

10088-83

5/7/2010

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Mr. Adam Swader
Athea Laboratories, Inc
PO BOX 240014
Milwaukee, WI 53224

MAY 7 2010

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

Dear Registrant,

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated March 25, 2010 for:

EPA Registration 10088-83 Prometon 12.5% Herbicide Concentrate

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 Banza Djapao of my staff at 703-305-7269.

Sincerely,

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

2060

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060



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 10088-83	2. EPA Product Manager	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Prometon 12.5% Herbicide Concentrate	PM# 25	
5. Name and Address of Applicant (Include ZIP Code) Athea Laboratories, Inc. P.O. Box 240014 Milwaukee, WI 53224 <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: <input checked="" type="checkbox"/> 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 _____	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.)

Notification of minor label changes per PR Notice 2007-4. See attached cover letter

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		<input checked="" 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 1,5,6,20,30,35, 55 GA		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 type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		<input checked="" type="checkbox"/> Other Silkscreened	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Adam Swader	Title Regulatory Comp Spec.	Telephone No. (Include Area Code) 414-354-6417
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 Comp Spec.	
4. Typed Name Adam Swader	5. Date Apr 22, 2010	

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Please read instructions on reverse before completing form.

Form Approved. UMB No. 2070-0060

Print Form



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 10088-83	2. EPA Product Manager	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
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NOTIFICATION
MAY - 7 2010

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification of minor label changes per PR Notice 2007-4. See attached cover letter

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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	2. Type of Container <input checked="" type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> 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 checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container N/A	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 type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		<input checked="" type="checkbox"/> Other Silkscreened

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name Adam Swader	Title Regulatory Comp Spec.	Telephone No. (Include Area Code) 414-354-6417
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2. Signature 	3. Title Regulatory Comp Spec.	
4. Typed Name Adam Swader	5. Date Mar 25, 2010	

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March 25, 2010

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460-0001

**Subject: Storage and Disposal Update
Prometon 12.5% Herbicide Concentrate
EPA Registration No. 10088-83**

To Whom It May Concern:

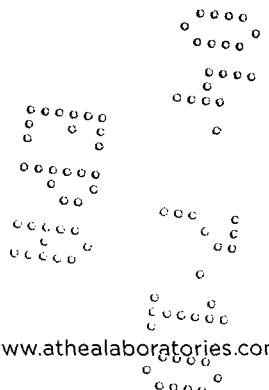
Please find the enclosed one label marked with changes and Form 8570-1 stating the following:

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 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 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.

If there are any questions in regards to this notification please contact me at 414-354-6417 ext. 215 or email me at aswader@athea.com.

Thank You,

Adam Swader
Regulatory Compliance Specialist
Enclosures



PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER

CORROSIVE – Causes irreversible eye damage. Wear goggles or face shield and rubber gloves when handling. Causes skin irritation. Harmful if swallowed, inhaled or absorbed through skin. Avoid breathing spray mists. Do not get in eyes, on skin or on clothing. Wash thoroughly after handling and before eating and smoking. Avoid contamination of food.

PERSONAL PROTECTIVE EQUIPMENT (PPE): Applicators and other handlers must wear; Butyl gloves, or nitrile gloves, or other gloves that glove selection charts or guidance indicate are chemical-resistant to the pesticide for the period of time required to perform the task, long-sleeved shirt and long pants, socks and shoes, protective eyewear.

FIRST AID

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.

IF ON SKIN OR CLOTHING: 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 SWALLOWED: Immediately call a poison control center or doctor. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give any liquid to the person. Do not give anything by mouth to an unconscious person.

IF INHALED: 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.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For information on this pesticide

NOTIFICATION
MAY - 7 2010

PROMETON
12.5% HERBICIDE
CONCENTRATE

NON-SELECTIVE HERBICIDE FOR
BARE GROUND WEED CONTROL
ON INDUSTRIAL SITES AND
NON-CROP AREAS

ACTIVE INGREDIENTS

Prometon: 2,4-bis(isopropylamino)-
6-methoxy-s-triazine 12.50%
INERT INGREDIENTS 87.50%
TOTAL 100.00%
This product contains 1 pound per gallon of Prometon.

KEEP OUT OF REACH OF CHILDREN
DANGER

SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONS
AND FIRST AID INSTRUCTIONS.

EPA Reg. No. 10088-83
EPA Est. 10088-WI-1

NET CONTENTS:

(Insert container size here, expressed in gallons/ounces
with the option to add the metric equivalent.)

