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⇒EPA	Environmenta	United States	•		Regi	stratio ndmen	n OPP Identifi	
		Applicatio	n for Pesticio	de - Sectio	on I		1	
1. Company/Product Numb 34704- 0/6	er		2. EPA F	Product Manag	er	5	3. Proposed Classif	ication Restrict
4. Company/Product (Warme) Liguid Moss CONTROL			PM#	PM#)
5. Name and Address of Ap Platte Chemical Com PO Box 667 Greeley, CO 80632-(Check if thi	pany, Inc.	ode)	(b)(i), m to: EPA R	eg. No	similar or i	dentical i	with FIFRA Section in composition and	
	3.5 2 // 040/055		Section - II	ct Name				
Notification - Explain Explanation: Use additio	ponse to Agency lette i below.		[]	Final printed & Agency latter "Me Too" App Other - Explain	dated blication.	ionse to	NOTIFIC NOV 0 3	2003
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EPA Form 8570-1 (Rev. 3-94) Previous editions are obsolete.

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€EPA	Environment	United States	tion Agency		Regist Amena Other	ration	OPP identifier Number	
		Applicat	ion for Pestic	ide - Sectio	on l			
1. Company/Product Number 34704			2. EPA Product Manager 3.			3,	. Proposed Classification	
4. Company/Product (Net All Products for Plat	me) te Chemical Compan	v, Inc.	PM#			I.L	None Restricted	
5. Name and Address of	······		6. Ext	edited Revei	w. In accord	lance wh	th FIFRA Section 3(c)(3)	
Platte Chemical Company, Inc. PO Box 667 Greeley, CO 80632-0667			6. Expedited Reveiw. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No.					
Check if	this is a new address		Prod	uct Name				
			Section -					
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Amendment - Explain below. Resubmission in response to Agency letter dated			[Agency letter "Me Too" App	dated		NOV - 3 2003	
Notification - Expl	sin belaw.			Other - Explain below.				
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8076			Title	and the second		Telephor	ne No. (Include Ares Code)	
Mark R. Trostle			Director Registra	tions and Regu	atory Affairs	970-347	-1470	
	tements i have made on any knowlingily faise or e lew.		all attachments the				6. Date Application Received (Stamped)	
Mark R. Trostle			3. Title Director Registrations and Regulatory Affairs					
Typed Name Aark R. Trostle	J			5. Dete 09/12/2003				

EPA Form 8570-1 Rev. 3-94) Previous editions are obsolete.

White - EPA File Copy (original) Yellow - Applicant Copy



Eren a. .

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

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 <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 Kovaes, EPA Region 8

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, 0000 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.

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