

5481-197

11-23-2011

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Ms. Julie Porter
Amvac Chemical Corporation
4695 Macarthur CT, Suite 1250
Newport Beach, CA 92660-1706

NOV 23 2011

SUBJECT: Technical Grade PCNB
EPA Registration Number 5481-197
Your submission dated November 21, 2011
OPPIN Decision Number 439581

Dear Ms. Porter:

The amendment referred to above, submitted in connection with registration under section 3 of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) is acceptable. As requested in your amendment dated November 21, 2011, the terms and conditions of your registration are amended as follows:

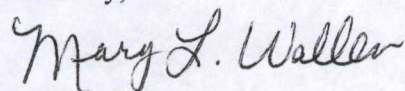
1. Amvac must submit to the OPP Product Manager for PCNB an impurity profile for the congeners of the impurities listed in the amended CSF for each finished, ready to label manufacturing lot of the technical product before the first release of that lot for sale or distribution. OPP will reevaluate the need for these submissions of impurity profiles at regular intervals beginning six months after the time of the first submission. In making these reevaluations of whether to remove the condition requiring the submission of impurity profiles, OPP will consider, among other factors, the following: (1) the number of lots evaluated at six months; (2) the levels of the impurities in those lots; (3) the variability in levels of the impurities within and across the lots; and (4) the extent to which the lots have to be blended in order to stay below the required limit on the CSF. When, and if, OPP determines that the condition can be removed from this registration, Amvac recognizes that it must continue collecting and maintaining information to document compliance with the certified limits for impurities included in the amended CSF for this product after this condition of registration has been satisfied, and will make such information available to EPA upon request.
2. Amvac will not market for reformulation into any registered product labeled for any end use other than the following: golf course turf (tees/greens/fairways) (liquid and granular); broccoli, Brussels sprouts, cabbage, and cauliflower (liquid and granular); collards, kale, and mustard greens (granular); cotton (liquid and granular); potato (liquid and granular);¹ and ornamental bulb soak (liquid).

¹ Although this list of approved uses includes use of PCNB on potatoes, this only refers to use in conformity with the rates and other directions set forth in the amendment applications for Turfcide 4F and Turfcide 10% Granular. Amvac recognizes that OPP has not yet evaluated the acceptability of differing use rates or label directions previously adopted for PCNB end-use products that are labeled for use on potatoes and registered under Section 24(c) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

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3. EPA has yet to make decisions for the remaining PCNB end uses; therefore, the removal of the condition of registration in paragraph 2 is predicated on either a decision by EPA to allow the remaining uses to be marketed, or a request by Amvac to delete each of the remaining uses.
 4. Amvac may only sell or distribute with labeling bearing the following labeling statements: "This product may only be reformulated into end-use products that do not bear directions for use for any use other than for golf course turf (tees/greens/fairways) (liquid and granular); broccoli, Brussels sprouts, cabbage, cauliflower (liquid and granular); collards, kale and mustard greens (granular); cotton (liquid and granular); potato (liquid and granular); and ornamental bulb soak (liquid); and this product may only be reformulated into a registered pesticide product for which the registration was either initially granted or amended by EPA after November 21, 2011.
 5. Amvac will submit a subsequent amended "master" label along with any additional use deletion requests submitted after EPA makes a determination concerning those retained uses of this product that are not allowed by the condition of registration governing the accepted master label appended to this letter.
 6. Amvac will submit one (1) copy of the final printed label before the product is released for shipment.

If you have any questions, you may reach me by phone at (703) 308-9354 or via email at waller.mary@epa.gov.

Sincerely,



Mary L. Waller
Product Manager (21)
Fungicide Branch
Registration Division (7504P)

Enclosure: Accepted Label

TECHNICAL GRADE PCNB

FOR MANUFACTURING PURPOSES ONLY.

This product is for use only by formulators in the manufacture of Agricultural Fungicidal products, offered for sale to the public, and which are duly registered with the U.S. Environmental Protection Agency for the use patterns as found listed on this label.

