

10308 - 32

2-29-2008

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

February 29, 2008

NOTIFICATION

Ms. Linda Obrestad
Valent USA Corporation
1600 Riviera Ave, Suite 200
Walnut Creek, CA 94596-8025

Subject: Notification for Updating Minor Label Changes
Clothianidin Technical
EPA Reg. No. 10308-32
Your Application Dated January 11, 2008

Dear Ms. Obrestad:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated January 11, 2008 for the products mentioned above. 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 fall within the scope of PRN 98-10. The labels submitted with the application have been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249.

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



January 11, 2008

Clothianidin Technical
EPA Reg. No. 10308-32
NOTIFICATION
OPP ID. No. 306356

Ms. Venus Eagle (PM 01)
Insecticide Branch
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7505P)
U.S. Environmental Protection Agency
One Potomac Yard - Room S4900
2777 S. Crystal Drive
Arlington, VA 22202-4501

Dear Ms. Eagle:

Valent U.S.A. Corporation is notifying the agency of an update to Sumitomo Chemical Co., Ltd. product label (EPA Reg. No. 10308-32) as follows:

- Updated label with current EPA Reg. No. 10308-32 and per attached transfer letter.
- Updated label with current Signature line to reflect Sumitomo Chemical Co., Ltd. per attached transfer letter.
- Reformatted label to reflect Sumitomo Chemical Co., Ltd. style.

I have enclosed the following for this label notification: one copy of label with all updates marked in red, one clean copy of label, an OPP ID Form No. 306356, certification statement consistent with PR-Notice 98-10, a CD with an electronic pdf of the label and a Certification Statement with Respect to Label Integrity.

If you should have any questions please contact me at (925) 256-2791 or Eric Maurer at our Washington DC office at (202) 872-4682.

Sincerely,

Linda Obrestad
Labeling Specialist
Registration and Regulatory Affairs

Enclosures



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January 11, 2008

Clothianidin Technical
EPA Reg No. 10308-32
Notification
OPP. Identifier .No. 306356

CERTIFICATION STATEMENT

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.

Linda Obrestad
Labeling Specialist
Registration and Regulatory Affairs
Valent U.S.A. Corporation



United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☐ Amendment
☒ Other

OPP Identifier Number
306356

Application for Pesticide - Section I

1. Company/Product Number 10308-32	2. EPA Product Manager Venus Eagle	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Clothianidin Technical	PM# 01	
5. Name and Address of Applicant (Include ZIP Code) Valent U.S.A. Corporation 1600 Riviera Ave., Suite 200 Walnut Creek, CA 94596-8025 <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: Updated EPA Reg. No. and signature line per attached transfer letter. Reformatted label to reflect Sumitomo Chemical Co., Ltd. style.

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
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
* Certification must be submitted				Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input checked="" type="checkbox"/> On Labeling	
6. Manner in Which Label is Affixed to Product <input checked="" 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 Linda Obrestad		Title Labeling Specialist	
		Telephone No. (Include Area Code) (925) 256-2791	
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 <i>Linda Obrestad</i>		3. Title Labeling Specialist	
4. Typed Name Linda Obrestad		5. Date January 11, 2008	

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SUMITOMO CHEMICAL COMPANY, LTD.

NOTIFICATION Clothianidin Technical Insecticide

For use in the Manufacture of Insecticides

Active Ingredient	By Wt.
Clothianidin	97.5%
Inert Other Ingredients	2.5%
	100.0%

*(E)-1-(2-chloro-1,3-thiazol-5-ylmethyl)-3-methyl-2-nitroguanidine

EPA Reg. No. 74207-1

EPA Est. No. 057700-JPN-001

~~STOP — Read the label before use.~~
KEEP OUT OF REACH OF CHILDREN

WARNING

SEE NEXT PAGE FOR ADDITIONAL PRECAUTIONARY STATEMENTS

NET CONTENTS _____

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~~For MEDICAL And TRANSPORTATION Emergencies ONLY Call 24 hours A Day 1-800-892-0099~~
~~For PRODUCT USE Information Call 1-800-6-VALENT (682-5368)~~

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS & DOMESTIC ANIMALS

WARNING

May be fatal if swallowed. Harmful if absorbed through skin. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

FIRST AID

- | | |
|--------------------------------|--|
| If swallowed: | <ul style="list-style-type: none"> • 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 the poison control center or doctor. • Do not give anything by mouth to an unconscious person. |
| 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 eye. • 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 by mouth-to-mouth, if possible. • 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. |

~~In case of emergency call toll free the Valent U.S.A. Corporation Emergency Response Telephone No. 1-800-892-0099. HOT LINE NUMBER~~

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 800-892-0099 for emergency medical treatment information.

