

7969-207

8/18/2010

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

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

NOTIFICATION

AUG 18 2010

Dave G. Bolin, Ph.D.
Product Registration Manager
BASF Corporation, Agricultural Products
P.O. Box 13528
Research Triangle Park, NC 27709-3528

Subject: Application for Pesticide Notification
EPA Registration Number: 7969-207
Date of Submission: August 2, 2010

Dear Dr. Bolin:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration (PRN) 98-10 dated August 2, 2010, for the above mentioned product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions 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 regarding this letter, please contact Clayton Myers at (703) 347-8874.

Sincerely,

for

Richard Gebken
Product Manager
Insecticide Branch
Registration Division (7505P)

Enclosures: Copy of Label Stamped "Notification"



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 7969-207 | 2. EPA Product Manager Richard Gebken | 3. Proposed Classification <input type="checkbox"/> None <input checked="" type="checkbox"/> Restricted |
| 4. Company/Product (Name) REGENT 4SC Insecticide | PM# 10 | |
| 5. Name and Address of Applicant (Include ZIP Code) BASF Corp, Agricultural Products PO Box 13528 Research Triangle Park, NC 27709-3528 <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 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 additional text, specifying "Not for sale or use in New York." Changes are made in accordance with PR Notice 98-10.

No PRIA fee is associated with this action.

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 |
| * Certification must be submitted | | If "Yes" Unit Packaging wgt. No. per container | If "Yes" Package wgt. No. per container | <input type="checkbox"/> Glass | <input type="checkbox"/> Paper |
| | | | | <input type="checkbox"/> Other (Specify) _____ | |
| 3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container | | 4. Size(s) Retail Container less than 5 gallons in size | | 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 | 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 | 3. Title Product Registration Manager | |
| 4. Typed Name Dave G. Bolin | 5. Date August 2, 2010 | |



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

August 2, 2010

Re: Label Notification for REGENT® 4SC (EPA Reg. No. 7969-207)

Dear Notification Team,

BASF is hereby submitting an updated Label for Regent 4SC Insecticide. BASF believes that this changes are consistent with the Notification criteria as described under PR Notice 98-10. The text below was added to the label.

1) **Page 1:** Added: "Not for sale or use in New York."

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

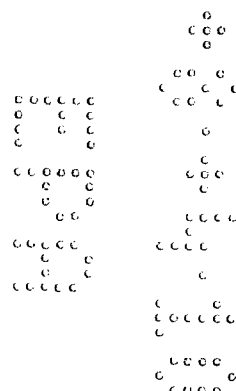
Please feel free to contact me (919-547-2108 / david.bolin@basf.com) if you have any questions

This notification is consistent with the provisions of PR Notice 98-10 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



4/9

RESTRICTED USE PESTICIDE
DUE TO TOXICITY TO AQUATIC INVERTEBRATES
For retail sale to and use only by Certified Applicators or persons under their direct supervision,
and only for those uses covered by the Certified Applicator's certification.



The Chemical Company



NOTIFICATION

AUG 18 2010

For In-Furrow Use on Potatoes

Shake Well Before Use

Not for sale or use in New York

Active Ingredient:

Fipronil: 5-amino-1-(2,6-dichloro-4-(trifluoromethyl) phenyl)-4-
((1,R,S)-(trifluoromethyl)sulfinyl)-1-H-pyrazole-3-carbonitrile 39.4%

Other Ingredients: 60.6%

Total: 100.0%

One gallon Regent 4 SC insecticide contains 4 lbs fipronil.

EPA Reg No. 7969-207

EPA Est. No.

KEEP OUT OF REACH OF CHILDREN

WARNING/AVISO

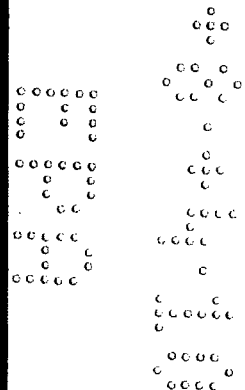
Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

See inside for complete **First Aid, Precautionary Statements, Directions For Use, Conditions of Sale and Warranty**, and state specific use sites and/or restrictions.

