

8959-9

5/7/2010

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

OFFICE OF
PESTICIDE PROGRAMS

Marianne Radtke
Regulatory Affairs Manager
Applied Biochemists
W175 N11163 Stonewood Dr., Ste. 234
Germantown, WI 53022-4799

MAY 7 2010

SUBJECT: Application for Pesticide Notification – Label Changes per PR Notices 98-10 and 2007-4
Weedtrine®-D
EPA Reg. No. 8959-9
Application Dated May 27, 2009

Dear Ms. Radtke:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notices (PRNs) 98-10 and 2007-4 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRNs 98-10 and 2007-4, and finds that the label changes requested fall within the scope of these PRNs. 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 Terri Stowe of my staff at 703-305-6117.

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

2009



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 8959-9	2. EPA Product Manager Joanne Miller	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) WEEDTRINE-D	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) APPLIED BIOCHEMISTS W175 N11163 STONEWOOD DR. STE 234 GERMANTOWN, WI 53022 <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 _____	NOTIFICATION MAY - 7 2010
<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.)

Update the Medical Emergency contact information
Required Certification Statement attached.

Update to comply with container regulations in 2007-4.
Required Certification Statement attached

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input checked="" type="checkbox"/> Yes <input 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 <input checked="" type="checkbox"/> Glass Paper Other (Specify) _____		
* 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 type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 and 5 gallon		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued Stenciled <input checked="" type="checkbox"/> Other Screenprinted					

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Marianne Radtke	Title Regulatory Affairs Manager	Telephone No. (Include Area Code) 262-255-4449 ext 328
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 Regulatory Affairs Manager	
4. Typed Name Marianne Radtke	5. Date May 27, 2009	

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APPLIED BIOCHEMISTS

W175 N11163 Stonewood Drive Suite 234
Regulatory Services
Marianne Radtke
Germantown, WI 53022-4799
262 255-4619 Fax
262 255-4449 ext. 328
E-mail -mradtke@advantistech.com

May 27, 2009

Office of Pesticide Programs (7504P)
Document Processing Desk (NOTIF)
U.S. Environmental Protection Agency
One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Subject: Weedtrine-D
EPA Reg. No. 8959-09
Application Date May 27, 2009

Applied Biochemists is submitting a Notification for the above subject product for:

- Update the Medical Emergency contact information
- Update to comply with container language as specified in PR Notice 2007-4.

In support of this application for notification, enclosed are the following documents:

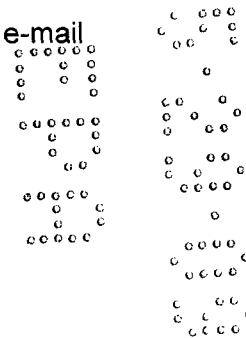
- A completed application for notification (EPA 8570-1) form with attached certification statements as required by PR 98-10 and PR Notice 2007-4.
- Two copies of the product labeling with changes highlighted.

If you have any questions please contact me at 800-558-5106 ext 328 or by e-mail at mradtke@advantistech.com if there are any questions.

Sincerely,



Marianne Radtke
Regulatory Affairs Manager



Notification Statements For:

Product: WEEDTRINE®-D

EPA Reg. No. 8959-9

Registrant: Applied Biochemists

Certification Statement for PR Notice 98-10

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 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.

Certification Statement for PR Notice 2007-4

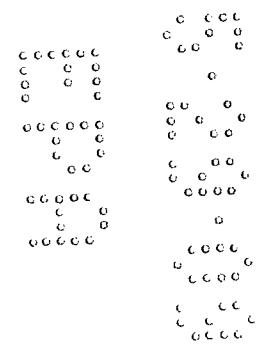
This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR Sections 156.10, 156.140, 156.144, 156.146 and 156.156. No changes have been made to the Confidential Statement of Formula for this product. I understand that it is a violation of 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 Sections 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.

Marianne Radtke

Regulatory Affairs Manager

May 23, 2009

Signature: Marianne Radtke



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WEEDTRINE® -D

AQUATIC HERBICIDE

E.P.A. Reg. No. 8959-9

E.P.A. Est. No. 42291-GA-1

**FOR USE IN AND AROUND
STILL LAKES - PONDS - DITCHES**

**NOTIFICATION
MAY - 7 2010**

ACTIVE INGREDIENT

Diquat dibromide [6,7-dihydrodipyrido (1,2-a:2',1'-C) pyrazinediium dibromide] 8.53%

INERT INGREDIENTS 91.47%

TOTAL 100.0

WEEDTRINE-D CONTAINS 0.4 lb. diquat cation per gallon as 0.746 lb. salt per gallon.....

