

241-286

1/29/2010

1/5



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

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

JAN 29 2010

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request General Label Change (Change First Aid Statement Location on Label)
EPA Reg. No. 241-286
Application Dated January 8, 2010

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 01/08/10 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 read "Linda Arrington".

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



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)(ii), 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 JAN 29 2010
<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 for Arsenal herbicide Technical (241-286). 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 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 type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/> on label accompanying product	
6. Manner in Which Label is Affixed to Product		<input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> 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 January 8, 2010	



The Chemical Company

January 8, 2010

U.S. Environmental Protection Agency
Office of Pesticide Programs (7505P)
Document Processing Desk 7504P (NOTIF)
Room S-4900
One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202
Attention: Mr. James Tompkins, (PM 25)

**RE: Notification- Corrected First Aid Statement Order:
Arsenal® herbicide Technical
EPA Reg. No. 241-286**

Dear Mr. Tompkins:

BASF is hereby submitting a notification for Arsenal herbicide Technical (EPA Reg. No. 241-286). This labeling corrects the order of the first two First Aid statements (If in eyes and If on skin or clothing). BASF recently discovered that the first two statements were accidentally reversed on the current labeling that was submitted to comply with the container disposal changes required by PRN 2007-4.

Enclosed please find:

- Application form 8570-1
- CD containing electronic copy of the label
- Certification with Respect to Label Integrity
- Arsenal herbicide Technical label
- Current Arsenal herbicide Technical label (Incorrect First Aid statement order)
- Arsenal herbicide Technical label from 2005 (Correct First Aid statement order)

No PRIA fee is required for this notification.

Thank you for your assistance with this matter. If you should have any questions, please feel free to call me at (919) 547-2622.

Regards,

Jeffrey H. Birk, Ph.D.
Regulatory Manager
Phone 919-547-2622
Mobile : 919-225-9220
Fax: 919-547-2850
Email: jeffrey.birk@basf.com

® Registered Trademark of BASF

26 Davis Drive, Research Triangle Park, North Carolina 27709-3528 Telephone (919) 547-2622

3/5

5/5

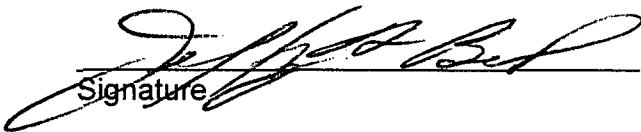
Certification with Respect to Label Integrity

version: 9/11/02

I certify that the information (including, but not limited to, text, tables, and graphics) contained in the electronic file identified below by file name and submitted with this certification is the same information as that on the paper copies of these documents included with this submission.

PROPOSED LABEL		
EPA Registration #	Date Submitted to EPA	Electronic file name
241-286	1-8-10	000241-00286.20100108.NVA 2009-13-104-0258

I certify that the statements that I have made on this form are true, accurate, and complete. I acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.



 Signature

01/08/2010

 Date

Jeffrey H. Birk

 Name (typed)

Regulatory Manager

 Title



The Chemical Company

ARSENAL®

herbicide

NOTIFICATION

JAN 29 2010

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 sewerage 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

©Registered Trademark of BASF

© 2009 BASF Corporation. All Rights Reserved.

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.** Refill this container with pesticide only. DO NOT reuse this container for any other purpose. If drum is contaminated and cannot be reused, triple rinse the container before final disposal. Triple rinsing is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller.

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 in 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: 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 in 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: 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 in 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: 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 in 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: 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 in 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.

5/5