In case of an emergency endangering life or property involving this product, call day or night, 1-800-832-HELP (4357).

Net Contents:

BASF Corporation
26 Davis Drive, Research Triangle Park, NC 27709



| FIRST AID | |
|---|--|
| If swallowed | <ul style="list-style-type: none"> • Immediately call a poison control center or doctor for treatment advice. • DO NOT induce vomiting unless told to do so by a poison control center or doctor. • Have person sip a glass of water if able to swallow. • 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. |
| 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 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. • Call a poison control center or doctor for treatment advice. |
| <p>For MEDICAL Emergencies Call 24 hours a day 1-800-832-HELP (4357). Have the product container or label with you when calling a poison control center or doctor or going for treatment.</p> | |
| <p>NOTE TO PHYSICIAN: There is no specific antidote. All treatment should be based on observed signs and symptoms of distress in the patient. Overexposure to materials other than this product may have occurred.</p> | |
| <p>GENERAL: Contact a physician immediately in all cases of suspected poisoning. Transport patient to a physician or hospital immediately and SHOW A COPY OF THIS LABEL TO THE PHYSICIAN. If poisoning is suspected in animals, contact a veterinarian. SYMPTOMS OF POISONING: In severe cases of overexposure by oral ingestion, lethargy, muscle tremors, and in extreme cases, possibly convulsions, may occur.</p> | |

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING

MAY BE FATAL IF SWALLOWED, ABSORBED THROUGH SKIN, OR INHALED. CAUSES EYE IRRITATION. DO NOT get on skin or breathe spray mist. **DO NOT** get in eyes or on clothing. Wash thoroughly with soap and water after handling and before eating, drinking, and using tobacco. Remove contaminated clothing and wash before reuse.

PERSONAL PROTECTIVE EQUIPMENT (PPE)
Applicators, mixer/loaders and other handlers must wear:

- Coveralls over short-sleeved shirts and short pants
- Chemical-resistant (such as nitrile or butyl) gloves
- Chemical-resistant footwear plus socks
- Chemical-resistant headgear for overhead exposure
- Protective eyewear
- Respirator with an organic vapor-removing cartridge with a prefilter approved for pesticides (MSHA/NIOSH approval number prefix TC-23C), or a canister approved for pesticides (MSHA/NIOSH approval number prefix TC-14G), or NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any N,R,P or HE prefilter
- Chemical-resistant apron when cleaning equipment or mixing and loading

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's

concentrate. **DO NOT** reuse them. 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.

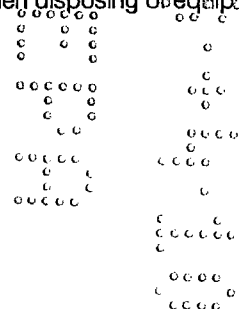
USER SAFETY RECOMMENDATIONS

Users should:

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

Environmental Hazards

This pesticide is toxic to birds, fish, and aquatic invertebrates. **DO NOT** apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. **DO NOT** contaminate water when disposing of equipment washwaters or rinsate.



DIRECTIONS FOR USE

RESTRICTED USE PESTICIDE

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

Read entire label before using this product.

Regent® 4 SC insecticide cannot be used to formulate, reformulate or repackage into any other pesticide product without the written permission of BASF Corporation.

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 (WPS), 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 **0 hours**.

STORAGE AND DISPOSAL

DO NOT contaminate water, food, or feed by storage or disposal. Open dumping is prohibited.

PESTICIDE STORAGE

DO NOT store in or around the home. Store unused product in original container only, in a cool, dry area out of reach of children and animals. Store at temperatures above 32° F. If exposed to freezing temperatures, store at temperatures above freezing for 24 hours or until completely thawed. Shake well before using.

