

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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

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NOV

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

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 28, 2008 for:

#### EPA Registration 264-619 Desmedipham 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,

Linda Arrington Notifications & Minor Formulations Team Leader Registration Division (7505P)

Office of Pesticide Programs

& EPA	United State Environmental Prote Washington, DC	ction	Agency		Registration Amendment Other		OPP Identifier Number	
	Application	n for	Pesticide	- Sec	tion I			
1. Company/Product Num 264-619			2. EPA Produc Mr. Jim	t Mana	ger	3. Pr	oposed Classification	
4. Company/Product (Name)  Desmedipham Technical			PM Team 25 (Registration Division)				None Restricted	
5. Name and Address of Application (Include ZIP Code) Bayer CropScience (BCS) PO Box 12014, 2 Alexander Drive, Research Triangle Park, NC 27709			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  NOV 7 2007					
☐ Check if this is a new ac	aaress							
		Sec	tion — II					
Amendment – Explain	n below.		Ager Ager	cy lette	r dated		•	
Resubmission in res	ponse to Agency letter dated		Me Too"	Applica	ntion. Dother	- Expla	in below.	
Notification - Explain								
A Pesticide Notifica Pesticide Container	itional page(s) if necessary. (Sect. I a tion under PR Notice 2007–4 for and Containment, August 16, for the required certified state	or Des 2006	) – for addin					
					•		·	
1. Material This Product	Will Be Packaged In:							
Child-Resistant Packaging Yes No * Certification must be submitted	☐ Yes ☑ No If "Yes", Unit No. per	Water S  Ye  N  If "Yes"  Packag	o	No. p	er [	7	ontainer  Metal Plastic Glass Paper er (Specify)- <u>Woven Poly Bag</u>	
3. Location of Net Contents	Information 4.	Size(s	s) Retail Contai	ner –	5. Location	n of Lat	pel Directions	
bags (			<b>g in woven</b> also called "Fl diate bulk pad	exible	")	On Lab	el g accompanying product	
6. Manner in Which Label	is Affixed to Product		Paper g	thograph	Oth			
		Sec	tion – IV					
	e items directly below for identification	n of ind		ntacted	l, if necessary, to μ			
Name Nang-Ly Chow, Ph.	D		Title Registrati	on Ma	nager	Pho Fax	one: 919-549-2147; :: 919-549-2545	
	Certification ave made on this form and all attachments to or misleading statement may be punishable.	thereto a				edgo de l	Date Application ( Received ( ) ( ) ( (Stamped)	
2. Signature	, , , , , , , , , , , , , , , , , , , ,		3. Title:			, coc	FA Form 8570-1 (Rev. 8-94)	
Nang. Lycko	)		Registra	tion M	lanager		E.R. rm 8570-1 - PR&G&ESS Amend -11- 0-04.doc	
4. Typed Name: Nam	g-Ly Chow, Ph.D.		5. Date: Au	gust 2	28, 2008			

## Bayer CropScience



August 28, 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: Desmedipham Technical (Reg. No.: 264-619): 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 the Desmedipham Technical product (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 2, 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 Desmedipham Technical label on file at the example (EPA approval of April 18, 2005).

Enclosed are the EPA Form 8570-1, 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.

Desmedipham TECH Notification PRN 2007-4 August 28, 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 <a href="mailto:nang-ly.chow@bayercropscience.com">nang-ly.chow@bayercropscience.com</a> or via phone at 919-549-2147 if you should have further questions.

Sincerely,

Nang. Ly ( Kow)

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

# Desmedipham Technical

# FOR FORMULATION OF HERBICIDES ONLY ACTIVE INGREDIENT: Desmedipham\* INERT INGREDIENTS: \*Ethyl m-hydroxycarbanilate carbanilate (ester) Total 100.0%

**EPA Reg No. 264-619** 

EPA Est. No. 000264-DEU-004

# KEEP OUT OF REACH OF CHILDREN WARNING

For <u>MEDICAL</u> And <u>TRANSPORTATION</u> Emergencies <u>ONLY</u> Call 24 Hours A Day 1-800-334-7577 For PRODUCT USE Information Call 1-866-99BAYER (1-866-992-2937)

#### **FIRST AID**

IF SWALLOWED:	Immediately call a poison control center or doctor for treatment advice.					
•	Do not induce vomiting unless told to do so by a poison control center or doctor.					
	Have person sip a glass of water if able to swallow.					
	Do not give anything by mouth to an unconscious person.					
IF ON SKIN OR CLOTHING:	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:	Hold eye open and rinse slowly and gently with water for 15-20 minutes.					
	Remove contact lenses, if present, after the first 5 minutes, then continue rinsing.					
	Call a poison control center or doctor for treatment advice.					

For MEDICAL Emergencies Call 24 Hours A Day 1-800-334-7577.

Have the product container or label with you when calling a poison control center or doctor or going for treatment.

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.

#### PRECAUTIONARY STATEMENTS

Causes substantial but temporary eye injury. Harmful if absorbed through skin. Do not get in eyes or on clothing. Avoid contact with skin. Wear long-sleeved shirt and long pants, socks and shoes, goggles or face shield, and waterproof gloves. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

#### **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 tabeling.

Only for formulation into an herbicide for: 1) the following use: sugar beets; 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.

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#### 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.

#### 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 LP P.O. Box 12014, 2 T.W. Alexander Drive Research Triangle Park, North Carolina 27709 1-866-99BAYER (1-866-992-2937)

Desmedipham Technical (MASTER) Approved 04/18/05, Notif 08/28/08.

