

11603-13

01-05-2010

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

JAN - 5 2010

Ms. Christie Hitchcock
Product Registration
MANA, Inc.
Agent for Agan Chemical Manufacturing Ltd.
4515 Falls of Neuse Road, Suite 300
Raleigh, NC 27609

Subject: Notification for Label Revisions under PRN 98-10, and PRN 2007-4
Storage & Disposal and Warranty Statement. Change.

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 98-10 and 2007-4 dated October 14, 2009 for:

EPA Registration 11603-13 "Triflurex (Trifluralin) Technical"

The Registration Division (RD) has conducted a review of the request(s) for applicability under PRN 98-10, and PRN 2007-4 and finds that the label changes requested fall within the scope of PRN-98-10 and 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 non-refillable 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 Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

A handwritten signature in cursive script that reads "Rachel C. Halloran".

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



United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☐ Amendment
☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 11603-13	2. EPA Product Manager Linda Arrington.	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Triflurex® (Trifluralin) Technical	PM# 23 Registration Support Branch	
5. Name and Address of Applicant (Include ZIP Code) Agan Chemical Manufacturers Ltd., c/o Makhteshim Agan of North America, Inc. 4515 Falls of Neuse Rd., Ste 300, Raleigh, NC 27609 <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: 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.

NOTIFICATION

JAN - 5 2010

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

Notification per PRN 98-10: 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 false statements 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 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 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 55 lbs or less; greater than 55 lbs		5. Location of Label Directions <input checked="" type="checkbox"/> on label	
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 Self-Adhesive			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)			
Name Christie Hitchcock	Title Regulatory Specialist	Telephone No. (Include Area Code) 919-256-9342	
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>Christie Hitchcock</i>	3. Title Regulatory Specialist		
4. Typed Name Christie Hitchcock	5. Date 10-14-09		



**Makhteshim Agan of
North America, Inc.**

October 14, 2009

Re: Triflurex® (Trifluralin) Technical; EPA Reg. No. 11603-13
Page Two attachment to 8570-1 form

Notification per PRN 98-10: 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 false statements 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.

Christie Hitchcock
Regulatory Specialist
Regulatory Affairs, MANA
on behalf of Agan Chemical Manufacturers, Ltd.



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October 14, 2009

Document Processing Desk (NOTIF)
Registration Division (7504P)
OPP, USEPA
Ariel Rios Building
1200 Pennsylvania Ave, NW
Washington, DC 20460

Re: Triflurex® (Trifluralin) Technical; EPA Reg. No. 11603-13
Notification per PRN 98-10 and 2007-4

To Whom It May Concern:

We are notifying the Agency of several updates for the above mentioned label as allowed in PR Notices 98-10 and 2007-4. The changes are summarized below:

- Added "Manufactured for" in front of the company name (allowed per PRN 98-10 §II(N)(2))
- Updated the Warranty Statement that is now consistent with EPA's guidance document dated 10-17-06 (allowed per PRN 98-10 §II(J))
- Updated address on product-specific labeling (allowed per PRN 98-10 §IV(D))(note; official EPA records have already been updated; we're just correcting this label)
- Updated container disposal instructions per PRN 2007-4

In support of this submission, the following documents are attached:

- Application for Pesticide Registration (EPA Form 8570-1)
- One copy of final printed labeling

Please contact me at 919-256-9342 or by email at chitchcock@manainc.com if you have any questions regarding this submission or would like a copy of the annotated label showing the changes for your files.

Sincerely,

Christie Hitchcock
Regulatory Specialist

Enclosures

TRIFLUREX[®]

Trifluralin Technical

A herbicide for formulating use only

ACTIVE INGREDIENT:

Trifluralin: [a,a,a-trifluoro-2, 6-dinitro-N,N-dipropyl-p-toluidine] 96.0%

INERT INGREDIENTS:

TOTAL 100.0%

% BY WT.