PESTICIDE DISPOSAL

Pesticide wastes are acutely hazardous. 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 Hazardous Waste Representative at the nearest EPA Regional Office for guidance.

(Continued)

STORAGE AND DISPOSAL (Continued)

CONTAINER DISPOSAL

Nonrefillable Container. DO NOT reuse or refill this container. Triple rinse or pressure rinse container (or equivalent) promptly after emptying; then offer for recycling, if available, or reconditioning, if appropriate, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures approved by state and local authorities.

Triple rinse containers small enough to shake (capacity ≤ 5 gallons) as follows:

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.

IN CASE OF SPILL

If container is damaged, before cleaning up, put on personal protective equipment.

In case of large-scale spillage regarding this product, call:
CHEMTREC 1-800-424-9300
BASF Corporation 1-800-832-HELP (4357)

GENERAL PRECAUTIONS AND INSTRUCTIONS

SPRAY PREPARATION

Remove oil, rust, scale, pesticide residues and foreign matter from sprayer and strainer. Flush with clean water. Use 50 mesh screens or equivalent in spray system. Applicator tanks must be equipped with a sparge tube agitator, unless the alternative agitator designs can adequately cleanse the bottom of the tank and provide sufficient agitation required for product mixing. Pump approximately 10% of the tank capacity per minute back into the tank through the agitator.

To prepare for spraying, fill tank to approximately 1/2 the needed volume of water or liquid fertilizer and start agitation. Open product container(s) and pour contents into tank. Agitate to ensure thorough mixing for a minimum of 2 minutes or until product is thoroughly dispersed. Agitate product mixtures continuously during use. Avoid allowing tank contents to remain without agitation for periods greater than 1 hour. When tank contents have remained without agitation for 1 hour or longer, agitate contents for at least 10 minutes before starting application. Avoid allowing large quantities of product mixtures (greater than 5 gallons) to be stored in a non-agitated tank for extended periods of time, such as 12 hours or greater.

Regent 4 SC can be tank mixed in accordance with the most restrictive of label limitations and precautions. **DO NOT** exceed any label dosage rates. This product cannot be mixed with any product whose label contains a prohibition against such mixing.

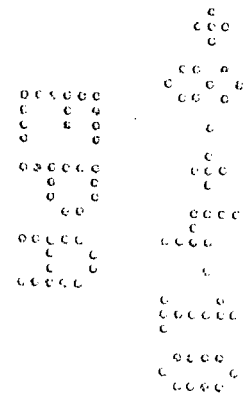
If tank mixes with other products are to be used, evaluate tank mix compatibility with **Regent® 4 SC insecticide** in a small container before mixing larger quantities in the application tank.

COMPATIBILITY

The full range of compatibilities with **Regent 4 SC** under local conditions is not known. Therefore, it is essential that before using **Regent 4 SC**, the compatibility of the mixture be established. For example: Fill a quart jar 1/2 full of water or liquid fertilizer, then add 2 teaspoons of **Regent 4 SC** and disperse. Add any other pesticides, fertilizers, or tank mixtures and shake thoroughly. **DO NOT USE MIXTURES THAT CURDLE, PRECIPITATE, OR GREASE. FOR BEST RESULTS, SPRAY MIXTURES SHOULD BE USED IMMEDIATELY AFTER MIXING. USE ADEQUATE AGITATION.**

USE RESTRICTIONS

- **DO NOT** apply this product through any kind of irrigation system.
- **DO NOT** harvest within 90 days of application.
- **DO NOT** plant root, leafy or legume vegetables within four months following application.
- **DO NOT** plant wheat or triticale within two months following application.
- **DO NOT** plant any other rotational crops (except field corn, potato, leafy vegetables, root vegetables, legume vegetables, wheat, or triticale) within 12 months following application.
- Observe the following precautions when applying in the vicinity of aquatic areas: **DO NOT** apply within 20 yards of lakes, reservoirs, rivers, permanent streams, marshes, natural ponds, estuaries, commercial aquaculture facilities or other bodies of water that convey water to these areas. Protection of aquatic areas may be enhanced by maintaining all or a portion of this buffer in vegetative cover.
- **DO NOT** use this product if the potato is planted by hand.



