

1769-188

9/8/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

SEP 8 2009

Mr. Dan Hollas
Regulatory Specialist
NCH Corporation
2730 Carl Road
Irving, Texas 75062

Subject: Label Notification for Pesticide Registration Notice 2007-4
(EPA Registration Number 1769-188)

Dear Mr. Hollas,

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated March 18, 2009 and your label resubmission dated September 3, 2009 for the product ACTI-CIL™ (EPA Registration Number 1769-188). The Registration Division (RD) has conducted its review of this request for its applicability under PRN 2007-4 and finds that the label changes requested fall within the scope of PRN 2007-4. The label submitted with the application has been 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 call me directly at 703-305-6249 or Steve Schaible of my staff at 703-308-9362.

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

2007

Print Form

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 2-28-



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 1769-188	2. EPA Product Manager Jim Tompkins	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) ACTI-CIL	PM# 25	
5. Name and Address of Applicant (Include ZIP Code) NCH Corporation 2727 Chemsearch Blvd. Irving TX 75067 <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 _____
<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.

NOTIFICATION
SEP - 8 2009

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
Notification of label change per PR Notice 2007-4. (See attached page for additional information).

Section - III

1. Material This Product Will Be Packaged In:

Child-Resistant Packaging <input checked="" type="checkbox"/> Yes <input 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"/> Text	2. Type of Container <input checked="" type="checkbox"/> Metal <input checked="" 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
2.5, 5, 7, 20, 35, 55 gal

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 Dan Hollas	Title Regulatory Specialist	Telephone No. (Include Area Code) 972-438-0762
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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.

2. Signature 	3. Title Regulatory Specialist	6. Date Application Received (Stamped)
4. Typed Name Dan Hollas	5. Date 8/19/2009	

NCH CORPORATION

Research and Development
2730 Carl Road
Irving, Texas 75062

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March 18, 2009

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

ATTN: Mr. James Tompkins
Product Manager – Team 25
Herbicide Branch

SUBJECT: NOTIFICATION (PR Notice 2007-4)
ACTI-CIL, EPA Reg. No. 1769-188

Dear Mr. Tompkins:

NCH Corporation is hereby submitting a label change notification consistent with the provisions of PR Notices 2007-4, Labeling Revisions Required by the Final Rule "Pesticide Management and Disposal; Standards for Pesticide Containers and Containment." Enclosed are the following items in support of this notification

- Application for Pesticide Form 8570-1 (Notification Form)
- 5 copies of draft labeling.

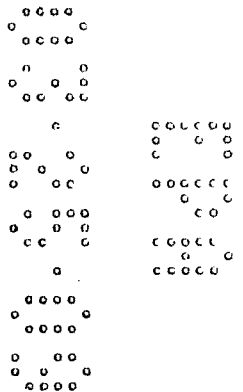
Please contact me at 972-438-0762 if you have any questions regarding this submission.

Sincerely,

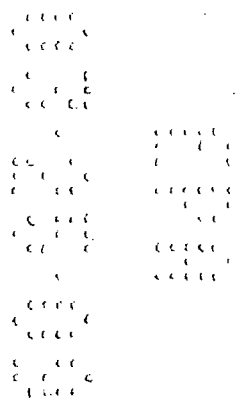


Dan Hollas
Regulatory Specialist

Enclosures



Notification of label change per PR Notice 2007-4. 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. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label 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 subject to enforcement action and penalties under sections 12 and 14 of FIFRA.



ACTI-CIL™

Weed Killer

KILLS MOST VEGETATION

ACTIVE INGREDIENT

Bromacil* (5-bromo-3-sec-butyl-6-methyluracil) 0.60%

OTHER INGREDIENTS** 99.40%

TOTAL 100.00%

*Equivalent to 0.043 pound per gallon.

