

264-618

10/10/2008

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Mr. Nangy-Ly Chow, PhD  
Bayer CropScience (BCS)  
Po Box 12014, 2 Alexander Drive,  
Research Triangle Park, NC 27709

OCT 10 2008

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Dr Chow,

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated August 29, 08 for:

**EPA Registration 264-618 Phenmedipham Technical**

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-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 nonrefillable 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 Banza Djapao of my staff at 703-305-7269.

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



United States  
**Environmental Protection Agency**  
 Washington, DC 20460

- Registration
- Amendment
- Other

OPP Identifier Number

**Application for Pesticide - Section I**

1. Company/Product Number <b>264-618</b>	2. EPA Product Manager <b>Mr. Jim Tompkins</b>	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) <b>Phenmedipham Technical</b>	<b>PM Team 25                  (Registration Division)</b>	
5. Name and Address of Application (Include ZIP Code) <b>Bayer CropScience (BCS)                  PO Box 12014, 2 Alexander Drive,                  Research Triangle Park, NC 27709</b>  <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 <u>          <b>NOTIFICATION</b>          </u>  <p style="text-align: center; font-size: 1.2em;"><b>OCT 10 2008</b></p>

**Section - II**

- Amendment - Explain below.
- Resubmission in response to Agency letter dated \_\_\_\_\_
- Notification - Explain below.
- Agency letter dated \_\_\_\_\_
- "Me Too" Application.
- Other - Explain below.

**Explanation:** Use additional page(s) if necessary. (Sect. I and II.):  
 A Pesticide Notification under PR Notice 2007-4 for Phenmedipham Technical (re: Final Rule for the Standards for Pesticide Container and Containment, August 16, 2006) - for adding the required labelling under Container Disposal. See the cover letter for the required certified statements.

**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 type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input checked="" type="checkbox"/> Other (Specify) <b>-Woven Poly Bag</b>
* 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 <input type="checkbox"/> Label <input checked="" type="checkbox"/> Container	4. Size(s) Retail Container - <b>400 kg in woven poly bags (also called "Flexible intermediate bulk packages")</b>	5. Location of Label Directions <input type="checkbox"/> On Label <input checked="" type="checkbox"/> On Labeling accompanying product
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		

**Section - IV**

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

Name <b>Nang-Ly Chow, Ph.D.</b>	Title <b>Registration Manager</b>	Phone: 919-549-2147; Fax: 919-549-2545
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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) EPA Form 8570-1 (Rev. 8-94) D:\Form 8570-1 - PRCGRESS Amend -11-10-24.doc
2. Signature 	3. Title: <b>Registration Manager</b>	
4. Typed Name: <b>Nang-Ly Chow, Ph.D.</b>	5. Date: <b>August 29, 2008</b>	

# Bayer CropScience



August 29, 2008

Document Processing Desk (NOTIF)  
Office of Pesticide Program (H7504P)  
U.S. EPA, Room S4900  
One Potomac Yard  
Arlington, VA 22202 -4525

ATTN: Mr. Jim Tompkins (PM 25)  
Registration Division (7505P)

Subject: Phenmedipham Technical (Reg. No.: 264-618): Submission of the Application of Pesticide Notification under PR Notice 2007-4 (Ref.: the Pesticide Container and Containment Final Rule, August 16, 2006)

Dear Mr. Tompkins:

Bayer CropScience herein submits the NOTIFICATION application for Phenmedipham Technical (Reg. No.: 264-619) to comply with the label language required by the new regulation in 40 CFR part 156 established by the Final Rule "Pesticide Management and Disposal; Standards for Pesticide Container and Containment". Based on the Guidance issued under the PR Notice 2007-4 and the product-specific information, the following "Container Disposal" labeling was used (see "Storage and Disposal"- page 1, highlighted):

- "Non refillable container. 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 dispose of liner in a sanitary landfill or by incineration, if allowed by State and local authorities".

We note the technical product is packaged in the Woven Poly Bags (also called 'flexible intermediate bulk packages'); as such no other residue removal statements are required.

The Notification is based on the most current Phenmedipham Technical label on file at the Agency (EPA approval of April 18, 2005).