USE DIRECTIONS FOR POTATO

PESTS CONTROLLED AND APPLICATION METHOD

| Crop | Pests Controlled | Application Method |
|--------|------------------|--|
| Potato | Wireworms | Make one in-furrow application at time of planting only. Banding must be done in-furrow as a 5- to 7-inch wide band. Regent® 4 SC insecticide must be thoroughly incorporated and covered with soil immediately after application. DO NOT use T-banding over the top of a closed furrow. |

APPLICATION REQUIREMENTS

Make one in-furrow application at planting time only. **DO NOT** apply this product through any kind of irrigation system.

Dilute **Regent 4 SC** in a minimum of 5.0 gallons of water or liquid fertilizer per acre. If flat-fan nozzles are used for in-furrow application, the nozzles should be aligned with the row to direct the spray into the open furrow.

Regent 4 SC can be directly injected into the suction or pressure line(s) of a liquid spray system provided that the product is uniformly dispersed into the water or liquid fertilizer. Predilution of **Regent 4 SC** in a minimum of 0.5 gallons of water or liquid fertilizer per acre, prior to injection, is necessary to improve metering accuracy. The mix tank of **Regent 4 SC** plus water or liquid fertilizer must be agitated continuously. After completion of the direct injection in the mixing process, the final volume delivered to the furrow should have a minimum volume of 5.0 gallons of water, liquid fertilizer, or combination of the two per crop acre.

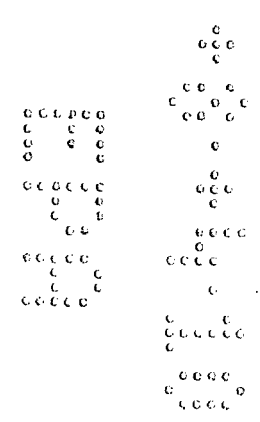
RATE: Regent 4 SC Maximum Allowable Rate = 3.2 fl oz of Regent 4 SC per acre

Use the following chart to select the correct rate of **Regent 4 SC** per 1,000 row feet and rate of product per acre for potato.

| *Row Spacing (inches) | **Rate/Acre (fluid ounces/acre) | Row Feet/Acre (feet) | Rate/1,000 row feet (fluid ounces/1,000 row feet) |
|-----------------------|---------------------------------|----------------------|---|
| 30 | 3.2 | 17,424 | 0.184 |
| 34 | 3.2 | 15,374 | 0.208 |
| 36 | 3.2 | 14,520 | 0.220 |
| 38 | 3.0 | 13,756 | 0.220 |
| 40 | 2.9 | 13,068 | 0.220 |

* **DO NOT** apply in row spacing less than 30 inches. On any row spacing greater than 36 inches, apply no more than 0.220 fl oz **Regent 4 SC** per 1,000 row feet.
 ** Adjust rate per 1,000 row feet so that you **DO NOT** apply more than 3.2 fluid ounces of **Regent 4 SC** per acre (equal to 0.10 lb ai/A).

- **DO NOT** apply to sweet potatoes.



Conditions of Sale and Warranty

The **Directions For Use** of this product reflect the opinion of experts based on field use and tests. The directions are believed to be reliable and must be followed carefully. However, it is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or use of the product in a manner inconsistent with its labeling, all of which are beyond the control of BASF CORPORATION ("BASF") or the Seller. To the extent consistent with applicable law, all such risks shall be assumed by the Buyer.

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**, subject to the inherent risks, referred to above.

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.

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Supersedes: NVA 2009-04-218-0217

BASF Corporation
28 Davis Drive
Research Triangle Park, NC 27709

