

11667-6

11-15-2004

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Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 11667-6	2. EPA Product Manager C. Giles-Parker	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) BP Chemicals, Inc. / Propionic Acid Blend MUP	PM# 22	
5. Name and Address of Applicant (Include ZIP Code) BP Chemicals, Inc. c/o Pyxis Regulatory Consulting, Inc. 4110 136th St. NW Gio Harbor, WA 98332 <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 NOV 15 2004
<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 of a change in the warranty language per PR Notice 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 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
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	Other (Specify) _____	
		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"/> On Label <input type="checkbox"/> On Labeling accompanying product	
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 Janelle Kay	Title Agent	Telephone No. (Include Area Code) (253) 853-7369
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 	3. Title Agent	
4. Typed Name Janelle Kay	5. Date 11/15/04	

NOV 15 2004

PROPIONIC ACID BLEND MUP

FOR MANUFACTURING PURPOSES ONLY

ACTIVE INGREDIENT:

Propionic acid..... 68.0%

OTHER INGREDIENTS: 32.0%**TOTAL** 100.0%

KEEP OUT OF REACH OF CHILDREN

DANGER

FIRST AID	
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 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 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 by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
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 do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
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 1-800-424-9300 for emergency medical treatment information.	
NOTE TO PHYSICIAN	
Probable mucosal damage may contraindicate the use of gastric lavage.	

Manufactured For:

BP Chemicals, Inc.
150 West Warrenville Rd.
Naperville, IL 60563-8460

EPA Reg. No. 11667-6

EPA Est. No.

Net Contents: _____

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

CORROSIVE. Causes irreversible eye damage and skin burns. May be fatal if inhaled. Harmful if swallowed. Do not breathe vapor. Do not get in eyes, on skin, or on clothing. Wear protective clothing (chemical-resistant aprons and chemical-resistant foot-wear), chemical-resistant gloves, safety goggles and/or face shield and a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any N, R, P or HE prefilter. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and wildlife. 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.

PHYSICAL OR CHEMICAL HAZARDS

Combustible. 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.

Only for formulation into a fungicide for use on stored grains, hay and grain storage areas.

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

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Do not store or use this product near open flame. Keep container closed. Store in a cool, dry location away from incompatibles.

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.

CONTAINER DISPOSAL: Triple rinse (or equivalent) and wash with appropriate cleaners before reusing.

LIMITED WARRANTY AND DISCLAIMER

Technical information contained herein is furnished without charge or obligation, and is given and accepted at recipient's sole risk. Because conditions of use may vary and are beyond our control, the manufacturer makes no representation about, and is not responsible or liable for the accuracy or reliability of data, nor for toxicological effects or Industrial Hygiene requirements associated with particular uses of any product described herein. As the use of this product being beyond control of the manufacturer, no guarantee, express or implied, is made as to the effects of such use or the results to be obtained. Buyer assumes all risk and liability arising out of the transportation, unloading, storage, handling or use, either singly or in combination with other substances, of any goods after title with respect to such goods passes to Buyer. The product is warranted to meet its shipping specifications at the time the product is loaded onto conveyances for transport. ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING

WITHOUT LIMITATION THE WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, ARE EXCLUDED. Buyer's exclusive remedy and manufacturer's or seller's exclusive liability for any and all claims, losses, damages or injuries resulting from the use or handling of this product, whether such liability is based in contract, warranty, negligence, strict liability in tort, or otherwise is limited, at the manufacturer's option to replacement of, or the repayment of the purchase price for, the quantity of product with respect to which damages are claimed.

NOTIFICATION 5/9
NOV 15 2004

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LIMITED WARRANTY AND DISCLAIMER

Technical information contained herein is furnished without charge or obligation, and is given and accepted at recipient's sole risk. Because conditions of use may vary and are beyond our control, the manufacturer makes no representation about, and is not responsible or liable for the accuracy or reliability of data, nor for toxicological effects or Industrial Hygiene requirements associated with particular uses of any product described herein. As the use of this product being beyond control of the manufacturer, no guarantee, express or implied, is made as to the effects of such use or the results to be obtained. Buyer assumes all risk and liability arising out of the transportation, unloading, storage, handling or use, either singly or in combination with other substances, of any goods after title with respect to such goods passes to Buyer. The product is warranted to meet its shipping specifications at the time the product is loaded onto conveyances for transport. ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING

WITHOUT LIMITATION THE WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, ARE EXCLUDED. Buyer's exclusive remedy and manufacturer's or seller's exclusive liability for any and all claims, losses, damages or injuries resulting from the use or handling of this product, whether such liability is based in contract, warranty, negligence, strict liability in tort, or otherwise is limited, at the manufacturer's option to replacement of, or the repayment of the purchase price for, the quantity of product with respect to which damages are claimed.

Deleted: Our recommendations for use of this product are based upon tests believed to be reliable. The use of this product being beyond control of the manufacturer, no guarantee, express or implied, is made as to the effects of such use or the results to be obtained if not used in accordance with printed directions and established safe practice. Buyer's exclusive remedy and manufacturer's or seller's exclusive liability for any and all claims, losses, damages or injuries resulting from the use or handling of this product, whether or not based in contract, negligence, strict liability in tort or otherwise shall be limited, at the manufacturer's option to replacement of, or the repayment of the purchase price for, the quantity of product with respect to which damages are claimed.



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Neil Ostrosky
BP Chemicals
1 2nd Avenue South
Texas City, TX 77590
Tel: 409-942-3693
Fax: 409-945-6544

October 28, 2003

To Whom It May Concern:

RE: Letter of Authorization

Please let this letter serve to notify you that Pyxis Regulatory Consulting, Inc. is authorized to represent BP Chemicals, Inc. (EPA Company Number 11667) before the US Environmental Protection Agency, California Department of Pesticide Regulation, and other state agencies in all matters regarding our registrations and applications for registrations pursuant to the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), 7 USC Section 136 et seq.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Neil R. Ostrosky".

Neil R. Ostrosky
Product Manager, Acetyls
BP

cc: Janelle Kay; Pyxis Regulatory Consulting, Inc.

PYXIS REGULATORY CONSULTING, INC.

4110 136th St. NW
Gig Harbor, WA 98332

9/9
Phone: 253-853-7369
Fax: 253-853-5516
www.PyxisRC.com

October 27, 2004

COURIER DELIVERY

Cynthia Giles-Parker
Document Processing Desk (NOTIF)
Office of Pesticide Programs
U.S. Environmental Protection Agency
Room 266A, Crystal Mall 2
1801 Bell Street
Arlington, VA 22202

RE: BP Chemicals, Inc. – Propionic Acid Blend MUP (EPA Reg. No. 11667-6)
Notification of Change in Warranty Language per PRN 98-10

Dear Ms. Giles-Parker,

On behalf of BP Chemicals, Inc. please find the enclosed notification of a change in warranty language for Propionic Acid Blend MUP (EPA Reg. No. 11667-6).

In support of this notification, we submit the following documents:

1. Completed Application for Registration (EPA Form 8570-1)
2. One (1) copy of the Propionic Acid Blend MUP labeling with changes tracked
3. One (1) copy of the Propionic Acid Blend MUP labeling with changes incorporated
4. Letter of Authorization

Please feel free to call me if you have any questions or need any additional information.

Best Regards,



Janelle Kay

Enclosures

cc: N. Ostrosky; BP Chemicals, Inc.
C. O'Connell; BP Chemicals, Inc.