

7969-151

10/30/2009

1/5



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Dave G. Bolin, Ph.D.
Product Registration Manager
BASF Corporation
P.O. Box 13528
Research Triangle Park, NC 27709

OCT 30 2009

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

1. Changed "inert ingredients" to "other ingredients"
2. Updated warranty statements
3. Other minor changes

Dear Dr. Bolin:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 2007-4 and 98-10 dated July 27, 2009 for:

EPA Registration 7969-157
EPA Registration 7969-151

Diffuzenzopyr Technical Herbicide
Sodium Diffuzenzopyr Technical Herbicide

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

2/5

Please read instructions on reverse before completing form.

Form Approved. B No. 2070-0060, Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

| | | |
|--|--|--|
| 1. Company/Product Number BASF Corporation / 7969-151 | 2. EPA Product Manager Joanne Miller | 3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted |
| 4. Company/Product (Name) BASF Corporation / Sodium Diflufenzopyr technical herbicide | PM# 23 | |
| 5. Name and Address of Applicant (Include ZIP Code) BASF Corporation P.O. Box 13528 Research Triangle Park, NC 27709 <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 _____ | PR Notice 2007-4 NOTIFICATION OCT 30 2009 |
| <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.)

Label notification submitted in accordance with PR Notice 98-10 and 2007-4. Two (2) copies of the label are submitted.

No PRIA fee is associated with this action
Attn: Label Notification Team

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 | Metal Plastic Glass Paper <input checked="" type="checkbox"/> Other (Specify) <u>supersack</u> | | |
| * 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 type="checkbox"/> Container | | 4. Size(s) Retail Container including, not limited to, 1400 lbs | | 5. Location of Label Directions <input checked="" type="checkbox"/> On Label | |
| 6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph 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 Dave G. Bolin, Ph.D. | Title Product Registration Manager | Telephone No. (include Area Code) 919-547-2108 |
| 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 <i>Dave G Bolin</i> | 3. Title Product Registration Manager | |
| 4. Typed Name Dave G. Bolin | 5. Date July 27, 2009 | |



The Chemical Company

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
One Potomac Yard
2777 S. Crystal Drive
Arlington, Virginia 22202

July 27, 2009

Re: Label Notification for Sodium Diflufenzopyr Technical Herbicide (EPA Reg. No. 7969-151)

Dear Notification Team,

BASF is hereby submitting an updated Label for Sodium Diflufenzopyr Technical Herbicide. BASF believes that these changes are consistent with the Notification criteria as described under PR Notice 98-10 and PR Notice 2007-4. The following changes were made to the label.

- 1) Changed "Inert Ingredients" to "Other Ingredients" (PR Notice 98-10 IV F 8)
- 2) Changed text regarding reformulation to state "Consult BASF before using this product for formulating purposes. Each formulator is responsible for obtaining EPA registration for their end-use product(s)." (PR Notice 98-10 II N 1-3)
- 3) Updated Container Disposal Language per PR Notice 2007-4
- 4) Updated Conditions of Sale and Warranty to current BASF standard text. (PR Notice 98-10 II J)

Attached to support this submission are two copies of the Label and completed EPA Form 8570-1.

Please feel free to contact me (919-547-2108 / david.bolin@basf.com) if you have any questions

This notification is consistent with the provisions of PR Notice 98-10, PR Notice 2007-4, 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, PR Notice 2007-4 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.

Respectfully Submitted,

Dave G. Bolin, Ph.D.
Product Registration Manager
U.S. Regulatory Affairs

® Registered Trademark of BASF



The Chemical Company

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
One Potomac Yard
2777 S. Crystal Drive
Arlington, Virginia 22202

October 27, 2009

Re: Label Notification for Sodium Diflufenzopyr Technical Herbicide (EPA Reg. No. 7969-151)

Dear Notification Team,

With regards to the above submission on July 27, 2009, I certify:

"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."

I can be contacted via phone or e-mail (919-547-2108 / david.bolin@basf.com) if you have any questions. I appreciate your assistance with this matter.

Thank you,

A handwritten signature in black ink that reads "Dave G. Bolin".

