

5549-89

8/27/2009

1 of 6



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

James Pearce
Coastal AgroBusiness, Inc.
P.O. Box 856
3702 Evans St.
Greenville, NC 27834

AUG 27 2009

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

Dear Ms. Wagner:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated July 7, 2009 for:

EPA Registration 5549-89

Check Maleic Hydrazide 15

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

Sincerely,

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

2016

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 5549-89	2. EPA Product Manager	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Check Maleic Hydrazide 15	PM#	
5. Name and Address of Applicant (Include ZIP Code) Coastal AgroBusiness, Inc. PO Box 856 3702 Evans Street Greenville, NC 27834 <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. <u>NOTIFICATION</u> Product Name <u>AUG 27 2009</u>	

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.)

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.

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 type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
* Certification must be submitted	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container	Other (Specify) <u>bulk</u>
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container <u>5, 110, 220 GAL.</u>		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 checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> 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 James M. Pearce	Title Director - Product Development	Telephone No. (Include Area Code) 252-756-1120
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. Date Application Received (Stamped)
2. Signature 	3. Title Director - Product Development	
4. Typed Name James M. Pearce	5. Date <u>7-7-09</u>	

3096

GROWTH RETARDANT
Controls
Tobacco Sucker Growth

Check ✓ Maleic Hydrazide 15

Active Ingredient: (% by weight)

Maleic Hydrazide, potassium salt (CAS No. 28382-15-2)
(1,2-dihydro-3,6-pyridazinedione, potassium salt).....21.7%*

Inert Ingredients:78.3%

TOTAL.....100.0%

*Contains 1.5 pounds of maleic hydrazide (expressed without potassium salt) per gallon.

* Contains 180 grams of maleic hydrazide (expressed without potassium salt) per liter.

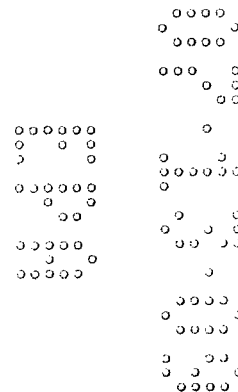
**KEEP OUT OF REACH OF CHILDREN
CAUTION**

Manufactured by:
Coastal AgroBusiness, Inc.
Greenville, North Carolina

EPA Reg. No. 5549-89

EPA Est. No. 5549-NC-14

NET CONTENTS:



FIRST AID

IF IN EYES:

- Hold eye open and rinse slowly and gently with water for 15 to 20 minutes.
- Remove contact lens, if present, after the first 5 minutes, then continue rinsing eye.
- Call a poison control center or doctor for treatment advice.

EMERGENCY ASSISTANCE: Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

TRANSPORTATION EMERGENCY (CHEMTREC) 800-424-9300

**PRECAUTIONARY STATEMENTS
Hazards to Human and Domestic Animals**

CAUTION

Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.

PERSONAL PROTECTIVE EQUIPMENT

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

Applicators and other handlers must wear: Long sleeved shirt and long pants, chemical-resistant gloves made of any waterproof material such as polyethylene or polyvinyl chloride; 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, 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

Users must:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- 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 by disposal of equipment washwaters.

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.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Read all label directions carefully before use. Do not apply this product through any type of irrigation system. 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. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the **restricted entry interval (REI) of 12 hours.**

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is:

coveralls; chemical-resistant gloves made of any waterproof material; shoes plus socks

DIRECTIONS FOR USE: TOBACCO

BENEFITS

To prevent sucker development on flue-cured, burley, dark, Maryland and cigar (Pennsylvania and Wisconsin) tobacco.

GENERAL INFORMATION

CHECK MH15 is a potassium salt formulation of maleic hydrazide used to prevent sucker development in tobacco. Because CHECK MH15 is absorbed and moves inside the tobacco plant, spraying the whole plant is not necessary. See APPLICATION NOTES for additional important information.

APPLICATION EQUIPMENT

Best results are obtained when CHECK MH15 is applied to the upper 1/3 to 1/2 of the plant. To obtain satisfactory control, it is very important to apply equal amounts of CHECK MH15 to each plant, at the correct time*.

*(see Rate and Timing of Application section below).

Flue-Cured Tobacco

Apply CHECK MH15 with powered spray equipment. Sprayers with 3 full cone nozzles per row, applying either a coarse spray (i.e. 20 to 30 psi) or a fine spray (40 to 50 psi), will give equivalent sucker control. Do not use drop nozzles, since such systems can deposit undesired spray on the underside of the leaves or on the lowest leaves, which are harvested first.

Burley, Maryland, Dark and Cigar (Pennsylvania and Wisconsin) Tobacco

Apply CHECK MH15 with motorized field sprayers (high-clearance or tractor-mounted) equipped with solid cone nozzles that deliver a coarse spray at 20 to 30 psi in a uniform spray pattern. For example, application may be made with a broadcast arrangement over the row on 20 to 24 inch boom spacings, or with a three solid cone nozzle arrangement directed over the row. With any sprayer setup, the application must provide good, uniform coverage of the crop. CHECK MH15 may also be applied with hand-held equipment, provided that a uniform spray pattern is delivered.

RATE AND TIMING OF APPLICATION

Apply the higher rate of CHECK MH15 when plants are very vigorous. Always remove any suckers present at topping time.

Flue-Cured Tobacco

Apply 1.5 to 2 gallons of CHECK MH15 in 40 to 50 gallons of water per acre as a coarse or fine spray. Application should be made 5 to 7 days after the last contact treatment, or when the uppermost harvestable leaves are a minimum of 8 inches long.

