

10163-287

12-30-2008

1/6



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Christina Economou
Product Registration
Gowan Company
P.O. Box 5569
Yuma, AZ 85365

DEC 30 2008

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request General Label Change – Advisory Statements
Reg. No. 10163-287
Application Dated November 5, 2008

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 10/05/08 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested does not clearly fall within the scope of PRN 98-10 and will require additional administrative review of the related files. A summary of our findings includes:

The addition of Advisory Statements can not be submitted as Notification. PR Notice 2000-5 supercedes PR Notice 98-10 on making advisory language. This will have to be processed as an Amendment.

Based on the above, the Agency has determined that this action is denied and will be further processed as a fast track amendment and our records have been updated accordingly. The label submitted with the application is considered proposed drafts and has been forwarded to Jim Tompkins for further processing.

If you have any questions, please call me directly at 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

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

2/6

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0080

Print Form

 United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration	OPP Identifier Number
	<input type="checkbox"/> Amendment	
	<input checked="" type="checkbox"/> Other	

Application for Pesticide - Section I

1. Company/Product Number 10163-287	2. EPA Product Manager Jim Tompkins	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Avadex MicroActiv Herbicide	PM# 25	
5. Name and Address of Applicant (Include ZIP Code) Gowan Company P.O. Box 5569 Yuma, AZ 85366 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(ii), my product is similar or identical in composition and labeling to: <input checked="" type="checkbox"/> EPA Reg. No. <u>DEC 30 2008</u> 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.

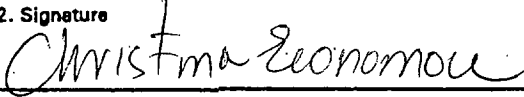
Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification of Change in Packaging: Net Contents per PR Notice 98-10
Notification of Addition of Advisory Statements per PR Notice 98-10

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Package wgt No. per container	<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted					
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input 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"/> Other _____ <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled					

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Christina Economou	Title Registration Specialist	Telephone No. (Include Area Code) 928-819-1576
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 Registration Specialist	
4. Typed Name Christina Economou	5. Date 11/5/2008	

IMPORTANT NOTICE

This product is registered in both the U.S. and Canada. It has **BOTH** U.S. and Canada Labeling.
 You must follow **ONLY** the U.S. label **WHEN USING THIS** product in the U.S.
 You must follow **ONLY** the Canadian label **WHEN USING THIS** product in Canada.

NOTIFICATION
DEC 30 2008

Avadex®

MicroActiv

Herbicide

GROUP 8 HERBICIDE

Granular Herbicide for Fall or Spring Treatment in Conventional and Direct Seeding Systems to Control Wild Oats in labeled crops. See the appropriate U.S. or Canadian Use Directions.

AGRICULTURAL

ACTIVE INGREDIENTS/GUARANTEE

Triallate, S-(2,3,3-trichloroallyl)-diisopropylthiocarbamate 10.0%

OTHER INGREDIENTS: 90.0%

ATTENTION, contains the allergen soy.

TOTAL 100.0%

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
KEEP OUT OF REACH OF CHILDREN

CAUTION

Causes skin and eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Do not take internally. Refer to country specific label booklet for additional precautions.

CAUTION

READ THE ENTIRE LABEL BEFORE USING THIS PRODUCT. Use only according to label instructions. Read "NOTICE OF CONDITIONS OF SALE AND WARRANTY LIABILITY LIMITATIONS" before buying or using. If terms are not acceptable, return at once unopened.

FIRST AID Herbicide	
If swallowed	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	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 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. Call a poison control center or doctor for treatment advice.
HOT LINE NUMBER	
When seeking medical attention, take the container label if at all possible. If not, take information which identifies the product, that is, the product names and registration numbers. You may also contact 1-888-478-0798 for emergency medical treatment information.	

TOXICOLOGICAL INFORMATION: Treat symptomatically.

United States AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40CFR Part 170. Refer to supplemental labeling under "Agricultural Use Requirements," in the Directions for Use section for information about this standard.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when cleaning equipment or disposing of equipment washwaters or rinsate. Refer to country specific label booklet for additional environmental hazard information.

STORAGE AND DISPOSAL IN THE U.S.

