

7969-157

10/30/2009

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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

Diflufenzopyr Technical Herbicide
Sodium Diflufenzopyr 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

AK



United States
Environmental Protection Agency
 Washington, DC 20460

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

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number BASF Corporation / 7969-157	2. EPA Product Manager Joanne Miller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) BASF Corporation / 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 _____
<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.

PR Notice 2007-4
NOTIFICATION
 OCT 30 2009

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		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
* Certification must be submitted				<input type="checkbox"/> Glass	<input checked="" type="checkbox"/> Paper
	If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container		Other (Specify) supersack	
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 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) O
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

October 27, 2009

Re: Label Notification for Diflufenzopyr Technical Herbicide (EPA Reg. No. 7969-157)

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,

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

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The Chemical Company

Diflufenzopyr Technical herbicide

NOTIFICATION
OCT 30 2009

For Manufacturing Purposes Only

Active Ingredient:

Diflufenzopyr: 2-(1-[[[3,5-difluorophenylamino]carbonyl]-hydrazono]ethyl)-3-pyridinecarboxylic acid	99.1%
Other Ingredients:	0.9%
Total:	100.0%

EPA Reg. No.: 7969-157

EPA Est. No.:

**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.

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 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

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