ACTIVE INGREDIENT:

Pentachloronitrobenzene (PCNB).....96.2%

INERT INGREDIENTS:..... 3.8%

TOTAL: 100.0%

KEEP OUT OF REACH OF CHILDREN CAUTION

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 lenses, if present, after the first 5 minutes, then continue rinsing eye.• 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 swallowed:	<ul style="list-style-type: none">• Call 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 a poison control center or doctor.• Do not give anything by mouth to an unconscious person.
EMERGENCY INFORMATION	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. FOR THE FOLLOWING EMERGENCIES, PHONE 24 HOURS A DAY: Medical:AMVAC.....1-323-264-3910 Transportation: CHEMTREC.....1-800-424-9300	

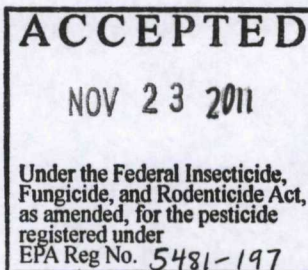
See additional precautionary statements located elsewhere on the label.

EPA Reg. No. 5481-197

EPA Est. No. 5481-CA-1

NET WEIGHT: 55.12 LB (25 KG)


4100 E. Washington Blvd.
Los Angeles, CA 90023 U.S.A
1-323-264-3910 •



PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed, inhaled or absorbed through the skin. Causes moderate eye irritation. Avoid contact with eyes, skin, or clothing. Avoid inhalation of dust. May cause irritation of the skin. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals.

Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.

During mixing and/or blending operations, wear a hat or other suitable head covering, a long-sleeved shirt and long legged trousers, or a coverall type garment (all of closely woven fabric covering the body, including the arms and legs), shoes and socks.

Remove and wash contaminated clothing before reuse.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic organisms. 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 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.

This product may only be reformulated into end-use products that do not bear directions for use for any use other than for golf course turf (tees/greens/fairways) (liquid and granular); broccoli, Brussels sprouts, cabbage, cauliflower (liquid and granular); collards, kale, and mustard greens (granular); cotton (liquid and granular); potato (liquid and granular); and ornamental bulb soak (liquid); and this product may only be reformulated into a registered pesticide product for which the registration was either initially granted or amended by EPA after November 21, 2011.

For end use products bearing directions for use on cole crops, the maximum seasonal application rate is 22.5 lb ai/A.

This product may not be used to formulate products for use on golf course roughs; residential sites including lawns, yards, and ornamental plants and gardens around homes and apartments; grounds around day care facilities; school yards; parks (except industrial parks); playgrounds; and athletic fields (except professional and college fields).

REGISTERED USE PATTERNS FOR PENTACHLORONITROBENZENE (PCNB) END-USE PRODUCTS

Terrestrial Food Crop Use

Beans, Broccoli, Brussels Sprouts, Cabbage, Cauliflower, Collards, Cotton, Garlic, Kale, Mustard Greens, Peanuts, Peppers, Potatoes, Tomatoes. End-use product formulated from this product and labeled for use on cole crops (including broccoli, Brussels sprouts, cabbage, cauliflower, collards, kale, and mustard greens) must indicate that the maximum seasonal application rate for cole crops is 22.5 lb ai/A.

Seed Treatment Uses

Barley, Beans, Corn, Cotton (Acid-Delinted, Fuzzy, Reginned or Mechanically-Delinted), Oats, Peanuts, Peas, Rice, Safflower, Sorghum, Soybeans, Sugar Beets, Wheat.

Non-residential Terrestrial Non-Food Crop Uses

African Violet, Azaleas, Bedding Plants, Begonias, Calendula, Camellia, Carnation, Chrysanthemum, Gladiolus, Hyacinth, Iris (Bulbous), Iris (Dutch), Larkspur, Lilies, Narcissus, Ornamental Flowering Plants, Woody Ornamentals, Southern Pine Seed or Seedlings, Poinsettia, Roses, Snapdragon, Southern Magnolia Trees, Sweet Peas, Tulips.

