

35935-47

07/22/2011

1/7



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

JUL 22 2011

Matthew Granahan
Nufarm Limited
P.O. Box 13439
RTP, NC 27709

Subject: Notification: Per PR-Notice 2007-4
Glyphosate Technical NUP-07169
EPA Reg. No. 35935-47

Dear Mr. Granahan:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated July 8, 2011 for the product referenced above. The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label changes requested fall within the scope of PRN-2007-4. 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 identifying 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 regarding this letter, please contact Jasmine Branch at (703) 347-0351 or branch.jasmine@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kable Bo Davis".

Kable Bo Davis
Product Manager 25
Herbicide Branch
Registration Division (7505P)



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

2/7

EPA	United States	<input type="checkbox"/> Registration	OPP Identifier Number
	Environmental Protection Agency	<input type="checkbox"/> Amendment	
	Washington, DC 20460	<input checked="" type="checkbox"/> Other	

Application for Pesticide - Section I

1. Company/Product Number 35935-47	2. EPA Product Manager Bo Davis	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Glyphosate Technical NUP-07169	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Nufarm Limited P.O. BOX 13439 RTP, NC 27709 <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 _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application. NOTIFICATION
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below. JUL 22 2011

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

Notification of label change per PR Notice 2007-4 and PR Notice 1998-10. This notification is consistent with the guidance in PR Notice 2007-4 and PR Notice 1998-10 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, 156.156 and 152.46. No other changes have been made to the labeling or the Confidential Statement of Formula for 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 the amended label is not consistent with the requirements of PR Notice 1998-10 and 40 CFR §§ 156.10, 156.140, 156.144, 156.146, 156.156 and 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 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 type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
* Certification must be submitted				Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input checked="" type="checkbox"/> -	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued <input checked="" type="checkbox"/> Stenciled			<input type="checkbox"/> Other Self-Adhesive Intergrated Label/Booklet		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Matthew Granahan matthew.granahan@us.nufarm.com	Title Regulatory Manager	Telephone No. (Include Area Code) (930) 455-2048
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 Regulatory Manager	
4. Typed Name Matthew Granahan	5. Date 07/08/2011	



3/7

Nufarm Americas Inc.
150 Harvester Drive, Suite 200
Burr Ridge, IL 60527
Telephone: (630) 455.2000 Facsimile: (630) 455.2001
www.us.nufarm.com

July 8, 2011

Via Overnight Courier

Bo Davis (PM-25)
U. S. Environmental Protection Agency (7504P)
Document Processing Desk (NOTIF)
Room S4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

**Subject: Glyphosate Technical NUP-07169
EPA Reg. No. 35935-47
Label Notification per PRN 07-04 & 98-10**

Dear Mr. Davis:

Nufarm Limited would like to change Storage and Disposal text on above referenced label. It is believed this can be revised via notification and is consistent with PRN 07-04. Additionally Nufarm has updated the Warranty, and added the following statement in Spanish and English: "If you do not understand this label, find someone to explain it to you in detail" per PRN 98-10

To process this request please find enclosed the following:

- Application for Pesticide Registration EPA form 8570-1
- Certification with Respect to Label Integrity
- Revised labeling with areas of change clearly identified (1 copy)
- Revised labeling – clean (1 copy)
- CD containing the proposed labeling

If you should have any questions regarding this matter, please feel free to contact me at (630) 455-2048 or matthew.granahan@us.nufarm.com.

Sincerely,

Matthew Granahan
Regulatory Manager
Nufarm Limited

cc: [illegible]

4/7

GYLPHOSATE TECHNICAL

NUP-07169

FOR MANUFACTURING USE ONLY

ACTIVE INGREDIENT:

N-(phosphonomethyl)glycine..... 97.0%

OTHER INGREDIENTS: 3.0%

TOTAL: 100.0%

KEEP OUT OF REACH OF CHILDREN
DANGER

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand the label, find someone to explain it to you in detail.)

SEE INSIDE BOOKLET FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300
For Medical Emergencies Only, Call (877) 325-1840

NOTIFICATION

JUL 22 2011

EPA REG. NO. 35935-47
EPA EST. NO.

NET CONTENTS:

035935-00047.20110708.EPA Not

MANUFACTURED FOR
NUFARM LIMITED
104 T.W ALEXANDER DRIVE, BLDG.5
RESEARCH TRIANGLE PARK, NC 27709



STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Keep container closed to prevent spills and contamination.

PESTICIDE DISPOSAL: Wastes of this product may cause irreversible eye damage and may be dangerous. Improper disposal of excess pesticide or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to the 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 AND DISPOSAL:

Nonrefillable Containers Without Outer Bag: Nonrefillable container. Do not reuse or refill this container. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into processing equipment, then dispose of liner in a sanitary landfill or by incineration if allowed by state and local authorities, by burning. If burned stay out of smoke.

Nonrefillable Containers With Outer Bag: Nonrefillable container. Do not reuse or refill this container. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into processing equipment, then dispose of liner in a sanitary landfill or by incineration if allowed by state and local authorities, by burning. If burned stay out of smoke. Offer the outer bag for recycling, if available.

Refillable Containers: Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents into application equipment or mix tank. Fill the container about 10% full with water. Agitate vigorously or recirculate water with pump 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. An empty container retains product residue. Observe all labeled safeguards until container is cleaned, reconditioned or destroyed. Completely empty package into formulation equipment. This package may be returned for refilling with this product. If not refilled, dispose of empty package in a sanitary landfill or by incineration as applicable.

WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE 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, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY, OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

LIMITATION OF LIABILITY

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR ARISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

(RV07081?)

LABEL HISTORY

FILE NAME	RV DATE	COMMENTS
035935-00047.20110708.EPA Not	(RV070811)	PRN 07-04 & 98-10

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