

2217-676

1/15/2010

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCE

James L. Kunstman, Ph.D.
Director of Regulatory Services
PBI/Gordon Corporation
P.O. Box 014090
Kansas City, Missouri 64101

JAN 15 2010

Subject: Notification(s) for Label Revisions under PRN 2007-4 and 98-10

1. Primary Brand Name Change: Casoron 50W Dichlobenil Herbicide
2. Additional instructions for Directions for Use

Dear Dr. Kunstman:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 2007-4 and 98-10 dated June 9, 2009 for:

EPA Registration 2217-676

Casoron 50W Dichlobenil Herbicide

The Registration Division (RD) has conducted a review of the request(s) for applicability under 2007-4 and 98-10 and finds that the label changes requested fall within the scope of 2007-4 and 98-10. 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 identify 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 Nicole Williams of my staff at 703-308-5551.

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



United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 2217-676	2. EPA Product Manager James A. Tompkins	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Casoron 50W Dichlobenil Herbicide	PM# Product Manager—Team 25	
5. Name and Address of Applicant (Include ZIP Code) PBI/Gordon Corporation Post Office Box 014090 Kansas City, Missouri 64101 <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 JAN 15 2010
<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.)
NOTIFICATION:
Labeling notification per Pesticide Registration Notice (PRN) 2007-4:
 1. We ask to revise the disposal instructions and to adopt the exact language of Pesticide Registration Notice (PRN 2007-4). Labeling Revisions Required by the Final Rule "Pesticide Management and Disposal: Standards for Pesticide Containers and Containment."
 2. Certification: This notification is consistent with the guidance 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 of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to the EPA. I further understand that if this amended labeling is not consistent with the terms 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 Section 12 and 14 of FIFRA.

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 checked="" 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 <input checked="" type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container 4 pounds, 100 pounds		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input 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 James L. Kunstman, Ph.D.	Title Director of Regulatory Services	Telephone No. (Include Area Code) 816-460-6292
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 Director of Regulatory Services	
4. Typed Name James L. Kunstman, Ph.D.	5. Date June 9, 2009	

June 9, 2009

Document Processing Desk (AMEND)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501
Attn: Mr. James A. Tompkins, (PM-25)

Dear Mr. Tompkins:

**Subject: Notification for Pesticide Registration Notice (PRN) 2007-4
Casoron 50W Dichlobenil Herbicide (EPA Reg. No. 2217-676)**

I. Labeling notification per Pesticide Registration Notice (PRN) 2007-4:

1. We ask to revise the disposal instructions and to adopt the exact language of Pesticide Registration Notice (PRN 2007-4), Labeling Revisions Required by the Final Rule "Pesticide Management and Disposal: Standards for Pesticide Containers and Containment." Please refer to page 2 of the draft labeling.
2. Certification: This notification is consistent with the guidance 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 of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to the EPA. I further understand that if this amended labeling is not consistent with the terms 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 Section 12 and 14 of FIFRA.

II. Other revisions:

1. An Agency letter dated January 19, 2005, requested that the official product name be presented on the draft labeling. **Casoron 50W Dichlobenil Herbicide** (EPA Reg. No. 2217-676) is the appropriate product name. Please refer to page 1 of the draft labeling.
2. An Agency letter dated January 19, 2005, defined the text for the User Safety Requirements and the User Safety Recommendations according to the Reregistration Eligibility Decision (RED) for dichlobenil. These statements have been adopted verbatim and are presented on page 2 of the draft labeling

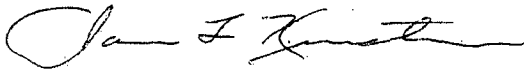
III. Enclosures:

The administrative portion of this application includes the following:

1. Application for Pesticide Amendment (EPA Form 8570-1)
2. Certification with Respect to Label Integrity, and CD containing PDF copy of proposed label.
3. One (1) copy of the draft labeling

Please contact me at 816-460-6292 or via e-mail at jkunstman@pbigordon.com if you have questions concerning this submission.

Sincerely,



James L. Kunstman, Ph.D.
Director of Regulatory Services

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CASORON BARRIER 50W DICHLOBENIL HERBICIDE

NOTIFICATION

EPA Reg. No. 2217-676

JAN 15 2010

ACTIVE INGREDIENT:

Dichlobenil: 2,6-dichlorobenzonitrile	50%
INERT INGREDIENTS	50%
TOTAL	100%

KEEP OUT OF REACH OF CHILDREN

CAUTION

STOP! READ THE ENTIRE LABEL FIRST. OBSERVE ALL PRECAUTIONS AND FOLLOW DIRECTIONS CAREFULLY.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Harmful if swallowed or absorbed through skin or inhaled. Avoid contact with eyes, skin or clothing. Avoid breathing dust.

