

10163-293

05/14/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms Krystal Hengl
Gowan Company
PO BOX 5569
Yuma , AZ 85366

MAY 14 2009

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 24, 2009 for:

EPA Registration 10163-293 GWN-3771 Technical Herbicide

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,

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

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0080



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

Application for Pesticide - Section I

| | | |
|--|---|--|
| 1. Company/Product Number 10163-293 | 2. EPA Product Manager Jim Tompkins, 703-305-5697 | 3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted |
| 4. Company/Product (Name) GWN-3771 Technical Herbicide | PM# 25 | |
| 5. Name and Address of Applicant (Include ZIP Code) Gowan Company PO Box 5569, Yuma, AZ 85366-5569 <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: <div style="text-align: right; font-weight: bold;"> EPA Reg. No. _____ NOTIFICATION Product Name _____ MAY 14 2009 </div> | |

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.)
 Update to Storage and Disposal Section per PR Notice 2007-4.

Section - III

| | | | |
|--|--|---|---|
| 1. Material This Product Will Be Packaged In: | | | |
| 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 | 2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____ |
| 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"/> Paper glued <input type="checkbox"/> 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 Krystal Hengl | Title Registration Specialist | Telephone No. (Include Area Code) 928-819-1526 |
|------------------------------|---|--|

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.

| | | |
|---------------------------------------|--|---|
| 2. Signature | 3. Title Registration Specialist | f. Date Application Received (Stamped) _____ _____ _____ _____ _____ _____ _____ _____ _____ _____ |
| 4. Typed Name Krystal Hengl | 5. Date February 18, 2009 | |



The Go To Company

P.O. Box 5569 ▲ Yuma, AZ 85366-5569 ▲ Phone (928) 783-8844 ▲ FAX (928) 343-9255

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February 19, 2009

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7508P)
US Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive (South Tower)
Arlington, Virginia 22202

**ATTN: Jim Tompkins, PM Team 25 (703) 305-5697
Herbicide Branch, Registration Division (7505C)**

**RE: GWN-3771 Technical Herbicide, EPA Reg. No. 10163-293
Labeling Revisions Required by "Pesticide Management and Disposal; Standards for Pesticide Containers and Containment"**

Dear Mr. Tompkins:

Gowan Company submits the enclosed revised label for GWN-3771 Technical Herbicide in order to comply with EPA Pesticide Registration Notice (PR) 2007-4: Labeling Revisions Required by the Final Rule "Pesticide Management and Disposal; Standards for Pesticide Containers and Containment." It has the following revisions:

- In the Storage and Disposal section, we have changed the wording per EPA Container/Containment Rule.

In support of this application, we have enclosed the following documents:

- Application for Pesticide (EPA Form 8570-1)
- Proposed Label (1 marked copy)

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 the 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.

Thank you in advance for your efforts. If you have any questions or concerns, please do not hesitate to contact me via e-mail at KHengl@gowanco.com, or by phone at (928) 819-1526.

Sincerely,

Krystal Hengl
Registration Specialist

Enclosures

RECEIVED
 FEB 23 2009
 U.S. ENVIRONMENTAL PROTECTION AGENCY
 OFFICE OF PESTICIDE PROGRAMS
 2777 S. CRYSTAL DRIVE
 ARLINGTON, VA 22202
 TEL: (703) 305-5697
 FAX: (703) 305-5698

NOTIFICATION

MAY 14 2009

GWN-3771 Technical Herbicide

For Formulation Use Only - In Process Material - Not for Sale

ACTIVE INGREDIENT:

| | |
|---|----------|
| Thifensulfuron methyl | % By Wt. |
| Methyl 3-[[[(4-methoxy-6-methyl-1,3,5-triazin-2-yl)amino]carbonyl]amino]-sulfonyl]-2-thiophehecarboxylate | 97.3% |

| | |
|--------------------------------|-------------------|
| INERT INGREDIENTS | 2.7% |
| | TOTAL 100% |

KEEP OUT OF REACH OF CHILDREN

CAUTION

| 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 the first 5 minutes, then continue rinsing. • Call a poison control center or doctor for further 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 further 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. |
| Hot Line Number | |
| <p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-478-0798 for emergency medical treatment information.</p> | |

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION

Causes moderate eye irritation. Harmful if absorbed through skin or inhaled. Avoid contact with skin, eyes, or clothing. Avoid breathing dust. Remove and wash contaminated clothing before reuse.

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 to 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. Gowan GWN-3771 Technical herbicide is to be used only for the formulation of end-use herbicide products registered for the following uses:

1. Terrestrial Food Crops: Wheat, barley, oats, soybeans, field corn, cotton, canola, flax
2. Terrestrial Feed Crops or Non-Food Uses: Fallow.
3. Uses for which the USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration.
4. Uses for experimental purposes that are in compliance with USEPA requirements.

EPA Reg. No. 10163-293
EPA Est. No.



Produced For:
Gowan Company
P.O. Box 5569
Yuma, AZ 85366-5569

STORAGE AND DISPOSAL

DO NOT contaminate water, food, or feed by storage or disposal.

Pesticide Storage: Store product in a cool, dry, ventilated area. Store product in original container only. Do not contaminate water, other pesticides, fertilizer, food, or feed in storage.

Pesticide Disposal: ~~Do not contaminate water, food, or feed by disposal.~~ Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal: Nonrefillable container. Do not reuse or refill this 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 the container 1/4 full with water. Replace and tighten closures. Tip container on its side and jolt it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand 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. ~~Completely empty container and/or liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into manufacturing equipment.~~ Then offer for recycling if available or dispose of liner in a sanitary landfill, or by incineration if allowed by State and local authorities. If burned, stay out of smoke. ~~If container is contaminated and/or cannot be reused, dispose of in the same manner.~~

NOTICE TO BUYER: Purchase of this material does not confer any rights under patents of countries outside the United States.

**FOR 24-HOUR EMERGENCY ASSISTANCE (SPILL, LEAK OR FIRE),
CALL CHEMTREC® (800) 424-9300.**

For other product information, contact Gowan Company or see Material Safety Data Sheet

NOTICE ON CONDITIONS OF SALE AND WARRANTY AND LIABILITY LIMITATIONS

Important: Read the entire Directions for Use and Notice of Conditions of Sale and Warranty and Liability Limitations before using this product. If terms are not acceptable return the unopened container for a full refund.

Our directions for use of this product are based on tests believed to be reliable. However, it is impossible to eliminate all risk associated with the use of this product. Crop injury, inadequate performance, or other unintended consequences may result due to soil or weather conditions, off target movement, presence of other materials, method of use or application, and other factors, all of which are beyond the control of Gowan Company. To the extent consistent with applicable law, all such risks shall be assumed by the Buyer and User.

Gowan Company warrants that this product conforms to the specifications on the label when used in strict conformance with Direction for Use, subject to the above stated risk limitations. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, GOWAN COMPANY MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, GOWAN COMPANY'S EXCLUSIVE LIABILITY FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, OR ANY OTHER LEGAL THEORY IS STRICTLY LIMITED TO THE PURCHASE PRICE PAID OR REPLACEMENT OF PRODUCT, AT GOWAN COMPANY'S SOLE DISCRETION.

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