

241-286

12/18/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Jeffrey H. Birk, Ph.D
BASF
26 Davis Drive
Research Triangle Park, NC 27709

DEC 18 2009

Subject: Notification for Label Revisions under PRN 97-4, 98-10 and 2007-4
Storage & Disposal, Warranty Statement, Change inert to other and update Conditions of
Sale:

Dear Registrant

The Agency is in receipt of your Application for Pesticide Notification under
Pesticide Registration Notices (PRN) 97-4, 98-10, and 2007-4 Storage & Disposal and Other
Changes dated November 18, 2009 for:

EPA Registration 241-286 "Arsenal Herbicide Technical"

The Registration Division (RD) has conducted a review of the request(s) for applicability
under PRN 97-4, 98-10 and 2007-4 and finds that the label changes requested fall within the
scope of PRN 97-4, 98-10 and 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 me directly at 703-305-6249 or Owen F.
Beeder of my staff at 703-308-8899.

Sincerely,

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

2094

Please read instructions on reverse before completing form.

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



United States
Environmental Protection Agency
Washington, DC 20460

| | |
|-------------------------------------|--------------|
| <input type="checkbox"/> | Registration |
| <input type="checkbox"/> | Amendment |
| <input checked="" type="checkbox"/> | Other |

OPP Identifier Number

Application for Pesticide - Section I

| | | |
|--|---|---|
| 1. Company/Product Number 241-286 | 2. EPA Product Manager James Tompkins | 3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted |
| 4. Company/Product (Name) Arsenal herbicide Technical | PM# 25 | |
| 5. Name and Address of Applicant (Include ZIP Code) BASF 26 Davis Drive Research Triangle Park, NC 27709 <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: EPA Reg. No. _____ Product Name _____ | |

Section - II

| | | |
|--|---|---|
| <input type="checkbox"/> Amendment - Explain below. | <input checked="" type="checkbox"/> Final printed labels in response to Agency letter dated _____ | NOTIFICATION DEC 18 2009 |
| <input type="checkbox"/> Resubmission in response to Agency letter dated _____ | <input type="checkbox"/> "Me Too" Application. | |
| <input checked="" type="checkbox"/> Notification - Explain below. | <input type="checkbox"/> Other - Explain below. | |

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
 Notification of minor label changes and container disposal label changes for Arsenal herbicide Technical (241-286) in compliance with PRN 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 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 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. This notification is not subject to a fee under PRIA. Contact Jeff Birk at 919-547-2622 (phone), 919-547-2850 (fax) or by Email at jeffrey.birk@basf.com

Section - III

| | | | | | |
|---|--|---|-------------------|--|---|
| 1. Material This Product Will Be Packaged In: | | | | 2. Type of Container | |
| 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 | | <input type="checkbox"/> Metal | plastic lined drum or nylon bag (Supersack) |
| | | | | <input type="checkbox"/> Plastic | |
| * Certification must be submitted | | If "Yes" Unit Packaging wgt. | No. per container | <input type="checkbox"/> Glass | |
| | | If "Yes" Package wgt | No. per container | <input checked="" type="checkbox"/> Paper | |
| | | | | Other (Specify) _____ | |
| 3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container | | 4. Size(s) Retail Container 50 and 500 kg | | 5. Location of Label Directions <input checked="" type="checkbox"/> on label accompanying product | |
| 6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued Stenciled | | | | <input type="checkbox"/> Other _____ | |

Section - IV

| | | |
|--|--------------------------------|---|
| 1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.) | | |
| Name Jeffrey H. Birk | Title Regulatory Manager | Telephone No. (Include Area Code) 919-547-2622 |
| 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. | | 6. Date Application Received (Stamped) |
| 2. Signature | 3. Title Regulatory Manager | |
| 4. Typed Name Jeffrey H. Birk | 5. Date November 18, 2009 | |



The Chemical Company

ARSENAL[®] NOTIFICATION

herbicide

DEC 18 2009

TECHNICAL FOR MANUFACTURING PURPOSES ONLY

Active ingredient: Imazapyr
 (2-[4,5-dihydro-4-methyl-4-(1-methylethyl)-5-oxo-1H-imidazol-2-yl]-3-pyridinecarboxylic acid)..... 98.5%
Other ingredients: 1.5%
Total: 100.0%

U.S. Patent No. 4798619

EPA Reg. No. 241-286

EPA Est. No. 241-MO-001

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.)

