

2935-545

8/9/2007

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Linda Pearce
Product Registration
Wilbur-Ellis Company
PO Box 1286
Fresno, CA 93715

AUG 9 2007

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request Alternate Brand Name "Premium Ag 100"
EPA Reg. No. 2935-545
Application Dated July 5, 2007

Dear Ms.Pearce:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 07/05/07 for the above product. The Registration Division (RD) has conducted a preliminary screen of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall 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, please call 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

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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 2935-545	2. EPA Product Manager _____	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) VALENT PREMIUM AG 100	PM# _____	
5. Name and Address of Applicant (Include ZIP Code) Wilbur-Ellis Company PO Box 1286 Fresno CA 93715 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(ii), 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.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
 Alternate brand name for VALENT PREMIUM AG 100 is PREMIUM AG 100, (we are removing Valent from the product name).

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	If "Yes" Unit Packaging wgt. _____ No. per container _____	If "Yes" Package wgt _____ No. per container _____	<input checked="" type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted					
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container Bulk		5. Location of Label Directions E	
6. Manner in Which Label is Affixed to Product <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 Linda Pearce	Title Registration Specialist	Telephone No: (Include Area Code) 559-457-2235
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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.		6. Data Application Received (Stamped)
2. Signature 	3. Title Registration Specialist	
4. Typed Name Linda Pearce	5. Date July 5, 2007	

3096



July 5, 2007

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

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

**SUBJECT: NOTIFICATION of Alternate Brand Name for
Valent Premium Ag 100, EPA Reg. No. 2935-545 to: Premium Ag 100**

Dear Sir or Madam:

This letter will serve as notification to EPA of an alternate brand name for the above named product. The alternate brand name is: Premium Ag 100, (we are removing Valent from the name)

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.

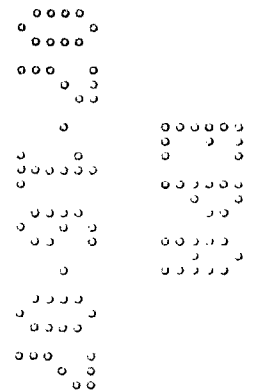
Please contact me at (559) 457-2235 or email to lpearce@wecon.com if you have any questions.

Sincerely,

WILBUR-ELLIS COMPANY

Linda D Pearce

**LINDA D. PEARCE
Registration Specialist
Product Regulatory Department**



Enclosure(s)

4096



Premium Ag 100

MANUFACTURING USE PRODUCT

ACTIVE INGREDIENT By Wt.
 Petroleum Oil 100%

Contains petroleum distillates.

EPA Reg. No. 2935-545

EPA Est. No. 55206-MI-001

KEEP OUT OF REACH OF CHILDREN	
CAUTION	
PRECAUTIONARY STATEMENTS	
HAZARDS TO HUMANS AND DOMESTIC ANIMALS	
<p>CAUTION: Harmful if swallowed. Avoid contact with skin, eyes, and clothing. Wash thoroughly with soap and water after handling. Wash thoroughly with soap and water.</p>	
FIRST AID	
If swallowed:	<ul style="list-style-type: none"> -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 in eyes:	<ul style="list-style-type: none"> -Hold eye open and rinse slowly and gently with water for 15 to 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.
If on skin or clothing:	<ul style="list-style-type: none"> -Take off contaminated clothing. -Rinse skin immediately with plenty of water for 15 to 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.
<p>HOT LINE NUMBER: Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-800-892-0099 for emergency medical treatment information.</p>	
<p>NOTE TO PHYSICIANS: Ingestion of this product or subsequent vomiting can result in aspiration of light hydrocarbon liquid, which can cause pneumonitis.</p>	

TRANSPORTED IN BULK

ENVIRONMENTAL HAZARDS

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 Board or Regional Office of the Environmental Protection Agency.

PHYSICAL OR CHEMICAL HAZARDS

Do not weld, heat or drill this container. Residues may ignite with explosive violence if heated sufficiently.

INSTRUCTIONS FOR FORMULATION

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

READ ENTIRE LABEL. USE STRICTLY IN ACCORDANCE WITH PRECAUTIONARY STATEMENTS AND DIRECTIONS, AND WITH APPLICABLE STATE AND FEDERAL REGULATIONS.

THIS INSECTICIDE-MITICIDE FOR FORMULATING USE ONLY. THIS PRODUCT IS FOR USE IN THE FURTHER PREPARATION OF INSECTICIDE-MITICIDE-HERBICIDE PRODUCTS. CONTACT WILBUR-ELLIS COMPANY FOR SPECIFIC FORMULATING INFORMATION. DO NOT USE FOR ANY OTHER PURPOSES. Pesticide formulated with Premium Ag 100 will require registration with the Environmental Protection Agency.

DIRECTIONS FOR USE

Only for Formulation Into Insecticide-Miticide products Intended For:

(1) The following use(s):

Terrestrial Food Crops Use: Seed Alfalfa, Almonds, Apples, Apricots, Cherries, Figs, Grapefruit, Grapes, Lemons, Navel Oranges, Olives, Nectarines, Peaches, Plums, Prunes, Pears, Valencia Oranges and Walnuts.

