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	Ap	plicatio	n for	Pestic	ide - Se	ction					
1. Company/Product Number 34704- 766			2. EPA Product Man					3. Pi	Proposed Classification		
4. Company/Product (Name) KIREUP CNASS & Wood A	Killer Form	nuh I	II.	PM#							
5. Name and Address of Applicant (Inc.	lude ZIP Code)			-					FIFRA Section 3(c)(3)		
Platte Chemical Company, Inc. PO Box 667				(b)(i), my product is similar or ident to: EPA Reg. No.					· •		
Greeley, CO 80632-0667							•		······································		
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			Se	ction -	11						
Amendment - Explain below.				Final printed lab				e to	NOTIFICATION		
Resubmission in response to Agency letter dated			"Me Too" Application Other - Explain below					NOV - 3 2003			
Explanation: Use additional page(s) Pursuant to PR Notice 98-10, we are her					Chemical C	Company	, Inc. Warrai	nty Disclain	ner and Notice.		
			Sec	tion - I	11						
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Label Container							<u></u>				
6. Manner in Which Label is Affixed to i	Product	Lithogra Paper g Stencili	aph slued ed		Othe	er					
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1. Contact Point <i>(Complete items direc</i>	tly below for ide	ntification	of indi	vidual to b	e contected,	, if nece	ssery, to pr	ocess this	application.)		
Name Mark R. Trostle			Title Director Registrations and Regulate				ry Affairs 970-347-1470				
l certify that the statements I hav I acknowledge that any knowling both under applicable law.	e made on this f		attac					•	6. Date Application Received (Stamped)		
2. stonette				3. Title Director Registrations and Regulatory Affairs							
4. Typed Name Mark R. Trostle		5	. Date	10/	14/2003						

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Name and Address of Ap	plicant (Include ZIP Co	de)	6.	Expedited Rev	reiw. Ir	accord	ance wi	th FIFRA	Section 3(c)(3)
Platte Chemical Com	pany. Inc.								ion and labeling
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EPA Farm \$570-1 (Rev. 3-94) Previous editions are obsolets.



7251 W. 4<sup>th</sup> Street PO Box 1286 Greeley, CO 80632-1286 Phone: (970) 356-4400 Fax: (970) 347-1565

September 12, 2003

Document Processing Desk (NOTIF) Office of Pesticide Programs (7504C) U. S. Environmental Protection Agency Room 266A, Crystal Mall 2 1921 Jefferson Davis Highway Arlington, VA 22202-4501

RE: Platte Chemical Company Inc. EPA Reg. No. 34704

Gentlemen/Ladies:

- "Notification of <u>change in our Warranty Disclaimer and Notice</u> 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."

In compliance with PR Notice 98-10 regarding notifications, enclosed is a copy of the "before" Warranty Disclaimer and Notice and "after" Warranty Disclaimer and Notice.

If you should have any questions regarding this matter, please do not hesitate to contact me at 970-347-1470.

Sincerely

Mark R. Trostle Director Registrations and Regulatory Affairs

Enclosures

cc: Debbie Kovacs, EPA Region 8

NOV - 3 2003

NOTIFICATION

## WARRANTY DISCLAIMER AND NOTICE

IT IS IMPOSSIBLE TO ELIMINATE ALL RISKS INHERENTLY ASSOCIATED WITH THE USE OF THIS PRODUCT. CROP INJURY, INEFFECTIVENESS, OR OTHER UNINTENDED CONSEQUENCES MAY RESULT DUE TO SUCH FACTORS AS WEATHER CONDITIONS, PRESENCE OR ABSENCE OF OTHER MATERIALS, OR THE MANNER OF USE OR APPLICATION, ALL OF WHICH ARE BEYOND THE CONTROL OF PLATTE, THE MANUFACTURER OR SELLER.

THE PRODUCTS SOLD TO YOU ARE FURNISHED "AS IS" BY PLATTE. THE MANUFACTURER OR SELLER, AND ARE SUBJECT ONLY TO THE MANUFACTURER'S WARRANTIES. IF ANY, WHICH APPEAR ON THE LABELS TO THE PRODUCTS SOLD TO YOU, EXCEPT AS EXPRESSLY PROVIDED HEREIN. PLATTE, THE MANUFACTURER OR SELLER MAKES NO WARRANTIES. GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER. EITHER EXPRESS OR IMPLIED. OR BY USAGE OF TRADE. STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD OR USE OF THE PRODUCT, INCLUDING, BUT NOT LIMITED TO, MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. EXCEPT AS EXPRESSLY STATED HEREIN. PLATTE. THE MANUFACTURER OR SELLER MAKES NO WARRANTY OF RESULTS. TO BE OBTAINED BY USE OF THE PRODUCT. BUYER'S OR USER'S EXCLUSIVE REMEDY, AND PLATTE'S. THE MANUFACTURER'S OR SELLER'S TOTAL LIABILITY, SHALL BE LIMITED TO DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT. NO AGENT OR EMPLOYEE OF PLATTE OR SELLER IS AUTHORIZED TO AMEND THE TERMS OF THIS WARRANTY DISCLAIMER OR THE PRODUCTS. LABEL OR TO MAKE A REPRESENTATION OR RECOMMENDATION DIFFERENT FROM OR INCONSISTENT WITH THE LABEL OF THIS PRODUCT.

IN NO EVENT SHALL PLATTE, THE MANUFACTURER OR SELLER BE LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE, HANDLING, APPLICATION, STORAGE OR DISPOSAL OF THIS PRODUCT OR FOR DAMAGES IN THE NATURE OF PENALTIES AND THE BUYER AND USER WAIVE ANY RIGHT THEY MAY HAVE TO SUCH DAMAGES.

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