Non-residential Ornamental Turf Uses

Golf course (tees, greens, and fairways), industrial parks, sod farms and professional and college athletic fields planted in Bahiagrass, Bentgrass, Bermudagrass, Bluegrass, Centipedegrass, Dichondra, Fescue varieties, Fescue (fine), Kentucky Bluegrass and varieties (Merion and Windsor), Ryegrass, Ryegrass (perennial), St. Augustinegrass, and Tall Fescue.

This product may not be used to formulate products for use on golf course roughs; residential sites including lawns, yards, and ornamental plants and gardens around homes and apartments; grounds around day care facilities; school yards; parks (except industrial parks); playgrounds; and athletic fields (except professional and college fields).

End-use product formulated from this product and registered for use sites that include professional and college athletic fields must include the following information in the 'Directions for Use': "When this product is used on professional and college athletic fields:

- applicators must ensure that the treated area will be idle for at least 2 days after application;
- applications are limited to Fall and Winter months for pink or grey snow mold;
- no more than 3 applications may be made per season (October - March), with a minimum of 14 days between applications; and
- single applications must not exceed 33 lbs ai/A, and total seasonal applications must not exceed 66 lbs ai/A."

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: This product is very stable and can be stored indefinitely. Because of its characteristic odor, store Technical Grade PCNB in a well-ventilated area away from the other products which may absorb odors. Do not store near feed or foodstuffs.

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. Completely empty bag into formulation 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.

LIMITED WARRANTY AND DISCLAIMER

The manufacturer warrants (a) that this product conforms to the chemical description on the label; (b) that this product is reasonably fit for the purposes set forth in the directions for use, subject to the inherent risks referred to herein, when it is used in accordance with such directions; and (c) that the directions, warnings, and other statements on this label are based upon responsible experts' evaluations of reasonable tests of effectiveness, of toxicity to laboratory animals and to plants and residues on food crops, and upon reports of field experience. Tests have not been made on all varieties of food crops and plants, or in all states or under all conditions.

THERE ARE NO EXPRESS WARRANTIES OTHER THAN THOSE SET FORTH HEREIN. TO THE EXTENT CONSISTANT WITH APPLICABLE LAW THE MANUFACTURER NEITHER MAKES NOR INTENDS, NOR DOES IT AUTHORIZE ANY AGENT OR REPRESENTATIVE, TO MAKE ANY OTHER WARRANTIES, EXPRESS OR IMPLIED, AND IT EXPRESSLY EXCLUDES AND DISCLAIMS ALL IMPLIED WARRANTIES OF MERCHANTABILITY OF FITNESS FOR A PARTICULAR PURPOSE, OR

ANY WARRANTY OF QUALITY OR PERFORMANCE. THIS WARRANTY DOES NOT EXTEND TO, AND THE BUYER SHALL BE SOLELY RESPONSIBLE FOR, ANY AND ALL LOSS OR DAMAGE WHICH RESULTS FROM THE USE OF THIS PRODUCT IN ANY MANNER WHICH IS INCONSISTENT WITH THE LABEL DIRECTIONS, WARNINGS OR CAUTIONS.

TO THE EXTENT CONSISTANT WITH APPLICABLE LAW BUYER'S EXCLUSIVE REMEDY AND MANUFACTURER'S OR SELLER'S EXCLUSIVE LIABILITY FOR ANY AND ALL CLAIMS, LOSSES, DAMAGES, OR INJURIES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER OR NOT BASED IN CONTRACT, NEGLIGENCE, STRICT LIABILITY IN TORT OR OTHERWISE, SHALL BE LIMITED, AT THE MANUFACTURER'S OPTION, TO REPLACEMENT OF, OR THE REPAYMENT OF THE PURCHASE PRICE FOR, THE QUANTITY OF PRODUCT WITH RESPECT TO WHICH DAMAGES ARE CLAIMED. TO THE EXTENT CONSISTANT WITH APPLICABLE LAW MANUFACTURER OR SELLER SHALL NOT BE LIABLE FOR SPECIAL, INDIRECT OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

AMVAC offers this product, and Buyer accepts it, subject to the foregoing Limited Warranty which may be varied only by agreement in writing signed by an authorized representative of AMVAC.

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