**Contains Heavy Aromatic Naphtha

KEEP OUT OF REACH OF CHILDREN

CAUTION

NOTIFICATION

SEP - 8 2009

EPA Reg. No. 1769-188

EPA Est. No. 4140-

CA-1 IN-1 NJ-1 PR-1 TX-1 TX-2

GENERAL INFORMATION

ACTI-CIL controls weeds such as foxtail, ryegrass, wild oats, crabgrass, cheatgrass, broomsedge, ragweed, lambsquarters, turkey mullein, johnsongrass, downy brome, puncturevine, bahiagrass, bermudagrass, nutsedge, natalgrass (redtop), smooth brome, bluegrass, purpletop, quackgrass, aster dandelion, dog fennel, goldenrod, plantain and wild carrot.

DIRECTIONS FOR USE

GENERAL PRECAUTIONS AND RESTRICTIONS

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

For use on plants in non-crop and non-timber areas only. Not for use on crops, timber or other plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift.

Only protected handlers may be in the area during application.

Do not apply this product through any type of irrigation system.

Not to be used in any recreational areas or in or around homes.

Do not make more than 6 applications per year.

Where limited rainfall (usually less than 4 inches) occurs during the active growth period, such as in some areas of the West, ACTI-CIL usually will not provide satisfactory control of hard-to-kill, deep-rooted perennial weeds such as johnsongrass.

Effects are slow to appear and may not become apparent until the chemical has been carried into the root zone of the weeds by irrigation and/or rainfall. Effects on perennials usually progress over a period of several months. The degree of control and duration of effect will vary with the amount of herbicide applied, soil texture, rainfall and other conditions.

ENTRY RESTRICTIONS

Do not enter or allow others to enter the treated area until sprays have dried. Do not apply when weather conditions favor drift from areas treated. Apply this product only as specified on the label.

APPLICATION INSTRUCTIONS

Best results are obtained if ACTI-CIL is applied as a pre-emergence or early post-emergence spray. Apply just before or during the period of active growth of plants to be controlled and when rainfall can be expected for soil activation.

This product works only by root absorption; therefore, it is important for the product to be applied to the soil and not the plant. If dense growth is present, results will be improved if vegetation is removed before treatment. Do not apply when the ground is frozen.

ACTI-CIL can be used to kill most weeds for an extended period of time on non-cropland areas such as loading ramps, fence rows, railroad sidings, storage yards, parking lots, around buildings and industrial plant sites. Apply ACTI-CIL, undiluted, 1 gallon per 1,000 square feet. Do not make more than 6 applications per year.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: KEEP THE CONTAINER CLOSED.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your state pesticide or environmental control agency, or the hazardous waste representative at the nearest EPA regional office for guidance.

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if swallowed or absorbed through skin. Avoid contact with eyes, skin or clothing.

Personal Protective Equipment (PPE)

Applicator and other handlers must wear:

Long-sleeved shirt and long pants, chemical-resistant gloves (such as nitrile, butyl, neoprene and/or barrier laminate) and shoes plus socks.

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

When handlers use closed systems (including water-soluble packets), enclosed cabs or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides (40 CFR 170.240(d)(4-6), the handler PPE requirements may be reduced or modified as specified in the WPS.

USER SAFETY RECOMMENDATIONS

Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

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FIRST AID

IF SWALLOWED

- ◆ Immediately call a poison control center or doctor.
- ◆ Do not induce vomiting unless told to do so by a poison control center or doctor.
- ◆ Do not give any liquid to the person.
- ◆ 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.

NOTE TO PHYSICIAN

Contains petroleum distillate - vomiting may cause aspiration pneumonia.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when cleaning equipment or disposing of equipment washwaters. Do not apply when weather conditions favor drift from areas treated. Apply this pesticide only as specified on the label.

PHYSICAL OR CHEMICAL HAZARD

Combustible. Do not use or store near heat or open flame.

See the Material Safety Data Sheet for more information.

For medical or environmental emergencies, call CHEMTREC® at 1-800-424-800.

Not for Resale

[Label Code]

[Date Code]

[Batch Code]

[ISO Logo]

NCH Corporation
2727 Chemsearch Blvd.
Irving, Texas 75062
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