Toxicological Information: NOTE TO PHYSICIAN

No specific antidote is available. Treat the patient symptomatically.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS & DOMESTIC ANIMALS

WARNING

~~May be fatal if swallowed. Harmful if absorbed through skin. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.~~

ENVIRONMENTAL HAZARDS:

Do not discharge effluent containing this product in lakes, streams, ponds estuaries, oceans or other water 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 sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

INSTRUCTIONS FOR FOMULATORS

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.

DISCLAIMER, RISKS OF USING THIS PRODUCT, LIMITED WARRANTY AND LIMITATION OF LIABILITY

IMPORTANT: Read the entire Label including this Disclaimer, Risks of Using this Product, Limited Warranty, and Limitation of Liability before using this product. If the terms are not acceptable THEN DO NOT USE THE PRODUCT; rather, return the unopened product within 15 days of purchase for a refund of the purchase price.

RISKS OF USING THIS PRODUCT

The Buyer and User (referred to collectively herein as "Buyer") of this product should be aware that there are inherent unintended risks associated with the use of this product which are impossible to eliminate. These risks include, but are not limited to, injury to plants and crops to which this product is applied, lack of control of the target pests or weeds, resistance of the target pest or weeds to this product, injury caused by drift, and injury to rotational crops caused by carryover in the soil. Such risks of crop injury, non-performance, resistance or other unintended consequences are unavoidable and may result because of such factors as weather, soil conditions, disease, moisture conditions, irrigation practices, condition of the crop at the time of application, presence of other materials either applied in the tank mix with this product or prior to application of this product, cultural practices or the manner of use or application, (or a combination of such factors) all of which are factors beyond the control of Sumitomo. The Buyer should be aware that these inherent unintended risks may reduce the harvested yield of the crop in all or a portion of the treated acreage, or otherwise affect the crop such that additional care, treatment and expense are required to take the crop to harvest. If the Buyer chooses not to accept these risks, THEN THIS PRODUCT SHOULD NOT BE APPLIED. By applying this product Buyer acknowledges and accepts these inherent unintended risks AND TO THE FULLEST EXTENT ALLOWED BY LAW, AGREES THAT ALL SUCH RISKS ASSOCIATED WITH THE APPLICATION AND USE ARE ASSUMED BY THE BUYER.

Sumitomo shall not be responsible for losses or damages (including, but not limited to, loss of yield, increased expenses of farming the crop or such incidental, consequential or special damages that may be claimed) resulting from use of this product in any manner not set forth on the label. Buyer assumes all risks associated with the use of this product in any manner or under conditions not specifically directed or approved on the label.

LIMITED WARRANTY

Sumitomo warrants only that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the label, under average use conditions, when used strictly in accordance with the label and subject to the Risks of Using This Product as described above. To the extent consistent with applicable law AND AS SET FORTH ABOVE, SUMITOMO MAKES NO OTHER WARRANTIES, EITHER EXPRESSED OR IMPLIED. No agent or representative of Sumitomo or Seller is authorized to make or create any other express or implied warranty.

LIMITATION OF LIABILITY

To the fullest extent allowed by law, Sumitomo or Seller is not liable for any incidental, consequential, indirect or special damages resulting from the use or handling of this product. The limitation includes, but is not limited to, loss of yield on all or any portion of the treated acreage, increased care, treatment or other expenses required to take the crop to harvest, increased finance charges or altered finance ratings, emotional or mental distress and/or exemplary damages. TO THE FULLEST EXTENT ALLOWED BY LAW, THE EXCLUSIVE REMEDY OF THE BUYER, AND THE EXCLUSIVE MAXIMUM LIABILITY OF SUMITOMO OR SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT SHALL BE THE RETURN OF THE PURCHASE PRICE OF THIS PRODUCT OR, AT THE ELECTION OF SUMITOMO OR SELLER, THE REPLACEMENT OF THE PRODUCT.

