

10951-18

4/23/2010

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. Masuo Robinson, Agent for
Britz-Simplot Growers Solutions, LLC
c/o Robinson Associates
583 Canyon Road
Redwood City, CA 94062

APR 23 2010

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request Alternate Brand Name "PHT Dryout Dust"
EPA Reg. No. 10951-18
Application Dated March 18, 2010

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 03/18/10 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 fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

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

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	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number _____
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Application for Pesticide - Section I

1. Company/Product Number 10951-18	2. EPA Product Manager Mary Waller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Britz Dryout Dust	PM# 21	
5. Name and Address of Applicant (Include ZIP Code) Britz-Simplot Grower Solutions, LLC c/o Robinson Associates 583 Canyon Rd. Redwood City, CA 94062 <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 _____	NOTIFICATION APR 23 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 for an additional brand name of "PHT Dryout Dust"
 "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."

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	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No			<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		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		5. Location of Label Directions <input type="checkbox"/> _____	
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 Masuo Robinson	Title Authorized Agent	Telephone No. (Include Area Code) 650.361.1101
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.		9. Date Application Received (Stamped)
2. Signature 	3. Title Authorized Agent	
4. Typed Name Masuo Robinson	5. Date March 18, 2010	

March 18, 2010

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
Room 266A, Crystal Mall 2
1921 Jefferson Davis Hwy.
Arlington, VA 22202-4501

Subject: Notification of Alternate Brand Name

Britz Dryout Dust,
EPA Reg. No. 10951-18

Dear Ms. Waller:

On behalf of Britz-Simplot Grower Solutions, LLC, this letter is to submit notification for the alternate brand name:

- PHT Dryout Dust

Supporting this request, please find attached the following documents:

- Application for Pesticide Registration form 8570-1 dated March 18, 2010.

Should you have any questions regarding this submission or require additional information, please call me. Please send all correspondence to Robinson Associates..

Sincerely,



Masuo Robinson
Agent for Britz-Simplot Grower Solutions, LLC

Attachments

cc: Tim Brown, BSGS

18-notif-1

Regulatory Affairs 583 Canyon Road
Pesticide Registration Redwood City, CA 94062
Telephone 650.361.1101
Facsimile 650.361.0111
Email masuo@ix.netcom.com



NOTIFICATION DRYOUT DUST

APR 23 2010

ACTIVE INGREDIENT:		
Sulfur	49.35%
(In the form of elemental sulfur)		
INERT INGREDIENTS	50.65%
TOTAL	100.00%



OMRI Listed by the Organic Materials Review Institute (OMRI) for use in production of organic food and fiber

KEEP OUT OF REACH OF CHILDREN DANGER

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

IF IN EYES:	FIRST AID <ul style="list-style-type: none"> Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eyes. Call a poison control center or doctor for 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 to 20 minutes. Call a poison control center or doctor for treatment advice.
IF SWALLOWED:	<ul style="list-style-type: none"> 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:	<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 Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact day or night, 1-800-424-9300	
NOTE TO PHYSICIAN Probable mucosal damage may contraindicate the use of gastric lavage.	

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS & DOMESTIC ANIMALS

DANGER: CORROSIVE. Causes irreversible eye damage. Do not get in eyes or on clothing. Wear protective eyewear (goggles or face shield). Remove contaminated clothing and wash clothing before reuse.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear: long-sleeved shirt and long pants, chemical-resistant gloves made of any waterproof material, shoes plus socks and protective eyewear.

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

ENGINEERING CONTROLS STATEMENTS

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240 (d) (4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS. **IMPORTANT:** When reduced PPE is worn because a closed system is being used, handlers must be provided all PPE specified above for "applicators and other handlers" and have such PPE immediately available for use in an emergency, such as a spill or equipment break-down.

USER SAFETY RECOMMENDATIONS:

USERS SHOULD:

Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

This product is toxic to fish. 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 apply when weather conditions favor drift from treated areas. Do not contaminate water when disposing of equipment wash waters.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. 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. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 24 hours. PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is: coveralls, long-sleeved shirt, chemical-resistant gloves made of any waterproof material, shoes plus socks, and protective eyewear (goggles or face shield).