Personal Protective Equipment (PPE)

Applicators and handlers must wear:

- Long-sleeved shirt and long pants
- Shoes plus socks
- Chemical-resistant gloves, such as butyl rubber ≥14 mils, neoprene rubber ≥14 mils, or nitrile rubber, ≥14 mils
- Chemical-resistant apron for mixing and loading

First Aid	
If swallowed:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
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 inhaled:	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. • Call a poison control center or doctor for further 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 lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
<p>Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-877-800-5556 for emergency medical treatment advice.</p>	

User Safety Requirements

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

User Safety Recommendations

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove contaminated clothing and wash clothing before reuse.

Per Agency letter dated Jan 19, 2005 and Reregistration Eligibility Decision (RED)

- Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. If pesticide gets on skin, wash immediately with soap and water.
- 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.

Environmental Hazards

Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters.

This chemical has properties and characteristics associated with chemicals detected in groundwater. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow may result in groundwater contamination.

DIRECTIONS FOR USE

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

IMPORTANT! Always wash hands, face, and arms with soap and water before smoking, eating, drinking, or toileting. Before removing gloves, wash them with soap and water. Keep all unprotected persons, children, livestock, and pets away from treated area or where there is a danger of drift.

Do not rub eyes or mouth with hands. If you feel sick in any way **STOP** work and get help right away. See First Aid Statement.

WEED CONTROL: This product is recommended for control of annual grass and broadleaf weeds and certain perennial weeds such as:

Annual Bluegrass (<i>Poa annua</i>)	Evening Primrose	Milkweed Vine (<i>Morrenia Odorata</i>)	Russian Thistle
Bluegrass	Fiddleneck	Miners Lettuce	Shepherdspurse
Bull Thistle	Florida Purslane (<i>Pusley</i>)	Natalgrass	Smartweed
Camphorweed	Foxtail	Old Witchgrass	Spanishneedles
Carpetweed	Gisekia	Peppergrass	Spurge
Chickweed	Groundsel	Pineapple Weed	Teaweed
Citronmelon	Henbit	Plantain	Texas Panicum (Hurrahgrass)
Coffeeweed	Horsetail	Purslane	Wild Barley
Crabgrass	Jerusalemoak	Ragweed	Wild Mustard
Cudweed	Goosefoot	Red Deadnettle	Wild Radish
Dandelion	Knotweed	Redroot Pigweed	Yellow Woodsorrel
Dogfennel	Lambsquarters	Rosarypea	
	Maypops		

FOR PRE-PAVING TREATMENTS UNDER ASPHALT: For general weed control under asphalt (in areas such as roadways, parking lots, recreational areas), after final grade is achieved, apply 20 pounds of product in 75 to 100 gallons of water per acre (7.5 ounces of product per 1,000 square feet in 1.5 to 2.5 gallons of water). Treated area should be covered with asphalt as soon as possible. For resurfacing work, existing weeds should be sprayed with a contact herbicide prior to application of this product.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in original bag in a locked storage area inaccessible to children or pets. Storage area should be cool and dry. Keep bag tightly closed. Reseal bag by rolling down top to product level and taping or clipping.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL: Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill, or by incineration, or if allowed by State and local authorities by burning. If burned, stay out of smoke.

CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Then offer for recycling if available or dispose of empty bag in a sanitary landfill, or by incineration or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

LIMITED WARRANTY AND DISCLAIMER

The manufacturer warrants only that the chemical composition of this product conforms to the ingredient statement given on the label, and that the product is reasonably suited for the labeled use when applied according to the Directions for Use.

THE MANUFACTURER NEITHER MAKES NOR INTENDS ANY OTHER EXPRESS OR IMPLIED WARRANTIES, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHICH ARE EXPRESSLY DISCLAIMED. This limited warranty does not extend to the use of the product inconsistent with label instructions, warnings or cautions, or to use of the product under abnormal conditions such as drought, excessive rainfall, tornadoes, hurricanes, etc. These factors are beyond the control of the manufacturer or the seller. Any damages arising from a breach of the manufacturer's warranty shall be limited to direct damages, and shall not include indirect or consequential damages such as loss of profits or values, except as otherwise provided by law.

The terms of this Limited Warranty and Disclaimer cannot be varied by any written or verbal statements or agreements. No employee or agent of the seller is authorized to vary or exceed the terms of this Limited Warranty and Disclaimer in any manner.

APPENDIX

1. Statements which may appear on different label components depending on packaging configuration.

- See next panel for additional Precautionary Statements and First Aid
- Net Contents: _____
- EPA Est. No. _____

2. Advertising claims that may be presented on container labeling, advertisements, brochures, and other marketing/sales promotional materials:

- A SELECTIVE PREEMERGENT HERBICIDE FOR CONTROL OF CRABGRASS, FOXTAIL, DANDELION, HORSETAIL, PIGWEED, RAGWEED, AND CERTAIN OTHER WEEDS IN AREAS TO BE PAVED OVER WITH ASPHALT.

DOCUMENT CONTROL INFORMATION

1. Unique Label Identifier: 002217-00676.20090609.notif-proposed.doc

2. Reason for Issue: Correct product name, correct User Safety Requirements and Recommendations, PRN 2007-4