Dave G. Bolin
Product Registration Manager –
U.S. Regulatory Affairs

© Registered Trademark of BASF

BASF Corporation
Agricultural Products
26 Davis Drive
Research Triangle Park, NC 27709
Tel: (800) 669-1770
www.agproducts.basf.com



The Chemical Company

NOTIFICATION

OCT 30 2009

Sodium Diflufenzopyr Technical Herbicide

For Manufacturing Purposes Only

| | |
|---|--------|
| Active Ingredient: | |
| Sodium salt of diflufenzopyr: 2-(1-[[[3,5-difluorophenylamino]carbonyl]-hydrazono]ethyl)-3-pyridinecarboxylic acid, sodium salt | 93.0% |
| Other Ingredients: | 7.0% |
| Total: | 100.0% |

EPA Reg. No.: 7969-151

EPA Est. No.: 71858-KS-001

**KEEP OUT OF REACH OF CHILDREN
CAUTION/PRECAUCION**

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand the label, find someone to explain it to you in detail.)

Precautionary Statements Hazards to Humans and Domestic Animals

CAUTION. Causes moderate eye irritation. Avoid contact with eyes, skin, or clothing. Harmful if swallowed. Wash thoroughly with soap and water after handling.

FIRST AID

| | |
|------------------------|--|
| 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 first 5 minutes, then continue rinsing eye. ▪ Call a poison control center or doctor for treatment advice. |
| 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 a 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. |

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 BASF Corporation for emergency medical treatment information: 1-800-832-HELP (4357)

Environmental Hazards

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 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. Only for formulation into a herbicide for the following uses: 1) corn, pasture, rangeland, and noncropland sites; 2) uses for which U.S. EPA has accepted the required data or citations of data that the formulator has submitted in support of registration; and 3) uses for experimental purposes that are in compliance with U.S. EPA requirements. Consult BASF Corporation before using this product for formulating purposes. Each formulator is responsible for obtaining EPA registration for their end-use product(s).

Storage and Disposal

DO NOT contaminate water, food or feed by storage or disposal.

Pesticide Storage: Store in original container in a well-ventilated area separately from fertilizer, feed and foodstuffs. Avoid cross-contamination with other pesticides. Spillage or leakage should be contained, carefully swept up, and collected for disposal. Wash area of spill with detergent and water.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of at an approved waste disposal facility.

Container Disposal: (Supersack) Nonrefillable Container: DO NOT reuse or refill this container. Completely empty bag into application equipment; then dispose of empty bag in a sanitary landfill or by incineration, or by other procedures approved by state and local authorities.

Conditions of Sale and Warranty

BASF warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the Directions For Use. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BASF MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S EXCLUSIVE REMEDY AND BASF'S EXCLUSIVE LIABILITY, WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE, SHALL BE LIMITED TO REPAYMENT OF THE PURCHASE PRICE OF THE PRODUCT. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BASF AND THE SELLER DISCLAIM ANY LIABILITY FOR CONSEQUENTIAL, EXEMPLARY, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. BASF and the Seller offer this product, and the Buyer and User accept it, subject to the foregoing Conditions of Sale and Warranty which may be varied only by agreement in writing signed by a duly authorized representative of BASF.

In Case of Emergency

In case of large scale spillage in the U.S. regarding this product, call:

CHEMTREC 1-800-424-9300

BASF Corporation 1-800-832-HELP (4357)

In case of medical emergency regarding this product, call: 1) Your local doctor for immediate treatment. 2) Your local poison control center (hospital). 3) BASF Corporation 1-800-832-HELP. **Steps to be taken in case material is released or spilled:** Dike and contain spill with inert material (sand, earth, etc.) and transfer liquid and solid material to separate labeled containers for disposal. Remove contaminated clothing and wash affected skin areas with water. Wash clothing before reuse. Keep spill out of all sewers and open bodies of water.

Net Contents:

Produced for:
BASF Corporation
26 Davis Drive, Research Triangle Park, NC 27709

© 2009 BASF Corporation. All rights reserved

007969-00151.20091001.NVA 2008-13-233-0105

5/5