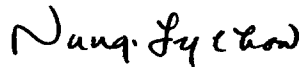
Enclosed are the EPA Form 8570-1, one copy of the revised technical label for approval where the revised/new text was highlighted. We certify below this is the only change made in this notification label.

Phenmedipham TECH  
Notification PRN 2007-4  
August 29, 2008  
Page 2

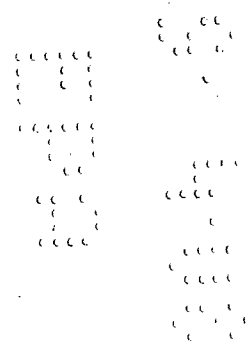
This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §156.10, 156.140, 156.144, 156.146 and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Section 1001 to willfully make any false statement to EPA. I further understand that if the amended label I 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 subjected to enforcement action and penalties under Section 12 and 14 of FIFRA.

We thank EPA for approving the Notification and provide us a confirmation. Please contact me at [nang-ly.chow@bayercropscience.com](mailto:nang-ly.chow@bayercropscience.com) or via phone at 919-549-2147 if you should have further questions.

Sincerely,



Nang-Ly Chow, Ph.D.  
Registration Manager  
With Enclosure  
NOTIFICATION - AUGUST 29 - 2008.doc



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# Phenmedipham Technical

NOTIFICATION

FOR FORMULATION OF HERBICIDES ONLY

OCT 10 2008

ACTIVE INGREDIENT: Phenmedipham\* ..... 97%

INERT INGREDIENTS: ..... 3%

\*3-Methoxycarbonylamino-phenyl-3-methylcarbanilate

Total 100.0%

EPA Reg No. 264-618

EPA Est. No. 000264-DEU-004

## KEEP OUT OF REACH OF CHILDREN WARNING

For MEDICAL And TRANSPORTATION Emergencies ONLY Call 24 Hours A Day 1-800-334-7577

For PRODUCT USE Information Call 1-866-99BAYER (1-866-992-2937)

### 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.</li> <li>• Call a poison control center or doctor for treatment advice.</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>
<p style="text-align: center;"><b>For MEDICAL Emergencies Call 24 Hours A Day 1-800-334-7577.</b></p> <p style="text-align: center;">Have the product container or label with you when calling a poison control center or doctor or going for treatment.</p>	

### PRECAUTIONARY STATEMENTS

May be harmful if swallowed. May produce severe irritation of eyes and irritation of skin. Do not contaminate food or feed. Do not get in eyes, on skin, or on clothing. Wear goggles when handling. Avoid breathing vapors.

### ENVIRONMENTAL HAZARDS

Do not discharge effluent containing this product directly into lakes, streams, ponds, estuaries, oceans, or public waters unless this product is specifically identified and addressed in an NPDES permit. Do not discharge effluent containing this product to sewer systems without previously notifying the sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the Environmental Protection Agency.

### 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 an herbicide for: 1) the following uses: sugar beets, red beets, spinach; 2) uses for which USEPA has approved 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.

Formulators using this product are responsible for obtaining EPA registration for their formulated products.

### STORAGE AND DISPOSAL

**STORAGE:** Store in original container and keep closed. Store in a cool, dry place.

**PESTICIDE DISPOSAL:** Do not contaminate water, food, or feed by storage or disposal. Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

**CONTAINER DISPOSAL:** Non-refillable container. 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 dispose of liner in a sanitary landfill or by incineration, if allowed by State and local authorities.

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## IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Disclaimer 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 should 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 Bayer CropScience. All such risks shall be assumed by the user or buyer.

**DISCLAIMER OF WARRANTIES:** BAYER CROPSCIENCE 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 Bayer CropScience is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. BAYER CROPSCIENCE DISCLAIMS ANY LIABILITY WHATSOEVER FOR SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

**LIMITATIONS OF LIABILITY:** 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 BAYER CROPSCIENCE'S ELECTION, THE REPLACEMENT OF PRODUCT.

**NET CONTENTS: 50 KG**



**Bayer CropScience**

Bayer CropScience LP  
P.O. Box 12014, 2 T.W. Alexander Drive

Research Triangle Park, North Carolina 27709  
1-866-99BAYER (1-866-992-2937)

Phenmedipham Technical (MASTER) Approved 04/18/05, Notification 08/29/08