PHT DRYOUT DUST is intended for use as preharvest aid for reducing yield loss due to juice weeping from grape berries bursting in overly tight bunches. Weeping berries can lead to secondary sour rot infection and attractiveness to fruit flies. Avoiding spray drift at the application site is the responsibility of the applicator. The interaction of many equipment-and-weather-related factors determines the potential for spray drift. The applicator and the grower are responsible for considering all these factors when making decisions.

In addition to specific instructions under directions for use on this label, the following conditions must also be followed for use in California.

- The operator of the property and the applicator must establish a buffer zone of enough distance to prevent drift onto non-target areas such as hospitals, clinics, residential areas, schools, and any other area designated by the county agricultural commissioner.
- The operator of the property and the applicator must evaluate the method and equipment for each site to ensure proper and safe use. Evaluations shall include, but not be limited to the appropriateness of ground or air application.
- Sulfur formulations shall not be applied when the wind velocity exceeds 10 miles per hour. Applicators should be aware that in some areas of California, "dead calm" conditions are often associated with an inversion situation. In these areas, applying sulfur formulations when there is a minimum air movement of 2 miles per hour will help ensure that an inversion situation does not exist.
- All applicators, prior to use of dust formulations, should read and understand the Sulfur Best Application Practices Manual.
- Before using this product, read and follow all applicable directions, restrictions and precautions on the EPA-registered label.

IMPORTANT: Applications of sulfur should not be made just prior to or during periods of high summer temperatures. Do not make applications within 2 weeks of an oil spray. Do not use or allow this material to drift onto sulfur sensitive melons, squash, cucumbers, apricots, spinach or other plants which may be injured by sulfur. Concord and other labrusca type grapes may be injured by sulfur.

DO NOT MIX OR DILUTE WITH OTHER PRODUCTS. THOROUGH COVERAGE IS ESSENTIAL WHEN USING PHT DRYOUT DUST

APPLICATION RATE:

GRAPES: For control of berry weeping apply 20 lbs. per acre. For best results, apply by ground to every row for thorough coverage.

STORAGE & DISPOSAL

Do not contaminate water, food, or feed by storage and disposal.

Pesticide Storage: Keep out of reach of children and animals. Store in original container only. Store in a cool, dry place and avoid excess heat. Do not contaminate other pesticides, fertilizers, water and food or feed by storage or disposal.

In Case of Spill: Avoid contact, isolate area and keep out animals and unprotected persons. Confine spills. Call Chemtrec 1-800-424-9300

To Confine Spill: If dry material, cover to prevent dispersal. Place damaged package in a holding container. Identify contents.

For Minor Spills, Leaks, Etc.: Follow all precautions indicated on this label and clean up immediately. Take special care to avoid contamination of equipment and facilities during cleanup procedures and disposal of waste. In the event of a major spill, fire or emergency, call Chemtrec @ 1-800-424-9300 day or night.

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.

Pesticide Container: Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

CONDITIONS OF SALE AND WARRANTY

CONDITIONS OF SALE:

1. **BRITZ-SIMPLOT GROWER SOLUTIONS LLC** warrants that this material conforms to the chemical description on the label and is reasonably fit for use as directed hereon.

BRITZ-SIMPLOT GROWER SOLUTIONS LLC neither makes, nor authorizes any agent or representative to make, any other warranty of **FITNESS** or of **MERCHANTABILITY**, guarantee or representation, expressed or implied, concerning this material.

2. Critical and unforeseeable factors beyond the control of **BRITZ-SIMPLOT GROWER SOLUTIONS LLC** prevent it from eliminating all risk in connection with the use of chemicals. Such risks include, but are not limited to, damage to plants, and crops to which the material is applied, lack of complete control, and damage caused by drift to other plants or crops. Such risks occur even though the product is reasonably fit for the uses stated hereon and even though label directions are followed. Buyer and user acknowledge and assume all risks and liability (except those assumed by **BRITZ-SIMPLOT GROWER SOLUTIONS LLC** under 1 above) resulting from handling, storage, and use of this material.

54771-1

EPA Reg. No. 10951-18
EPA Est. No. 10951-CA-5

**Net Contents: 50 pounds
(22.67 Kg)**

Manufactured For:
Britz-Simplot Grower Solutions LLC
P.O. Box 60011, Fresno, CA 93794