12) months from the date of this letter must bear the new revised label. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA §6(e). Your release for shipment of the product constitutes acceptance of these conditions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Tompkins".

Jim Tompkins
Product Manager 25
Herbicide Branch
Registration Division (7505P)



The Chemical Company

ACCEPTED
with COMMENTS
in EPA Letter Dated

SEP 23 2009

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

Pendimethalin 241-245 Technical

Alternate Tradenames for this product are as follows: Prowl® Herbicide Technical, Prowl® Technical Herbicide, Prowl® Technical, Pendulum® Herbicide Technical, Pendulum® Technical Herbicide, Pendulum® Technical, GO GO SAN® Technical, HERBADOX® Technical and STOMP® Technical.

For Manufacturing Use Only

Active Ingredient:

Pendimethalin: (N-(1-ethylpropyl)-3,4-dimethyl-2,6-dinitrobenzamine).....95.0%

Other Ingredients:5.0%

Total:100.0%

EPA Reg. No.: 241-245

EPA Est. No.: 241-MO-001

KEEP OUT OF REACH OF CHILDREN

Precautionary Statements

Hazards to Humans and Domestic Animals

CAUTION

Harmful if swallowed. Causes moderate eye irritation. Harmful if absorbed through skin. Avoid contact with eyes, skin, or clothing.

FIRST AID	
If swallowed	<ul style="list-style-type: none"> 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 do so by a poison control center or doctor. DO NOT give anything by mouth to an unconscious person.
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 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 by mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.
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 BASF Corporation for emergency medical treatment information: 1-800-832-HELP (4357)	

Environmental Hazards

This pesticide is toxic to fish. 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 into sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

Net Contents:

Directions For Use

It is a violation of federal law to use this product in a manner inconsistent with its labeling. Only for formulation into a herbicide for the following uses as preemergent weed control in: 1) alfalfa, artichoke, asparagus, bearing grape, Brassica head and stem vegetables, carrots, Christmas trees, cotton, bearing fruit and nut trees, dry bulb onions, dry bulb shallots, edible beans, field corn, forage grasses, forage legumes, fruiting vegetables, garlic, grain sorghum, green onion, mint, nonbearing fruit, nut crops and vineyards, olive, peanuts, peas, popcorn, potatoes, rice, soybeans, strawberry, sugarcane, sunflowers, sweet corn, sweet lupines, tobacco, turf grasses, ornamentals, wheat, landscape or ground maintenance and noncropland areas.; 2) uses for which U.S. EPA has accepted the required data or citations of data that the formulator has submitted in support of registration; and 3) uses for experimental purposes that are in compliance with U.S. EPA requirements. Consult BASF Corporation before using this product for formulating purposes. Each formulator is responsible for obtaining EPA registration for their end-use product(s). This product may be used to formulate products for any additional uses not listed on the technical label if the formulator, user group, or grower has complied with U.S. EPA data submission requirements regarding the support of such uses.

Attention

DO NOT use air pressure or apply heat with open flame to remove contents of this drum. After emptied, drum may retain solid, liquid, and/or vapor residues. Continue to observe all precautions on label. DO NOT cut, puncture, torch, or weld on or near the emptied drum. DO NOT use for other purposes.

Storage and Disposal

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

Pesticide Storage: Store only in original container in a cool, dry, well-ventilated area away from ignition sources, heat or flame, and separately from fertilizer, feed and foodstuffs. Avoid prolonged storage at temperatures >95°F. Protect containers from physical damage. Avoid cross-contamination with other pesticides. Spillage or leakage should be contained, carefully swept up, and collected for disposal. Wash area of spill with detergent.

Pesticide Disposal: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate violates federal law. If these wastes cannot be disposed of according to label instructions, contact the state agency responsible for pesticide regulation or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

Container Disposal: Nonrefillable Container. DO NOT reuse or refill this container. Completely clean the container according to manufacturer's cleaning procedures after emptying. After cleaning container, offer for recycling, if available, or reconditioning, if appropriate, or dispose of by other procedures approved by state and local authorities.

Conditions of Sale and Warranty

BASF warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the Directions For Use, subject to the inherent risks, referred to above. To the extent consistent with applicable law, BASF makes no other express or implied warranty of fitness or merchantability or any other express or implied warranty. To the extent consistent with applicable law, Buyer's exclusive remedy and BASF's exclusive liability, whether in contract, tort, negligence, strict liability, or otherwise, shall be limited to repayment of the purchase price of the product. To the extent consistent with applicable law, BASF and the Seller disclaim any liability for consequential, special or indirect damages resulting from the use or handling of this product. BASF and the Seller offer this product, and the Buyer and User accept it, subject to the foregoing Conditions of Sale and Warranty which may be varied only by agreement in writing signed by a duly authorized representative of BASF.

In Case of Emergency

In case of large scale spillage in the U.S. regarding this product, call:

CHEMTREC 1-800-424-9300

BASF Corporation 1-800-832-HELP (4357)

In case of medical emergency regarding this product, call: 1) Your local doctor for immediate treatment. 2) Your local poison control center (hospital). 3) BASF Corporation 1-800-832-HELP. Steps to be taken in case material is released or spilled: Wear an approved respirator for this product to prevent inhalation. Dike and contain spill with inert material (sand, earth, etc.) and transfer liquid and solid material to separate labeled containers for disposal. Remove contaminated clothing and wash affected skin areas with water. Wash clothing before reuse. Keep spill out of all sewers and open bodies of water.

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