

34704-776

11-3-2003

1-3

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	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 34704-776	2. EPA Product Manager 	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) CNABGRASS PREVENTOR WITH BARRICADE .375% PL	PM#	
5. Name and Address of Applicant (Include ZIP Code) Platte Chemical Company, Inc. PO Box 667 Greeley, CO 80632-0667 <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 - 3 2003
<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.)

Pursuant to PR Notice 98-10, we are hereby notifying the Agency of a Change to Platte Chemical Company, Inc. Warranty Disclaimer and Notice.

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 <input type="checkbox"/> Other (Specify) _____	
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	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"/>	
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 Mark R. Trostle	Title Director Registrations and Regulatory Affairs	Telephone No. (Include Area Code) 970-347-1470
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 Director Registrations and Regulatory Affairs	
4. Typed Name Mark R. Trostle	5. Date 10/14/2003	



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

2-3
NOTIFICATION

NOV - 3 2003

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 change in our Warranty Disclaimer and Notice 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

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 PRODUCT'S 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.

NEW "AFTER"