

11603-33

09-29-2009

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCE

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

SEP 29 2009

Subject: Notification(s) for Label Revisions under PRN 2007-4 and 98-10  
1. Updated warranty statement

Dear Ms. Hitchcock:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 2007-4 and 98-10 dated August 20, 2009 for:

**EPA Registration 11603-33**

**Diuron Technical**

The Registration Division (RD) has conducted a review of the request(s) for applicability under 2007-4 and 98-10 and finds that the label changes requested fall within the scope of 2007-4 and 98-10. 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 identify 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 Nicole Williams of my staff at 703-308-5551.

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



United States  
**Environmental Protection Agency**  
 Washington, DC 20460

Registration  
 Amendment  
 Other

OPP Identifier Number

**Application for Pesticide - Section I**

1. Company/Product Number 11603-33	2. EPA Product Manager Linda Arrington	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Diuron Technical	PM# 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)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

**Section - II**

Amendment - Explain below.  Final printed labels in response to Agency letter dated \_\_\_\_\_  
 Resubmission in response to Agency letter dated \_\_\_\_\_  "Me Too" Application.  
 Notification - Explain below.  Other - Explain below.

**NOTIFICATION**

**SEP 29 2009**

**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:

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	2. Type of Container <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  
 Label  Container

4. Size(s) Retail Container  
50 lbs or less; greater than 50 lbs

5. Location of Label Directions  
 on label

6. Manner in Which Label is Affixed to Product  
 Lithograph Paper glued Stenciled  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
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**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 <i>Christie Hitchcock</i>	3. Title Regulatory Specialist	6. Date Application Received (Stamped)
4. Typed Name Christie Hitchcock	5. Date 08-20-09	



M A N A

of

August 20, 2009

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

Re: Diuron Technical; EPA Reg. No. 11603-33  
Notification per PRN 98-10 and 2007-4

To Whom It May Concern:

On behalf of Agan Chemical Manufacturers, Ltd., Makhteshim Agan of North America, Inc. is 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:

- 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 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](mailto: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

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# DIURON TECHNICAL HERBICIDE

A HERBICIDE FOR FORMULATING USE

<b>ACTIVE INGREDIENT:</b>	<b>% BY WT.</b>
Diuron: 3-(3,4-dichlorophenyl)-1,1-dimethylurea .....	98.5%
<b>INERT INGREDIENTS:</b> .....	1.5%
<b>TOTAL</b>	<b>100.0%</b>

**KEEP OUT OF REACH OF CHILDREN  
CAUTION**

**NOTIFICATION**

**SEP 29 2009**

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

EPA Reg. No. 11603-33

EPA Est. No. \_\_\_\_\_

**NET CONTENTS: \_\_\_\_\_ LBS**

<b>FIRST AID</b>	
<b>IF SWALLOWED:</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
<b>IF IN EYES:</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15 to 20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice</li> </ul>
<b>IF ON SKIN OR CLOTHING:</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15 to 20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>IF INHALED:</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>
<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 Prozar at 1-877-250-9291 for emergency medical treatment information.</p>	

**PRECAUTIONARY STATEMENTS  
HAZARDS TO HUMANS AND DOMESTIC ANIMALS  
CAUTION**

Harmful if swallowed. Wash thoroughly with soap and water after handling.

**ENVIRONMENTAL HAZARDS**

For terrestrial use, 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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### DIRECTIONS FOR USE

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

For use by commercial pesticide formulators only for formulation into an herbicide, mildewcide or algacide for the following uses: alfalfa, apple, artichoke, asparagus, banana and plantain, barley, berries crop group, birdsfoot trefoil, citrus, clover, corn, cotton, filberts, grape, grass seed crops, oats, olive, papaya, peach, peas, pear, peppermint, pineapple, potatoes, rye, sorghum, sugarcane, tree nut crop group, tree plantings, vetch, walnut, wheat, and non-crop weed control, ornamental ponds / aquaria, industrial adhesives and coatings, paints, emulsions and polymer compounds, wood protection treatment (outdoor) to buildings and other products (f. ex., architectural algicidal use, exterior siding).

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

All wettable powder products will be cancelled. Wettable powder products may not be sold or distributed six months after the effective date of cancellation.

### STORAGE AND DISPOSAL

**PROHIBITIONS:** Do not contaminate water, food, or feed by storage or disposal. Do not store under conditions which might adversely affect the container or its ability to function properly. Such conditions include, but are not limited to positioning of the container in storage, storage temperature, potential for crushing or damage due to stacking, and penetration of moisture.

**PESTICIDE STORAGE:** Store in a safe manner. Store in original container only. Store in cool, dry place. Reduce stacking height where local conditions, such as humidity or pallet overhang can affect package strength.

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. 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 and Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

**CONTAINER HANDLING:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. 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.

### 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 for at Agan Chemical Manufacturers, Ltd.'s election, the replacement of product.

Diuron Technical Herbicide (EPA app 11-1-06)(notif to EPA 08-20-09)