Do not contaminate water, foodstuffs, feed or seed by storage and disposal.
PESTICIDE STORAGE: Keep bag closed to prevent spills and contamination.
PESTICIDE DISPOSAL: Wastes resulting from the use of this product that cannot be used or chemically reprocessed should be disposed of in a landfill approved for pesticide disposal or in accordance with applicable Federal, state or local procedures.
CONTAINER DISPOSAL: Emptied container retains vapor and product residue. Observe all labeled safeguards until container is cleaned, reconditioned or destroyed. Completely empty container into transfer or application equipment. Do not reuse container. Dispose of empty sack in a sanitary landfill or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.
(For multwall bags) Completely empty container into application equipment. Dispose of empty container in a sanitary landfill or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

STORAGE AND DISPOSAL IN CANADA

STORAGE: Keep Avadex MicroActiv herbicide bag closed to prevent spills and contamination. Avoid contamination of seed, feed and foodstuffs.
DISPOSAL: Do not reuse this container for any purpose. Thoroughly empty the contents of the container into the application device. Make the empty container unsuitable for further use. Dispose of the container in accordance with provincial requirements. For information on the disposal of unused, unwanted product, contact the manufacturer or the Provincial Regulatory Agency. Contact the manufacturer and the Provincial Regulatory agency in case of a spill, and for clean-up spills.

In the United States: It is a violation of United States law to use this product without having obtained the United States label at the time of purchase and following the U.S. label at the time of application.

In Canada: NOTICE TO USER: This pest control product is to be used only in accordance with the directions on the label. It is an offense under the Pest Control Products Act to use this product in a way that is inconsistent with the directions on the label. The user assumes the risk to persons or property that arises from any such use of this product.

NET CONTENTS 4000 lbs./453.60 kgs 995 lbs./451.3 kgs

EPA Est. No. 070989-IA-001
 Registration No. 25712 PEST CONTROL PRODUCTS ACT
 EPA Reg. No. 10163-287
 AVMA-05-R0408
 Item No. 45790

Gowan®
 The Go To Company

Gowan®
 CANADA

Produced For:
 Gowan Company
 370 S. Main Street
 Yuma, AZ 85364 U.S.A.
 (800) 883-1844

1/6

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Avadex®

MicroActiv

Herbicide

GROUP 8 HERBICIDE

Granular Herbicide for Fall or Spring Treatment in Conventional and Direct Seeding Systems to Control Wild Oats in labeled crops. See the appropriate U.S. or Canadian Use Directions.

AGRICULTURAL

ACTIVE INGREDIENTS/GUARANTEED

Triallate, S-(2,3,3-trichloroallyl)-diisopropylthiocarbamate 10.0%

OTHER INGREDIENTS: 90.0%

ATTENTION, contains the allergen soy.

TOTAL 100.0%

CAUTION

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HOT LINE NUMBER	
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TOXICOLOGICAL INFORMATION: Treat symptomatically.

United States AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40CFR Part 170. Refer to supplemental labeling under "Agricultural Use Requirements," in the Directions for Use section for information about this standard.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when cleaning equipment or disposing of equipment washwaters or rinsate. Refer to country specific label booklet for additional environmental hazard information.

EPA Est. No. 070989-IA-001
 Registration No. 25112 PEST CONTROL PRODUCTS ACT
 EPA Reg. No. 10163-287
 AVMA-05-R0408
 Item No. 45790

Gowan®
 The Go To Company

Gowan
 CANADA

NET CONTENTS 995 lbs./451.3 kgs

**PRECAUTIONARY STATEMENTS
 HAZARDS TO HUMANS AND DOMESTIC ANIMALS
 KEEP OUT OF REACH OF CHILDREN
 CAUTION**

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STORAGE AND DISPOSAL IN THE U.S.

Do not contaminate water, foodstuffs, feed or seed by storage and disposal.
PESTICIDE STORAGE: Keep bag closed to prevent spills and contamination.
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STORAGE AND DISPOSAL IN CANADA

STORAGE: Keep Avadex MicroActiv herbicide bag closed to prevent spills and contamination. Avoid contamination of seed, feed and foodstuffs.
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 Gowan Company
 370 S. Main Street
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 (800) 883-1844

9/6

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EPA Est. No. 070989-IA-101
Registration No. 25112 PEST CONTROL PRODUCTS ACT
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