



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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCE

Christie Hitchcock  
Regulatory Specialist  
Makhteshim Agan of North America, Inc.  
4515 Falls of Neuse Rd., Suite 300  
Raleigh, NC 27609

FEB 24 2009

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

- Added "Manufactured for" in front of the company name
- Updated warranty statement
- Added Emergency Responder Phone Number
- Other minor typographical updates

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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 December 23, 2008 for:

**EPA Registration 11678-18**

**Folpan Folpet 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,



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

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United States  
Environmental Protection Agency  
Washington, DC 20460

☐ Registration  
☐ Amendment  
☒ Other

OPP Identifier Number

### Application for Pesticide - Section I

1. Company/Product Number 11678-18	2. EPA Product Manager Linda Arrington	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name)	PM# 22 Registration Support Branch	
5. Name and Address of Applicant (Include ZIP Code) Makhteshim Chemical Works, c/o MANA, 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 to EPA Reg. No. <u>FEB 24 2005</u> 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.

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

Notification of label change per PR Notice 98-10 and PR Notice 2007-4. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and 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 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/amended label is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, and 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.

### 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	
* Certification must be submitted				<input checked="" type="checkbox"/> Plastic	
				<input checked="" type="checkbox"/> Glass	
				<input checked="" type="checkbox"/> Paper	
				Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 50 lbs or less; greater than 50 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
2. Signature 		6. Date Application Received (Stamped)
3. Title Regulatory Specialist		
4. Typed Name Christie Hitchcock		
5. Date 12-23-08		



December 23, 2008

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

Re: Folpan® Folpet Technical, EPA Reg. No. 11678-18  
Notification per PRN 98-10 and 2007-4

To Whom It May Concern:

On behalf of Makhteshim Chemical Works, Makhteshim Agan of North America, Inc, is notifying the Agency of several label updates 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))
- Added Emergency Responder phone numbers in Storage & Disposal section (allowed per PRN 2006-01 §II(E))
- 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](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

# FOLPAN<sup>®</sup>

## FOLPET TECHNICAL

For Manufacturing Use Only in the Formulation of Fungicides  
For Agricultural and Industrial Use

<b>ACTIVE INGREDIENT:</b>	<b>% BY WT.</b>
Folpet: N-(Trichloromethylthio) phthalimide .....	95.9%
<b>INERT INGREDIENTS:</b> .....	4.1%
<b>TOTAL</b>	<b>100.0%</b>

### KEEP OUT OF REACH OF CHILDREN WARNING

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

**NOTIFICATION**

FEB 24 2003

EPA Reg. No.11678-18

**NET CONTENTS: \_\_\_\_ POUND(S)**

EPA Est. No. [REDACTED]

FIRST AID	
<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>
<b>IF IN EYES:</b>	<ul style="list-style-type: none"><li>• Hold eye open and rinse slowly and gently with water for 15-20 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 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 by a poison control center or doctor.</li><li>• Do not give anything by mouth to an unconscious person.</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 15-20 minutes.</li><li>• Call a poison control center or doctor for treatment advice.</li></ul>
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.	
<b>NOTE TO PHYSICIAN:</b> Probable mucosal damage may contraindicate the use of gastric lavage.	

### PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS & DOMESTIC ANIMALS WARNING

Causes substantial but temporary eye injury. May be fatal if inhaled. Do not breathe vapors or dust. Wear a mask or pesticide respirator jointly approved by the Mining Enforcement and Safety Administration and the National Institute for Occupational Safety and Health. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals. Harmful if swallowed. Do not get in eyes, on skin, or on clothing. Wear goggles or face shield when handling. Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash separately before reuse. Do not contaminate food or foodstuffs.

### ENVIRONMENTAL HAZARDS

This product is very highly toxic to fish and aquatic organisms. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or public water 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.

### DIRECTIONS FOR USE

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

Contact company for technical information on Folpan®. Formulators using this product are responsible for obtaining EPA registration for their formulated product. For the manufacture of fungicides only.

### STORAGE AND DISPOSAL

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

**PESTICIDE STORAGE:** Store the product in a dry place.

**PESTICIDE DISPOSAL:** Wastes resulting from spilling of the product or rinsate of the equipment must be collected in the containers and disposed of at an approved waste disposal facility. If these wastes cannot be disposed of by the 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 HANDLING:

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

**Bag:** 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:** 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:** 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.

**FOR 24-HOUR EMERGENCY ASSISTANCE (SPILL, LEAK, OR FIRE), CALL INFOTRAC AT 1-800-535-5053.**

### NOTIFICATION

FEB 24 2009

### 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 Makhteshim Agan of North America, Inc. All such risks shall be assumed by the user or buyer.

**DISCLAIMER OF WARRANTIES:** To the extent consistent with applicable law, Makhteshim Agan of North America, Inc. 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 Makhteshim Agan of North America, Inc. is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. To the extent consistent with applicable law, Makhteshim Agan of North America, Inc. 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 Makhteshim Agan of North America, Inc.'s election, the replacement of product.