

264-653

08-10-2011

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

AUG 10 2011

Nang-Ly Chow, Ph.D.
Bayer CropScience
PO Box 12014, 2 Alexander Drive
Research Triangle Park, NC 27709

Subject: Label Notification; Per PR-Notice 98-10
Fenoxaprop-p-ethyl Technical
EPA Reg. No. 264-653
Date Submitted: July 27, 2011

Dear Mr. Chow:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated July 27, 2011 for the product referenced above. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls 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 regarding this letter, please contact Jasmine Branch at (703) 347-0351 or branch.jasmine@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Montague".

Kathryn Montague
Product Manager 23
Herbicide Branch
Registration Division (7505P)

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United States
Environmental Protection Agency
Washington, DC 20460

- Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 264-653	2. EPA Product Manager Mr. Kable Bo Davis	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Fenoxaprop-p-ethyl Technical	PM Team 25	
5. Name and Address of Application (Include ZIP Code) Bayer CropScience PO Box 12014, 2 Alexander 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 type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION AUG 10 2011
<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.)

Submission of a Pesticide Notification under the Provisions of PR Notice 98-10: for Removing the Patent Number that has expired (on page 1, Ingredient section).
Contact: Nang-ly.chow@bayer.com

Section - III

1. Material This Product Will Be Packaged In:

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	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* 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
 Label Container

4. Size(s) Retail Container

5. Location of Label Directions
 On Label
 On Labeling accompanying product

6. Manner in Which Label is Affixed to Product
 Lithograph Paper glued Stenciled Other _____

Section - IV

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

Name Nang-Ly Chow, Ph.D.	Title Registration Manager	Telephone No.: Phone: 919-549-2147 Fax: 919-549-2971
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 <i>Nang Ly Chow</i>	3. Title: Registration Manager	
4. Typed Name: Nang-Ly Chow, Ph.D.	5. Date: July 27, 2011	

Bayer CropScience



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July 27, 2011

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

ATTN: Mr. Kable Bo Davis (PM 25)
Registration Division (7505P)

Subject: Fenoxaprop-p-ethyl Technical (Reg. No.: 264-653): Submission of a Pesticide Notification under the Provisions of PRN 98-10, for removing the Expired Patent No.

Dear Mr. Davis:

Bayer CropScience (BCS) is submitting a pesticide Notification under the Provisions of PR Notice 98-10 for the Fenoxaprop-p-ethyl (FPE) Technical product (Reg. No.: 264-853). The Notification is strictly for one change, that we have removed the BCS patent number for the FPE chemical as it has expired. The patent no was included in the Ingredient Section (page 1) with a * notation to the active ingredient. We understand that removing of the 'patent number' qualifies as a 'Non-Notification' change under PRN 98-10, but for a proper record, BCS would like to submit this change via the Notification process. For your quick review, enclosed are the EPA Form 8570-1 and one copy of the FPE Technical label (label code used, page 2: 'approved 5/15/02, Notif 8/29/08, Notifi 05/06/2011').

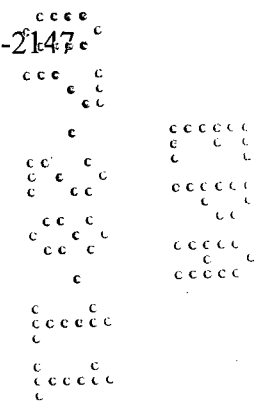
This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR §152.46, and no other changes have been made to the labeling or the confidential statement of formula for this product. I understand that it is a violation of 18 U.S.C. Section 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR §152.46, these products 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 the Agency for approving the Notification. Please contact me at 919-549-2147 or via nang-ly.chow@bayer.com if you should have any questions.

Sincerely,

Nang Ly Chow

Nang-Ly Chow, Ph.D.
Registration Manager
With Enclosure
NOTIFICATION - 27-JULY-2011



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STORAGE AND DISPOSAL

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

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste water 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.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Do not use this product until you have read the entire label.

This manufacturing use product may be used only for formulation into a herbicide for (1) the following uses: cotton, peanuts, soybeans, wheat, rice, turfgrass and conservation reserve areas (set-aside) (2) Uses for which USEPA has accepted 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.

This product may be used to formulate products for specific use(s) not listed on this label if the formulator, user group, or grower has complied with U.S. EPA data submission requirements regarding the support of such use(s).

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: 500 KGS.



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)

