

2749-70

1/8/2010

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Mr. Fred Trudwig, Jr.  
Aceto Agricultural Chemicals Corporation  
One Hollow Lane; Suite 201  
Lake Success, NY 11042

JAN 8 2010

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4 and 98-10

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 and 98-10 dated October 22, 2009 for:

**EPA Registration 2749-70 ACETO SPUD NIC-3 EC and Alternate Brand Name Shield Potato Sprout Inhibitor EC**

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and 98-10 and finds that the label change(s) requested falls within the scope of PRN-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 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

2  
13



United States  
Environmental Protection Agency  
Washington, DC 20460

<input type="checkbox"/>	Registration
<input checked="" type="checkbox"/>	Amendment
<input type="checkbox"/>	Other

OPP Identifier Number

**Application for Pesticide - Section I**

1. Company/Product Number 2749-70	2. EPA Product Manager Tony Kish	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) ACETO SPUD NIC-3 EC	PM# 22	
5. Name and Address of Applicant (Include ZIP Code) Aceto Agricultural Chemicals Corporation One Hollow Lane; Suite 201 Lake Success, NY 11042 <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 checked="" type="checkbox"/> Final printed labels in response to Agency letter dated _____	<b>NOTIFICATION</b>  JAN - 8 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.)  
Submission of Label Amendment with regards to PR Notice 2007-4. See accompanying cover letter for full Notification of Change statement.

**Section - III**

1. Material This Product Will Be Packaged In:				2. Type of Container	
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		<input checked="" type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 5gal., 30gal., 55gal., bulk		5. Location of Label Directions <input checked="" type="checkbox"/> On label attached to container	
6. Manner in Which Label is Affixed to Product Glued		<input checked="" type="checkbox"/> Lithograph Paper glued 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 Fred Trudwig, Jr.	Title Reg. Affairs Manager, Crop Protection	Telephone No. (include Area Code) 516-627-6000 (ext 569)
<b>Certification</b> 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 both under applicable law.		6. Date Application Received (Stamped)  .
2. Signature 	3. Title Reg. Affairs Manager, Crop Production	
4. Typed Name Fred Trudwig, Jr.	5. Date 10/22/09	



ACETO AGRICULTURAL  
CHEMICALS CORPORATION

One Hollow Lane  
Lake Success, NY 11042-1215  
Tel: (516) 627 6000  
Fax: (516) 627 6093  
www.aceto.com

October 22, 2009

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

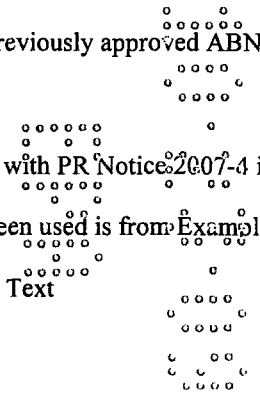
To Whom It May Concern:

Subject: Aceto Agricultural Chemicals Corp. ACETO SPUD NIC-3 EC, EPA Registration # 2749-70, Response to Pesticide Registration Notice (PR) 2007-4; Labeling Revisions Required by the Final Rule "Pesticide Management and Disposal; Standards for Pesticide Containers and Containment."

In accordance with PR Notice 2007-4 please find attached the following documents:

- 1 Copy of the updated label for ACETO SPUD NIC-3 EC (2749-70), updated per the requirements of PR Notice 2007-4
- 1 Copy of the updated label for ACETO SPUD NIC-3 EC (2749-70), updated per the requirements of PR Notice 2007-4 highlighted with the label that is added based upon the PR Notice. This is highlighted in Green Text.
- 1 Form 8570-1, application for registration
- 1 Copy of the updated label for SHIELD POTATO SPROUT INHIBITOR EC (previously approved ABN for 2749-70), updated per the requirements of PR Notice 2007-4.

One additional note to make on the submitted label which is being updated for compliance with PR Notice 2007-4 is that the Warranty and Disclaimer language has also been updated. The wording that has been used is from Example 1 of the EPA's guidance on Warranty and Disclaimer language. This is highlighted in Blue Text



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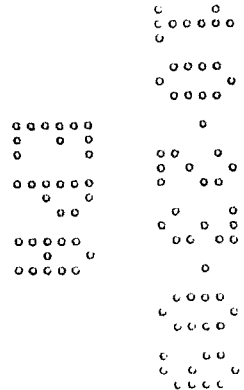
**RE Section II- Explanation on EPA form 8570-1 (attached) please find the full text of the explanation below:**  
“Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA’s Regulations at 40CFR 156.10, 156.140, 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 40CFR 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.”