Terrestrial Feed Crops: Almonds, Apples, Grapefruit, Grapes, Lemons, Navel Oranges, Plums, Valencia Oranges.

Greenhouse Non-Food Crops: Ornamentals, Shade Trees

Indoor Residential Crops: Ornamentals, Shade Trees.

(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.

STORAGE AND DISPOSAL

PROHIBITIONS: Do not contaminate water, food or feed by storage, disposal or cleaning of equipment. Open dumping is prohibited.

PESTICIDE STORAGE: For help with any spill, leak, fire or exposure involving this material, call day or night **1-800-892-0099.**

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

DISCLAIMER, RISKS OF USING THIS PRODUCT, LIMITED WARRANTY AND LIMITATION OF LIABILITY

IMPORTANT: Read the entire Label including this Disclaimer, Risks of using this product, Limited Warranty, and Limitation of Liability before using this product. If the terms are not acceptable THEN DO NOT USE THE PRODUCT; rather, return the unopened product within 15 days of purchase for a refund of the purchase price.

RISKS OF USING THIS PRODUCT: The Buyer and User (referred to collectively herein as "Buyer") of this product should be aware that there are inherent unintended risks associated with the use of this product which are impossible to eliminate. These risks include, but are not limited to, injury to plants and crops to which this product is applied, lack of control of the target pests or weeds, resistance of the target pest or weeds to this product, injury caused by drift, and injury to rotational crops caused by carry-over in the soil. Such risks of crop injury, non-performance, resistance or other unintended consequences are unavoidable and may result because of such factors as weather, soil conditions, disease, moisture conditions, irrigation practices, condition of the crop at the time of application, presence of other materials either applied in the tank mix with this product or prior to application of this product, cultural practices or the manner of use or application, (or a combination of such factors) all of which are factors beyond the control of Wilbur-Ellis Company. The Buyer should be aware that these inherent unintended risks may reduce the harvested yield of the crop in all or a portion of the treated acreage, or otherwise affect the crop such that additional care, treatment and expense are required to take the crop to harvest. If the Buyer chooses not to accept these risks THEN THIS PRODUCT SHOULD BE APPLIED. By applying this product Buyer acknowledges and accepts these inherent unintended risks AND AGREES THAT ALL SUCH RISKS ASSOCIATED WITH THE APPLICATION AND USE ARE ASSUMED BY THE BUYER.

Wilbur-Ellis Company shall not be responsible for losses or damages (including, but not limited to, loss of yield, increased expense of farming the crop or such incidental, consequential or special damages that may be claimed) resulting from use of this product in any manner not set forth on the label. Buyer assumes all risks associated with the use of this product in any manner or under conditions not specifically directed or approved on the label.

LIMITED WARRANTIES: Wilbur-Ellis Company warranty only that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the label, under average use conditions, when used strictly in accordance with the label and subject to the Risks of Using This Product as described above. EXCEPT AS SET FORTH ABOVE, WILBUR-ELLIS COMPANY MAKES NO OTHER WARRANTIES, EITHER EXPRESSED OR IMPLIED. No agent or representative of Wilbur-Ellis Company or Seller is authorized to make or create any other express or implied warranty.

LIMITATION OF LIABILITY: In no event shall Wilbur-Ellis Company or Seller be liable for any incidental, consequential, indirect or special damages resulting from the use or handling of this product. The limitation includes, but is not limited to, loss of yield on all or any portion of the treated acreage, increased care, treatment or other expenses required to take the crop to harvest, increased finance charges or altered finance ratings, emotional or mental distress and/or exemplary damages. **THE EXCLUSIVE REMEDY OF THE BUYER, AND THE EXCLUSIVE MAXIMUM LIABILITY OF WILBUR-ELLIS COMPANY OR SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT SHALL BE THE RETURN OF THE PURCHASE PRICE OF THIS PRODUCT OR, AT THE ELECTION OF WILBUR-ELLIS COMPANY OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

PROMPT NOTICE OF CLAIM: Wilbur-Ellis Company must be provided notice as soon as Buyer has reason to believe it may have a claim, but in no event later than twenty-one days from date of planting, or twenty-one days from the date of application, whichever is latter, so that an immediate inspection of the affected property and growing crops can be made.

If Buyer does not notify Wilbur-Ellis Company of any claims, in such period, it shall be barred from obtaining any remedy.

NO AMENDMENTS: Wilbur-Ellis Company and Seller offer this product, and Buyer accepts it, subject to the foregoing Disclaimer, Risks of Using this Product, Limited Warranty and Limitation of Liability, which may not be modified by any oral or written agreement.

Wilbur-Ellis logo® and IDEAS TO GROW WITH® are registered trademarks of Wilbur-Ellis Company.

Manufactured in U.S.A. By:
WILBUR-ELLIS COMPANY
PO Box 16458 - Fresno CA 93715