Precautionary Statements

Hazards to Humans and Domestic Animals

DANGER. Causes irreversible eye damage. Harmful if absorbed through skin, inhaled or swallowed. Avoid breathing dust. Do not get in eyes, on skin or on clothing. Wear goggles, face shield or safety glasses. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before re-use.

Physical and Chemical Hazards

DO NOT mix or store this product or solutions of this product in unlined steel containers.

Environmental Hazard Statement

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or public 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 the EPA.

Net Contents:

BASF Corporation

26 Davis Drive, Research Triangle Park, NC 27709

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00241.00286.20091117.NVA 2009-13-104-0258

FIRST AID

| | |
|-------------------------------|--|
| 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 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 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 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, 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).

Note to Physician: Probable mucosal damage may contraindicate the use of gastric lavage.

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:** 1) field corn, forestry, aquatic, grass pasture and rangeland and noncropland areas such as railroad, utility, pipeline and highway rights-of-way, utility plant sites, petroleum tank farms, pumping installations, fence rows, storage areas, and non-irrigation ditchbanks; 2) uses for which USEPA 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 USEPA 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).

Storage and Disposal

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

Pesticide Storage: Store in original container in a well-ventilated area separately from fertilizer, feed and foodstuffs. Avoid cross-contamination with other pesticides.

Pesticide Disposal: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate, is a violation of Federal law. Dispose of excess or waste pesticide by use according to label directions, or contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

Container Disposal: (supersack): Nonrefillable Container: 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 by other procedures approved by state and local authorities.

Drum Liner: Nonrefillable Container. DO NOT reuse or refill this container. Completely empty removable liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment; then dispose of empty liner in a sanitary landfill or by incineration, or by other procedures approved by state and local authorities. **Drum : Refillable Container.** Empty residue into application equipment or mix tank. Fill the container about 10% full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Dispose of rinsate, compliance with state and local regulations for pesticide products. When this container is empty, replace the cap and seal all openings that have been opened during use; return the container to the point of purchase or to a designated location. This container must only be refilled with a pesticide product. **DO NOT** reuse the container for any other purpose. Prior to refilling, inspect carefully for damage such as cracks, punctures, abrasions, worn-out threads and closure devices. Check for leaks after refilling and before transport. **DO NOT** transport if this container is damaged or leaking. If the container is damaged, or leaking, or obsolete and not returned to the point of purchase or to a designated location, triple rinse emptied container and offer for recycling, if available, or dispose of container in compliance with state and local regulations.

Triple rinse as follows: To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10% full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Dispose of rinsate, compliance with state and local regulations for pesticide products. When this container is empty, replace the cap and seal all openings that have been opened during use; return the container to the point of purchase or to a designated location. This container must only be refilled with a pesticide product. **DO NOT** reuse the container for any other purpose. Prior to refilling, inspect carefully for damage such as cracks, punctures, abrasions, worn-out threads and closure devices. Check for leaks after refilling and before transport. **DO NOT** transport if this container is damaged or leaking. If the container is damaged, or leaking, or obsolete and not returned to the point of purchase or to a designated location, triple rinse emptied container and offer for recycling, if available, or dispose of container in compliance with state and local regulations.

In Case of Emergency

In case of large scale spillage in the U.S. regarding this product, call:
 CHEMTREC800-424-9300
 BASF Corporation.....800-832-HELP (4357)

In case of emergency regarding this product, call:
 1. Your local doctor for immediate treatment.
 2. Your local poison control center (hospital).
 3. BASF Corporation 800-832-HELP.

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. **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, EXEMPLARY, 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.

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