

11603-43

8/26/2010

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Ms. Jennifer Yentel
Regulatory Specialist
Agan Chemical Manufacturers, Ltd.
4515 Falls of Neuse Road, Suite 300
Raleigh, NC 27615

AUG 26 2010

Subject: Label Amendment – Adding Use on Tomatoes
Product Name: Technical Metolachlor II
EPA Registration Number: 11603-43
Decision Number: 434835

The label amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended is acceptable provided the following item is addressed:

- The Container Handling statement in the Storage and Disposal box must read “CONTAINER HANDLING: Refillable container. Refill this container with metolachlor only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person-disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, triple rinse (or equivalent). Then offer for recycling if available or puncture and dispose of in a sanitary landfill or by other procedures allowed by state and local authorities.”

Products shipped after 18 months from the date on this notice or the next printing of the label whichever occurs first, must bear the new revised label. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA. Your release for shipment of this product constitutes acceptance of these conditions. This label supersedes all previously accepted labels. You must submit on copy of the final printed label before the product is released for shipment. If you have any questions, please contact Michael Walsh by phone at (703) 308-2972 or via email at walsh.michael@epa.gov.

Sincerely,

A handwritten signature in black ink that reads "Kathryn V. Montague".

Kathryn V. Montague
Product Manager (23)
Herbicide Branch
Registration Division (7505P)

Enclosure

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Technical Metolachlor II

For Manufacturing Purposes Only

| | |
|---|---------------------|
| ACTIVE INGREDIENT: | % BY WT. |
| Metolachlor: 2-chloro-N-(2-ethyl-6-methylphenyl)N-(2-methoxy-1-methylethyl)acetamide..... | 96.8% |
| INERT INGREDIENTS | 3.2% |
| | TOTAL 100.0% |

with **COMMENTS**

In EPA Letter Dated:

AUG 26 2010

Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No.

11603-43

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

EPA Reg. No. 11603-43

EPA Est. No. _____

NET CONTENTS: _____ GALLONS(S)

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.

NOTE TO PHYSICIAN: If swallowed, there is no specific antidote. Induce emesis and lavage stomach. Treat symptomatically. The use of an aqueous slurry of activated charcoal (such as Norit A) and a saline cathartic should be considered.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS & DOMESTIC ANIMALS CAUTION

Harmful if swallowed or absorbed through the skin. May cause skin sensitization reactions in certain individuals. Wear protective clothing (coveralls and gloves) while handling and using this product. Avoid contact with skin, eyes, and clothing. Wash thoroughly with soap and water after handling.

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.

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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.

This product is to be used only for formulation into herbicides for the following uses: Corn, Cotton, Peanuts, Pod Crops, Potatoes, Safflower, Sorghum (Grain and Forage), Soybeans, Tomatoes, Nursery Stock, and Landscape Plantings.

NOTE TO FORMULATORS: Formulators are responsible for providing data to support registration of products formulated from Technical Metolachlor II.

STORAGE AND DISPOSAL

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

PESTICIDE DISPOSAL: Open dumping is prohibited. Wastes resulting from the use of this product are toxic. Improper disposal of unused pesticide is a violation of federal law. Pesticide that cannot be used according to label instructions must be disposed of according to federal, state, or local procedures. For guidance in proper disposal methods, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office.

CONTAINER HANDLING: Refillable container. Refill this container with metolachlor only. Do not reuse this container for any other purpose. Thoroughly clean container before reuse.

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 wastes.

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.

Technical Metolachlor II (11603-43)(Amend to Add Tomatoes to EPA 06-01-10)