If you have any questions please feel free to contact me at 516-627-6000 or 516-478-9569 (direct phone number) or via email at [frudwig@aceto.com](mailto:frudwig@aceto.com)

Sincerely,



Fred Trudwig Jr.  
Regulatory Affairs Manager Crop Protection  
Aceto Agricultural Chemicals Corp.



**"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 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."**

Sincerely,



Fred Trudwig Jr.  
Regulatory Affairs Manager Crop Protection  
Aceto Agricultural Chemicals Corp.  
12/03/09

16  
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# ACETO SPUD NIC-3 EC

POTATO SPROUT INHIBITOR

**NOTIFICATION**

EMULSIFIABLE CONCENTRATE

JAN - 8 2010

**ACTIVE INGREDIENT**

Chlorpropham: Isopropyl-m-chloro carbanilate .....	36.0%
<b>OTHER INGREDIENTS</b> .....	<b>64.0%</b>
<b>TOTAL</b> .....	<b>100.0%</b>

Contains 3 pounds active ingredient per gallon

FOR AGRICULTURAL USE ONLY

KEEP OUT OF THE REACH OF CHILDREN

## CAUTION

FIRST AID	
<b>If Swallowed</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to by a poison control center or doctor.</li> </ul>
<b>If in Eyes</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15 - 20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If on Skin or Clothing</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15 - 20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
Have the product container or label with you when calling a poison control center or doctor or going for treatment.	

### PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Harmful if swallowed or absorbed through the skin. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Use only with adequate ventilation. Keep container closed when not in use.

### EMERGENCY INFORMATION

For spill, leak, fire, exposure or accident call CHEMTREC® 1-800-424-9300. Outside the USA 1-703-527-3887

Net Contents: \_\_\_\_\_ Gallons

EPA Reg. No. 2749-70

EPA Est. No. \_\_\_\_\_

**Manufactured For:**  
**Aceto Agricultural Chemicals Corporation**  
 One Hollow Lane  
 Lake Success, NY 11042  
 Phone: 516-627-6000



### ENVIRONMENTAL HAZARD

This product is toxic to fish. 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 to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

### PHYSICAL HAZARD AND CHEMICAL HAZARD

Do not store near heat or open flame.

In case of fire, use water spray, foam, dry chemical or CO<sub>2</sub>.

### DIRECTIONS FOR USE

**Notice to User:** It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

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.

### PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for Category A on the EPA chemical resistance category selection chart.

**Workers must wear:** chemical resistant gloves (such as nitrile, butyl, neoprene, and/or barrier laminate) while handling potatoes which are wet.

Mixers, Loaders, Applicators and all other handlers must wear:

- Long sleeved shirt and long pants,
- Socks and shoes, and
- Chemical resistant gloves made of barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, polyvinyl chloride or viton.

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

### User Safety Recommendations:

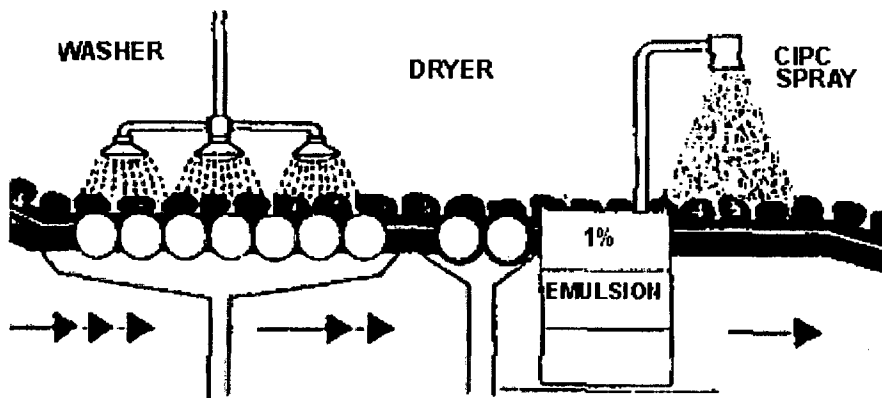
Users should:

1. Follow manufacturer's instructions for cleaning/maintaining Personal Protective Equipment (PPE). If there are no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry
2. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
3. Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
4. 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.

**APPLICATION**

ACETO SPUD NIC-3 EC is applied at a 1% active ingredient level on wash and damp dried potatoes. The diluted material should be applied using spray nozzles placed evenly across the rolls on which the potatoes are being moved. The diluted solution can also be applied by a foaming system in conjunction with a suitable foaming agent. Do not apply this product using aerosol application equipment.

Do not apply more than one application of 0.0104 lbs of Chlorpropham (CIPC) per 1000 lbs of potatoes.



