

11603-46

11/13/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCE

Christie Hitchcock
Celsius Property B.B., Amsterdam (NL)
c/o Makhteshim Agan of North America, Inc.
4515 Falls of Neuse Rd., Suite 300
Raleigh, NC 27609

NOV 13 2009

Subject: Notification(s) for Label Revisions under PRN 2007-4 and 98-10

1. Other minor revisions

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 October 28, 2009 for:

EPA Registration 11603-46 Bromacil 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

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number



Application for Pesticide - Section I

1. Company/Product Number 11603-46	2. EPA Product Manager Linda Arrington	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Bromacil Technical	PM# 25 Registration Support Branch	
5. Name and Address of Applicant (Include ZIP Code) Agan Chemical Manufacturers, Ltd. c/oMakhteshim Agan of North America, Inc. 4515 Falls of Neuse Rd, Suite 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

<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

NOV 13 2009

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

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance of PR Notice 2007-4 and requirements of EPA's regulations at 40 CFR §§156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statements to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR §§156.10, 156.140, 156.144, 156.146, and 156.156, 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.

see page 2 for PRN 98-10 language

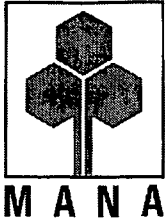
Section - III

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
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container	<input checked="" type="checkbox"/> Glass	<input checked="" type="checkbox"/> Paper
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 10-28-09	

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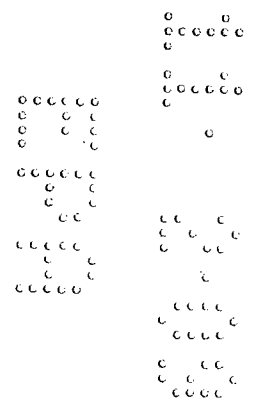
**Makhteshim Agan of
North America, Inc.**

October 28, 2009

Re: Bromacil Technical; EPA Reg. No. 11603-46
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
Christie Hitchcock
Regulatory Specialist
Regulatory Affairs, MANA
on behalf of Agan Chemical Manufacturers, Ltd.





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October 28, 2009

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

Re: Bromacil Technical; EPA Reg. No.11603-46
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 an update for the above mentioned label as allowed in PR Notices 98-10 and 2007-4. The changes made are summarized below:

- Changed Manufactured by: to Manufactured for: in front of the company name (allowed per PRN 98-10 §II(N)(2))
- Updated container disposal instructions per PRN 2007-4

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

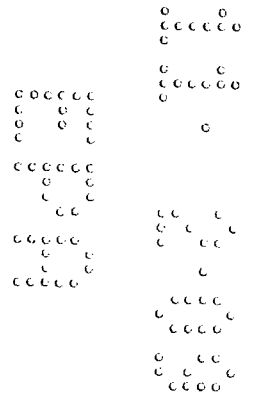
- Application for Pesticide Registration (EPA Form 8570-1) – two pages
- One copy of final printed labeling

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
Christie Hitchcock
Regulatory Specialist

Enclosures



DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Only for the formulation of herbicides:

1. For the following uses:

Terrestrial Food Crops: Citrus fruits including grapefruit and orange, Pineapple

Terrestrial Non-Food Crops: Agricultural uncultivated areas, airports and landing fields, outdoor industrial areas, nonagricultural outdoor buildings and structures, non agricultural Rights-of Way and fencerows and hedgerows, nonagricultural uncultivated areas and soils, paved areas including private roads and sidewalks, recreational areas, and outdoor refuse and solid waste sites, Railroad, Highway and Pipeline Rights-of-Way, Petroleum Tank Farms, Lumberyards, Storage Areas, and Industrial Plant Sites, and under asphalt and concrete pavement.

Aquatic non-food industrial: drainage systems.

2. Uses for which U.S. EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration.

3. Uses for experimental purposes that are in compliance with U.S. EPA requirements.

Formulators using this product are responsible for obtaining EPA registration for their formulated products.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store product in original container only, away from other pesticides, fertilizers, food, or feed.

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: Bag: Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. Completely empty bag into application equipment. Then dispose of empty bags in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

Unlined Drum: Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available.

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

Lined Drum: Refillable container. Refill this container with bromacil only. Do not reuse this container for any other purpose. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by state and local authorities. If drum is contaminated and cannot be reused, dispose of it in the manner required for its liner.

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 landfill approved for pesticide use.

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.

Bromacil Technical Herbicide (11603-46)(EPA app. 7-22-08)(notif to EPA 10-28-09)