PROMPT NOTICE OF CLAIM

To the extent consistent with applicable law allowing such requirements, Sumitomo must be provided notice as soon as Buyer has reason to believe it may have a claim, but in no event later than twenty-one days from date of planting, or twenty-one days from the date of application, whichever is latter, so that an immediate inspection of the affected property and growing crops can be made.

To the extent consistent with applicable law, if Buyer does not notify Sumitomo of any claims, in such period, it shall be barred from obtaining any remedy.

NO AMENDMENTS

Sumitomo and Seller offer this product, and Buyer accepts it, subject to the foregoing Disclaimer, Risks of Using This Product, Limited Warranty and Limitation of Liability, which may not be modified by any oral or written agreement.

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DIRECTIONS FOR USE

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

~~Use only for formulation into Insecticide end use products for:~~

FOR FORMULATION OF CLOTHIANIDIN CONTAINING INSECTICIDE PRODUCTS ONLY.

This product is intended only for use in the formulation of Clothianidin containing insecticide products. Products formulated with Clothianidin Technical will require registration with the U. S. Environmental Protection Agency.

DIRECTIONS FOR USE

Only for formulation into insecticide products intended for the following uses:

Terrestrial Food Crops: Canola, Corn (including field, pop and sweet), Grapes, Pome Fruit Crop Group 11, Potato, Rapeseed, Sorghum and Tobacco.

Terrestrial Non-Food Crops: Turfgrass, Sod Farms, Ornamentals, Interior landscapes, Non-bearing fruits and nuts (in landscape)

Formulators who use this product are responsible for providing data to support their own registrations. ~~Detailed information on chemical and physical properties and other formulating recommendations for Clothianidin Technical are available upon request from Valent U.S.A. Corporation. Obtain and read this information before undertaking the formulation of Clothianidin Technical in order to avoid formulation hazards and insure a satisfactory finished product.~~

~~Labeling for products formulated from this product must conform to that which is currently registered with the U. S. Environmental Protection Agency. For specific information on federally registered uses contact Valent U.S.A. Corporation. Any variance from the federally registered labeling for products containing Clothianidin Technical will have to be supported by data provided by the formulator.~~

~~TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, VALENT U.S.A. CORPORATION DISCLAIMS ALL LIABILITY BASED ON BREACH OF WARRANTY, NEGLIGENCE, STRICT TORT LIABILITY, OR ANY OTHER THEORY OF LIABILITY FOR CROP DAMAGE OR FAILED EFFICACY RESULTING FROM THE USE OF THIS VALENT U.S.A. CORPORATION PRODUCT AS AN INGREDIENT IN ANY FORMULATION WITH A USE NOT SPECIFICALLY LISTED ON THIS LABEL.~~

Net Weight: 50 KGS

STORAGE AND DISPOSAL

~~Storage~~ PESTICIDE STORAGE:

Store in a cool place.

Do not store in direct sunlight.

Protect from freezing temperatures.

Do not contaminate water, food or feed by storage, disposal or cleaning of equipment.

Prohibitions: ~~Do not contaminate water, food or feed by storage, disposal or cleaning of equipment. Do not reuse empty container.~~

PESTICIDE DISPOSAL:

Wastes resulting from the use of this product maybe disposed of on site or at an approved waste disposal

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facility. Do not reuse empty container.

CONTAINER DISPOSAL:

~~Contact Valent U.S.A. Corporation or your chemical supplier for container return instructions. If container is not returned in accordance with instructions, t~~Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

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~~Valent U.S.A. Corporation~~
~~P. O. Box 8025~~
~~Walnut Creek, CA 94596-8025~~
~~www.valent.com~~

Agent For:
~~Sumitomo Chemical Takeda Agro Co., Ltd.~~
~~16-3 Shinkawa 1-Chome~~
~~Chuo-ku, Tokyo, 104-0033, Japan~~
Manufactured by:
Sumitomo Chemical Company, Ltd.
5-33 Kitahama, 4-Chome, Chuo-Ku
Osaka 541-8559, Japan

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