Burley and Maryland Tobacco

Top and sucker the plants when 10 to 25% of the plants in the field have one open flower. Remove all existing suckers and apply CHECK MH15 within 24 hours, at a rate of 1.5 to 2.0 gallons in 50 gallons of water per acre. Tip leaves to be harvested should be at least 8 inches long at time of topping, suckering and CHECK MH15 application.

Dark Tobacco

Apply 1.5 to 2 gallons of CHECK MH15 in 50 gallons of water per acre. Apply CHECK MH15 within 24 hours after topping. Topping should be done when 10 to 25% of the plants in the field have one open flower. Existing suckers should be removed at topping time.

Wisconsin Cigar Tobacco

Apply 1.5 to 2 gallons of CHECK MH15 in 50 gallons of water per acre. Apply CHECK MH15 within 24 hours after topping. Tobacco should be topped between the time when the first flowers open and not later than when 50% of the plants are in flower. Existing suckers should be removed at topping time.

Pennsylvania Cigar Tobacco

Apply 1.5 to 2 gallons of CHECK MH15 in 50 gallons of water per acre. Apply CHECK MH15 within 24 hours of topping. Topping should be done when 25 to 50% of the plants in the field have one open flower. Existing suckers should be removed at topping time.

APPLICATION NOTES: TOBACCO

1. Always follow dosage recommendations carefully and spray field uniformly. Too little CHECK MH15 may result in less than desired sucker control; too much may reduce quality of tips.
2. Use only one application of CHECK MH15 per year, unless rains occur within 6 hours after application. Should washoff occur within 6 hours, a single repeat application may be made to ensure effective sucker control.
3. To control tobacco suckers effectively, apply CHECK MH15 at the proper time. Spraying too early in the season may prevent normal development of top leaves; spraying too late will allow some sucker growth.
4. Compatibility studies with CHECK MH15 and foliage applied fungicides and insecticides have not been completed. Separate application is recommended.
5. Do not use on tobacco plants grown for seed production.
6. Do not spray tobacco in the middle of hot, dry days when leaves are severely wilted. For best results, spray during the early morning, or all day on cloudy days, avoiding late afternoon or night applications.
7. Closely hand-suckered tobacco or tobacco treated with CHECK MH15 will not ripen as rapidly as poorly suckered tobacco. Also, under some conditions CHECK MH15 treated tips have a tendency to turn yellow prematurely. This is not harmful and does not mean that your tobacco is ripe. Therefore, do not harvest tobacco treated with CHECK MH15 by using time and color of the leaves as your only guide to ripeness. Use other characteristics indicative of ripeness such as:
 - a. Fading of color from midrib.
 - b. Change in apparent leaf texture.

- 8. If tobacco plants have been grown under drought conditions, absorption of CHECK MH15 may be slow, and results may not be as good as when plants have been grown under normal conditions.
- 9. Allow at least 7 days after application before harvest.
- 10. Even though CHECK MH15 is non-volatile, no drift should be permitted onto nearby crops.
- 11. SURFACE WATER ADVISORY: Under some conditions, maleic hydrazide may have a significant potential for runoff into surface water (primarily via dissolution in runoff water), for several days post-application. Conditions favoring runoff include poorly draining soils or wet soils with readily visible slopes, frequently flooded areas, areas where an intense or sustained rainfall is forecast to occur within 48 hours, areas overlying extremely shallow ground water, and areas overlying tile drainage systems that flow to surface water.

ALWAYS SHAKE OR STIR WELL BEFORE USE.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in original container only. After partial use, replace lid and close tightly. Store in a secure place that is temperate, dry and out of direct sunlight. The active ingredient in CHECK MH15 will separate from the surfactant at temperatures above 134°F. If containers have been exposed to high temperatures, the contents can be remixed by lowering the temperature of the entire formulation below 134°F and applying agitation. **ALWAYS SHAKE OR STIR WELL BEFORE USE.**

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.

EQUIPMENT CLEANING: CHECK MH15 is not corrosive to spray equipment. Following applications, all spray equipment should be thoroughly rinsed with water. Do not contaminate water by disposal of equipment washwaters.

CONTAINER DISPOSAL

NONREFILLABLE CONTAINER

Plastic Containers: ~~Do not reuse or refill this container. Triple-rinse container (or equivalent) promptly after emptying.~~ Then offer container for recycling, reconditioning, or puncture and dispose of in a sanitary landfill, by incineration, or if allowed by State and local authorities, by burning. If burned, stay out of smoke.

~~Triple Rinse as follows: For containers with capacities equal to or less than 5 gallons: 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.~~

~~For containers with capacities greater than 5 gallons or 50 lbs.: Empty 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.~~

~~Recycling: Once cleaned, some agricultural plastic pesticide containers can be taken to a container collection site or picked up for recycling. To find the nearest site, contact your chemical dealer or manufacturer, or contact the Ag. Container Recycling Council (ACRC) at 1-877-952-2272 (toll free) or www.acrecycle.org.~~

REFILLABLE CONTAINER

~~Mini-Bulk Container: Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller.~~

~~To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this procedure two more times.~~

IMPORTANT NOTICE — Seller warrants that this product conforms to its chemical description and is reasonably fit for the purposes stated on the label when used in accordance with the directions and instructions specified on the label under normal conditions of use, but neither this warranty nor any other warranty of merchantability or fitness for a particular purpose, express or implied, extends to the use of this product, contrary to label instructions, or under abnormal conditions, or under conditions not reasonably foreseeable to seller, and to the extent permitted by applicable law buyer assumes the risk of any such use.