KEEP OUT OF REACH OF CHILDREN

WARNING / PRECAUCION

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

FIRST AID

IF INHALED: Move person to fresh air. If person is not breathing, immediately 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: 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 the poison control center or doctor. Do not give anything by mouth to an unconscious person. Take person and product container to the nearest hospital or physician fast. **PROMPT TREATMENT IS ESSENTIAL TO COUNTERACT POISONING** and should be initiated before signs and symptoms of injury appear.

IF ON SKIN OR CLOTHING: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes, then continue rinsing eye.

IF IN EYES: 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.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. If a medical emergency arises contact Arch Chemicals Emergency Action Network in the US call 1-800-654-6911 or outside the US call 423-780-2970. For help with a spill, leak, fire or exposure involving this material call CHEMTREC 1-800-424-9300.

NOTE TO PHYSICIAN:

To be effective, treatment for diquat poisoning must begin **IMMEDIATELY**. Treatment consists of binding diquat in the gut with suspensions of activated charcoal or bentonite clay, administration of cathartics to enhance elimination, and removal of diquat from the blood by charcoal hemoperfusion or continuous hemodialysis.

SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS
NET CONTENTS: ___ GALLONS (___ Liters)



**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

WARNING: May be fatal if inhaled. Harmful if swallowed or absorbed through skin. Avoid contact through skin. Avoid contact with eyes, skin or clothing. Do not breathe mist.

PERSONAL PROTECTIVE EQUIPMENT (PPE): Applicators and other handlers must wear coveralls over long-sleeved shirt and long pants, chemical resistant gloves, chemical resistant footwear plus socks, chemical resistant headgear for overhead exposure and a chemical resistant apron when cleaning equipment, mixing or loading; and a dust/mist filtering respirator with NIOSH approval number prefix TC-21C.

USER SAFETY REQUIREMENTS: Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

USER SAFETY RECOMMENDATIONS: Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users should remove PPE immediately after handling this product. Wash the outsides of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS: This pesticide is toxic to aquatic invertebrates. Do not apply directly to water except as specified on this label. Do not use treated water for animal consumption, spraying, irrigation or drinking purposes until 5 days after treatment.

PRODUCT INFORMATION: WEEDTRINE-D is a non-volatile herbicide for use in controlling submersed, floating aquatic and marginal weeds. **WEEDTRINE-D** works by being absorbed by the weed, and within a few days the weed shows signs of dying. Optimum results are seen if the weeds are young and actively growing. The plants show the effects within a few days. Treatment of dense weed areas may result in oxygen loss from decomposition of dead weeds. This loss of oxygen may cause fish suffocation. Therefore, treat only 1/3 to 1/2 of the dense weed areas at a time and wait 14 days between treatments. **DO NOT APPLY TO MUDDY WATER.** Avoid creating muddy water during application. Do not apply where plants are covered with mud deposits.

DIRECTIONS FOR USE:

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Read entire label. Use strictly in accordance with precautionary statements and directions, and with applicable state and federal regulations. Do not apply this product through any type of irrigation system.

Do not use treated water for animal consumption, spraying irrigation or drinking purposes until 5 days after treatment. Do not apply under conditions of high wind and wave action. Do not contaminate water when disposing of equipment wash waters. Consult your State Fish and Game Agencies before applying this product to public waters. Necessary approval and/or permits should be obtained prior to application if required.

AQUATIC USE SITES

New York- Not for Sale or Use in New York State without Supplemental Special Local Needs Labeling.

Necessary approval and/or permits must be obtained prior to application if required. Consult the responsible State Agencies (i.e., Fish and Game Agencies, State Water Conservation authorities, or Department of Natural Resources).

For application only to **still water** (i.e. ponds, lakes, and drainage ditches) where there is minimal to no outflow to public waters.

Application to **public waters** in ponds, lakes, reservoirs, marshes, bayous, drainage ditches, canals, streams, rivers, and other slow-moving or quiescent bodies of water for control of aquatic weeds. For use by:

- Corps of Engineers; or
- Federal or State Public Agencies (i.e., Water Management District personnel, municipal officials); or
- Applicators and/or Licensees (certified for aquatic pest control) that are authorized by the State or Local government.