Manufactured By:
Athea Laboratories Inc
PO Box 240014
Milwaukee, WI 53224

(including health concerns, medical emergencies, or pesticide incidents), call the National Pesticide Information Center at 1-800-858-7378.

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage. Treat for circulatory shock, respiratory depressions and convulsions if needed. Contains petroleum distillate – vomiting may cause aspiration pneumonia.

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 outside of the gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS:

Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water used for irrigation or domestic purposes. Do not contaminate water by cleaning of equipment or disposal of wastes. Do not contaminate water when disposing of equipment washwaters or rinsate.

PHYSICAL AND CHEMICAL HAZARDS:

Do not use, pour, spill or store near heat or open flame. Store at temperatures above 32°F.

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DIRECTIONS FOR USE

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

This non-selective herbicide is designed for use around buildings, storage areas, industrial sites, fences, recreational areas, roadways, rights-of-way, railroads, machinery, pipelines, lumberyards, fuel tanks or similar areas. Use only in areas where complete control of all vegetation is desired.

This product can be applied mixed with water or oil, before or after plant growth begins. Although it has considerable activity through foliar contact, much of its activity is through the roots; therefore, its effectiveness is dependent on rainfall to move it into the root zone. Very dry soil conditions and lack of sufficient rainfall may result in poor weed control. When applied to the soil, this product usually inhibits plant growth for a year or more. It should not be used on land to be cropped, or near adjacent desirable trees, shrubs or plants, an injury may occur. Do not use for weed control in greenhouses. This product is generally non-corrosive to application equipment, but may cause swelling or more rapid deterioration of hoses and fittings containing natural rubber.

Following many years of continuous use of this product and chemically related products, biotypes of some of the weeds listed on this label have been reported which cannot be controlled by this and related herbicides. Where this is known or suspected, we recommend the use of this product in combination with other registered herbicides which are not triazines. Consult your State Agricultural Extension Service for specific recommendations.

INDUSTRIAL SITES AND NON-CROP AREAS:

Application may be made prior to, or up to 3 months after weed emergence. Application rates vary from 10 to 21-1/2 gallons of concentrate per acre, depending on climactic conditions, soil type, weeds present and the stage of growth of the weeds. Use the higher rates on heavier soils where weed growth

is heavy and where rainfall is expected to be high. Higher rates should also be used where longer residual control is desired in regions with a long growing season. For best results, apply prior to weed emergence or when weeds are young and actively growing.

FOR CONTROL OF ANNUAL AND SUSCEPTIBLE PERENNIAL WEEDS such as downy brome grass, oatgrass, goosegrass, quackgrass, puncturevine, goldenrod and plantain, apply 10 to 15 gallons diluted with 50 to 100 gallons of water per acre. For small areas, apply 2 to 3 pints per 1000 square feet in sufficient water to give thorough and uniform coverage.

FOR HARD-TO-KILL PERENNIAL WEEDS AND GRASSES such as johnsongrass, bindweed and wild carrot, apply 15 to 21-1/2 gallons to 50 to 100 gallons of water per acre. For small areas, apply 3 to 3-3/4 pints per 1000 square feet in sufficient water to give thorough and uniform coverage.

Care must be taken to keep this herbicide away from desirable flower beds, lawns and shrubs. Do not apply over roots of valuable trees, shrubs or other woody ornamental plants. Only apply this herbicide outside the drip line of trees. Avoid spray drift to desirable plants.

FOR FASTER TOP KILL of existing vegetation, apply product diluted with diesel oil, fuel oil or weed oil. Use oils at rates of 100 to 200 gallons per acre. Tall, dense vegetation may require 150 gallons or more per acre for thorough coverage.

For all applications, do not apply more than 21-1/2 gallons of this product per acre per year.

STORAGE AND DISPOSAL

Do Not Contaminate Water, Food, or Feed By Storage or Disposal.

Pesticide Storage: Store in a dry place no lower in temperature than 50°F or higher than 120°F.

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 the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

Container Disposal: Nonrefillable container. Do not reuse or refill container. Offer for recycling, if available. Clean container promptly after emptying. Triple rinse 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 procedure two more times.

Container Disposal For Greater than 5 gallons

Container Disposal: Nonrefillable container. Do not reuse or refill container. Offer for recycling, if available. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill 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 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.

0324.032310

WPC