**DILUTION OF THE CONCENTRATE**

Add 1 gallon of ACETO SPUD NIC-3 EC to 35 gallons of water and mix well. A milky white emulsion will develop. Use this diluted emulsion at a rate of 1 gallon per 8,000 lbs of potatoes, (1 gallon for every 80 cwt. of potatoes). Do not reuse the diluted material that was prepared 24 hours or more earlier without mixing well.

**NOTICE**

ACETO SPUD NIC-3 EC sprout inhibitor is used for the treatment of potatoes after harvest. Potatoes must be cured prior to treatment and, for maximum sprout inhibition, should be washed clean.

**STORAGE AND DISPOSAL**

**PESTICIDE STORAGE:** Avoid storage below freezing temperature. Prolonged storage may result in gel formulation. Warming contents and agitation will restore material to useable conditions, but do not heat above 250°F. Keep container closed. Do not contaminate water, food or feed by storage or disposal. This product inhibits germination of seed potatoes.

**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 Containers 5 Gallons or Less:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration, or, if allowed by State and local authorities, by burning. If burned stay out of smoke.

**Nonrefillable containers larger than 5 gallons:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. Triple rinse or pressure rinse container (or equivalent) promptly after emptying. **Triple rinse as follows:** Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. **Pressure rinse as follows:** Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 psi for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.



9  
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## CONDITIONS OF SALE

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### IMPORTANT: READ BEFORE USE

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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 Aceto Agricultural Chemicals Corporation. To the extent consistent with applicable law, all such risks shall be assumed by the user or buyer.

**DISCLAIMER OF WARRANTIES:** To the extent consistent with applicable law, ACETO AGRICULTURAL CHEMICALS CORPORATION 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 Aceto Agricultural Chemicals Corporation is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. To the extent consistent with applicable law, ACETO AGRICULTURAL CHEMICALS CORPORATION 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 ACETO AGRICULTURAL CHEMICALS CORPORATION'S ELECTION, THE REPLACEMENT OF PRODUCT.

10/13

# SHIELD POTATO SPROUT INHIBITOR EC NOTIFICATION

EMULSIFIABLE CONCENTRATE

JAN - 8 2010

**ACTIVE INGREDIENT**

Chlorpropham: Isopropyl-m-chloro carbanilate .....	36.0%
OTHER INGREDIENTS .....	64.0%
TOTAL .....	100.0%

Contains 3 pounds active ingredient per gallon

FOR AGRICULTURAL USE ONLY

**KEEP OUT OF THE REACH OF CHILDREN**

## CAUTION

FIRST AID	
<b>If Swallowed</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to by a poison control center or doctor.</li> </ul>
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#### EMERGENCY INFORMATION

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Net Contents: \_\_\_\_\_ Gallons

EPA Reg. No. 2749-70

EPA Est. No. \_\_\_\_\_

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 One Hollow Lane  
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 Phone: 516-627-6000



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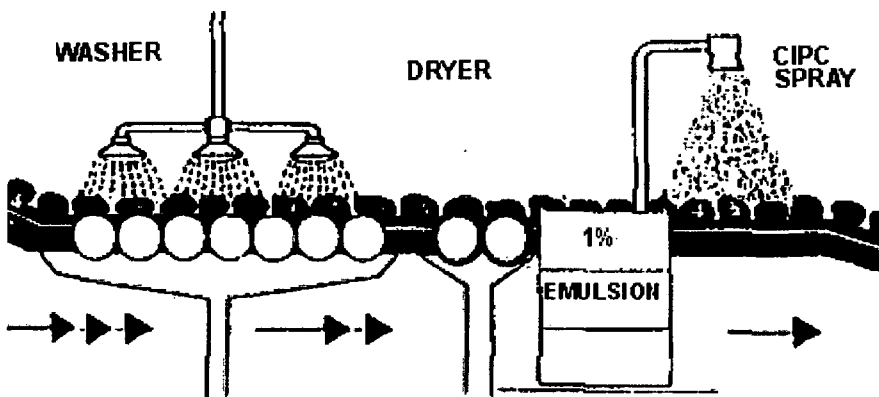
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## CONDITIONS OF SALE

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### IMPORTANT: READ BEFORE USE

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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.

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**DISCLAIMER OF WARRANTIES:** To the extent consistent with applicable law, ACETO AGRICULTURAL CHEMICALS CORPORATION 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 Aceto Agricultural Chemicals Corporation is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. To the extent consistent with applicable law, ACETO AGRICULTURAL CHEMICALS CORPORATION 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 ACETO AGRICULTURAL CHEMICALS CORPORATION'S ELECTION, THE REPLACEMENT OF PRODUCT.