

9/8/2009

1/5



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

SEP 8 2009

Mr. Richard M. Gorrell
Product Registration
Bayer Environmental Science
2T.W Alexander Drive
Research Triangle Park, NC 27709

Subject: Label Notification for Pesticide Registration Notice 2007-4
(Storage & Disposal Changes)

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated August 7, 2009 for:

EPA Registration 432-1405 "Oxadiazon Technical Herbicide"

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 Owen F. Beeder of my staff at 703-308-8899.

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 432-1405	2. EPA Product Manager Ms. Joanne Miller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Oxadiazon Technical (99%)	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Bayer Environmental Science 2 T. W. 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 checked="" type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION SEP - 8 2009
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.	
<input type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.	

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

This notification is consistent with the provisions of PR Notices 98-10 and 2007-4 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 the terms of PR Notice 98-10 and 40 CFR 152.46, 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.

- Container Disposal Statement Revision as per EPA mandate

Section - III

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) _____ Synthetic and		
* 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 500 kg Bag and 25 kg paper bag		5. Location of Label Directions <input checked="" type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input checked="" 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 Richard M. Gorrell		Title Manager, Registrations	
		Telephone No. (Include Area Code) (919) 549-2423	
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 Manager, Registrations	
4. Typed Name Richard M. Gorrell		5. Date August 7, 2009	

Bayer Environmental Science



3/5

August 7, 2009

EPA09RMG0807OxadiazonNotifContDisp
Fedex

Ms. Linda Arrington
U.S. Environmental Protection Agency
Office of Pesticide Programs (7504P)
Document Processing Desk (Notif)
Room S-4900, One Potmac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

RE: Oxadiazon Technical Herbicide (EPA Reg No. 432-1405) Notification to
Add Container Disposal Statement

Dear Ms. Arrington:

Bayer Environmental Science (BES) is notifying the Agency of the addition of a revised container disposal statement for the Oxadiazon Technical Herbicide label. The label language is exactly as prescribed by the Agency in PR Notice 2007-4.

Bayer Environmental Science
2 T.W. Alexander Drive
RTP, NC 27709
Phone : 919.549.2000

The following information is included with this amendment:

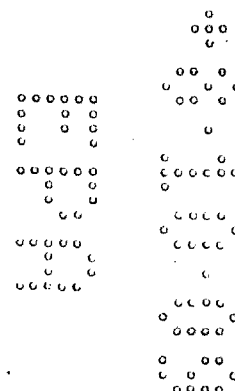
- 8570-1 form
- Revised Label (4 paper copies; one highlighted copy)

If you have any questions, contact me at (919) 549-2423 or email me at mike.gorrell@bayercropscience.com.

Sincerely,

Richard M. Gorrell
Manager, Registrations

Cc: Karen Shearer



OXADIAZON TECHNICAL

For Formulation of Herbicides Only.

Formulators who use this product are responsible for obtaining EPA registration for their formulated products. Products containing oxadiazon are not for use on home lawns.

ACTIVE INGREDIENT:

Oxadiazon 3-[2,4-dichloro-5-(1-methylethoxy)phenyl]-5-(1,1-dimethylethyl)-1,3,4-oxadiazol-2(3H)-one.....99.0%

INERT INGREDIENTS:

.....1.0%
.....100.0%

EPA Reg. No. 432-1405

EPA Est. No.

NOTIFICATION

KEEP OUT OF REACH OF CHILDREN SEP - 8 2009
WARNING

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

For PRODUCT USE Information Call 1-800-331-2867

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 lens, if present, after the first 5 minutes, then continue rinsing eye.• Call a poison control center or doctor for treatment advice.
NOTE TO PHYSICIAN: Treat symptomatically. No specific antidote available. Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	

PRECAUTIONARY STATEMENTS

WARNING

HAZARD TO HUMANS AND DOMESTIC ANIMALS

Causes skin irritation. Harmful if absorbed through skin. Harmful if inhaled. Do not get on skin or on clothing. Avoid contact with eyes. Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.

ENVIRONMENTAL HAZARDS: Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other 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 into sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

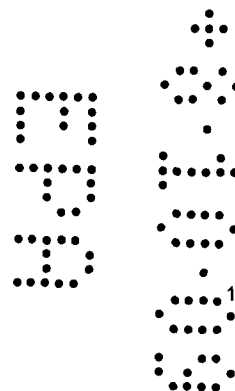
DIRECTIONS FOR USE

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

For use only by manufacturers in the formulation of herbicides. This product requires further mixing before reuse.

Only For Formulation Into an Herbicide, for (1) The Following Uses: Turf, ornamentals, nursery trees and landscape plantings. This product may not be formulated into products intended for residential consumer use.

(2) Uses for Which US EPA 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 US EPA Requirements.



STORAGE AND DISPOSAL

STORAGE

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 at an approved waste disposal facility.

CONTAINER DISPOSAL

Non-refillable container. Do not reuse or refill this container. Completely empty bag and then dispose of empty bag in a sanitary landfill or, if allowed by government regulations, by burning or incineration. If bag is burned, stay out of smoke.

Consult Federal, State or Local disposal authorities for approved alternative procedures.

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 must 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 LP. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE LP 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 LP is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE LP DISCLAIMS ANY LIABILITY WHATSOEVER FOR SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

LIMITATIONS OF LIABILITY: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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 LP'S ELECTION, THE REPLACEMENT OF PRODUCT.

Produced for



Bayer Environmental Science

Bayer Environmental Science
A Business Group of Bayer CropScience LP
PO Box 12014, 2 T. W. Alexander Drive
Research Triangle Park, NC 27709

Oxadiazon Technical (MASTER)10/17/07, Notification 08/06/09