KEEP OUT OF REACH OF CHILDREN CAUTION

MANUFACTURED FOR:

Agan Chemical Manufacturers, Ltd.
c/o Makhteshim Agan of North America, Inc.
4515 Falls of Neuse Road, Suite 300
Raleigh, NC 27609

NOTIFICATION

JAN - 5 2010

EPA Reg. No. 11603-13

NET CONTENTS: _____ LBS

EPA Est. No. _____

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 by a poison control center or doctor.• Do not give anything by mouth to an unconscious person.
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 treatment advice.
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 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. You may also contact PROSAR at 1-877-250-9291 for emergency medical treatment information.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if swallowed or absorbed through the skin. Causes moderate eye irritation. Avoid contact with skin, eyes, or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish. 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.

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PHYSICAL HAZARDS

Do not use or store near heat or open flame.

DIRECTIONS FOR USE

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

FOR FORMULATING USE ONLY

FORMULATORS USING THIS PRODUCT ARE RESPONSIBLE FOR OBTAINING EPA REGISTRATION OF THEIR FORMULATED PRODUCTS.

Only for formulation into a herbicide for the following use(s):

CROP RECOMMENDATIONS

- Alfalfa
- Asparagus
- Barley
- Beans (Castor, Dry, Guar, Kidney, Lentils, Lima, Mungbeans, Navy, Pinto, and Snap)
- Carrots
- Celery
- Chicory
- Christmas Tree Plantations
- Cole Crops (Broccoli, Brussels Sprouts, Cabbage, and Cauliflower)
- Corn
- Cotton
- Cottonwood Trees Grown For Pulp
- Cucurbits (Cantaloupes, Cucumbers, and Watermelons)
- Durum
- Eggplant
- Flax
- Forage Legumes
- Fruit trees
- Grain Sorghum
- Greens (Turnips, Collard, Kale, and Mustard Greens)
- Hops
- Kenaf
- Landscape Ornamentals, Container Grown Ornamentals, Nursery Stock, Ground Covers, Established Flowers, Ornamental Bulbs
- Mint (Peppermint and Spearmint)
- Mustard
- Non-Bearing and Bearing Citrus
- Nut trees
- Okra
- Onion
- Peanuts
- Peas (Dry, English, Southern)
- Peppers (Transplants Only)
- Potatoes
- Radish
- Rapeseed
- Safflower
- Soybeans
- Sugar Beets
- Sugarcane
- Sunflower
- Tomatoes
- Turf and Non-Crop Land
- Vineyards
- Wheat
- Non-Cropland areas, Under Paved Surfaces

This product may be used to formulate products for any additional use(s) not listed on the label if the formulator, user group, or grower has complied with U.S. EPA submission requirements regarding the support of such use(s).

Triflurex may be used for treatment of integral drip irrigation system filters for protection of system components.

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STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Do not contaminate water, food, or feed by storage or disposal. Open dumping is prohibited.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. If no recycling then offer for reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

In case of minor spills, follow all precautions indicated above and clean up immediately. Sweep up and dispose of wastes and broken or empty containers in a sanitary landfill or by other approved State and local procedures.

LIMITATION OF WARRANTY AND LIABILITY

Read the entire directions for use, conditions of warranties and limitations of liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following **CONDITIONS, DISCLAIMER OF WARRANTIES, and LIMITATIONS OF LIABILITY.**

CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness, or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Agan Chemical Manufacturers, Ltd. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: To the extent consistent with applicable law, Agan Chemical Manufacturers, Ltd. makes no other warranties, express or implied, of merchantability or of fitness for a particular purpose or otherwise, that extend beyond the statements made on this label. No agent of Agan Chemical Manufacturers, Ltd. is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. To the extent consistent with applicable law, Agan Chemical Manufacturers, Ltd. disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

LIMITATIONS OF LIABILITY: To the extent consistent with applicable law, the exclusive remedy of the user or buyer for any and all losses, injuries or damages resulting from the use or handling of this product, whether in contract, warranty, tort, negligence, strict liability or otherwise, shall not exceed the purchase price paid or at Agan Chemical Manufacturers, Ltd.'s election, the replacement of product.

Triflurex is a registered trademark of Agan Chemical Manufacturers, Ltd.

Triflurex (trifluralin) Technical (11603-13)(notif to EPA 10-14-09)