Treated water may be used according to the following table or until such time as an approved assay (example: PAM II Spectromatic Method) shows that the water does not contain more than the designated maximum contaminant level goal (MCLG) of 0.02mg/l. (ppm) of diquar dibromide (calculated as the cation).

APPLICATION: In early season where submersed weed growth has not reached the surface, apply **WEEDTRINE-D** by pouring directly from the container into the water in strips 40 feet apart or dilute at least 5:1 with water and apply as a surface spray or by underwater injection, distributing chemical as evenly as possible. In late season where submersed weeds have reached the water surface, treat in strips no more than 20 feet apart with a 2:1 solution. Use the high rate of application as indicated by the weeds present. Where algae are present along with the submersed weeds, pre-treatment with **CUTRINE®-PLUS Algaecide** is advised for optimum results.

SUBMERSED WEEDS	Gals./Surface Acre
Bladderwort (<i>Utricularia</i> spp.)	5-10
Coontail (<i>Ceratophyllum demersum</i>)	10
Elodea (<i>Elodea</i> spp.)	10

Naiad (Najas spp.)	5
Pondweeds (Potamogeton spp)* *Except <i>P. robbinsii</i> ; also Richard Pondweed, <i>P. richardsonii</i> , in Minnesota	10
Watermilfoil (Myriophyllum spp.)	5-10

APPLICATION: Dilute **WEEDTRINE-D** 64:1 with water (2 oz. **WEEDTRINE-D** per gallon of water). Add 1 oz. of non-ionic surfactant per 10 gal. of spray solution. 150 gallons of this solution will treat 1 acre at the lower rate and 240 gallons will treat 1 acre at the higher rate. Use higher rate for late season application.

FLOATING WEEDS Acre	Gals./Surface
Pennywort (Hydrocotyl umbellate)	2 1/2 - 3 3/4
Salvinia (Salvinia rotundifolia)	2 1/2 - 3 3/4
Water Hyacinth (Eichornia crassipes)	2 1/2 - 3 3/4
Water Lettuce (Pistia stratiotes)	2 1/2 - 3 3/4

APPLICATION: Dilute **WEEDTRINE-D** 25:1 with water (5 oz. of **WEEDTRINE-D** per gallon of water). Add 1 oz. of non-ionic surfactant per 10 gal. of spray solution. 130 gallons of this solution will treat 1 acre. Apply as a surface spray taking care to cover all the plants on the water surface and on damp, marginal areas. Re-treatment may be necessary for season-long control.

Duckweed (Lemna spp.) 5

APPLICATION: For top kill, dilute **WEEDTRINE-D** 19:1 with water (6.5 oz. of **WEEDTRINE-D** per gallon of water). Add 1.6 oz. of non-ionic surfactant per 10 gallons of spray solution. Wet foliage thoroughly with spray solution. Repeat treatment, as necessary to control regrowth. For best results, apply before flowering.

MARGINAL WEEDS

Cattails (Typha spp.) 5

ALGAE: **WEEDTRINE-D** will control certain filamentous algae (*Spirogyra* spp. and *Pithophora* spp.) Apply 0.5 to 1.5 ppm **WEEDTRINE-D** for control. Apply in same manner as for submersed weeds.

Formula For Parts Per Million (ppm) Recommendations

Gallons to use = ppm recommended x acreage of water x average depth of water x 7.

For example: 1/2 ppm recommendation; 2 acre pond; 4 foot average depth – 1/2 x 2 x 4 x 7 = 28 gallons required

NOTE: 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. Rinse all spray equipment thoroughly with water after use. Use only non-ionic surfactants in conjunction with **WEEDTRINE-D**.

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STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage. Open dumping is prohibited.

STORAGE: Keep pesticide in original container. Do not put concentrate or dilute into food or drink containers. Do not contaminate feed, foodstuffs or drinking water. Do not store or transport near feed or food. Store at temperatures above 32°F.

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.

(For <5 gallon non-refillable containers only):

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse container. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ 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. Then offer for recycling or reconditioning if available or puncture and dispose of in approved landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke. Consult Federal, State or local authorities for approved alternative procedures.

(For >5 gallon non-refillable containers only):

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse container. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water and recap. 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."

WARRANTY

To the extent consistent with applicable law neither the manufacturer nor the seller makes any warranty, expressed or implied concerning the use of this product other than indicated on the label. To the extent consistent with applicable law buyer assumes risk of use of this material when such use is contrary to label instructions. Read and follow the label directions.