

35935-81

4/23/2010

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Mary Beth Endres
Product Registration
Nufarm Americas, Inc.,
150 Harvester Drive, Suite 200
Burr Ridge, IL 60527

APR 23 2010

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request Primary Brand Name "Nufarm Ethephon MUP" and Revise Warranty
Statement
EPA Reg. No. 35935-81
Application Dated april 6, 2010

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 04/06/10 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

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

2 of 4

(A)	EPA United States Environmental Protection Agency Office of Pesticide Programs (H7505C) Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number Please Attach An Original Form
Application for Pesticide:			

Section I

1. Company/Product Number 35935-81	2. EPA Product Manager Tony Kish	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) DuPont Ethephon MUP	PM# 22	
5. Name and Address of Applicant (Include ZIP Code) Nufarm Limited PO 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"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application <input type="checkbox"/> Other - explain below
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NOTIFICATION

APR 23 2010

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

Notification of Primary Brand Name Change and update Warranty from DuPont warranty to Nufarm warranty.

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.

Section III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No <i>*Certification must be submitted.</i>	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," Unit Package Wt. No. Per Container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," Package Wt. No. Per Container	2. Type of Container <input checked="" type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label or <input checked="" type="checkbox"/> Container		4. Size(s) of Retail Container 25 - 250 pounds, bulk	5. Location of Label Directions <input checked="" type="checkbox"/> On Label or <input checked="" type="checkbox"/> On Labeling accompanying product
6. Manner In Which Label Is Affixed To Product <input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Other (Self-Adhesive Integrated Label/Booklet) <input checked="" type="checkbox"/> Paper Glued <input type="checkbox"/> Stenciled			

Section IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)			
Name Mary Beth Endres	Title Registration Manager	Telephone No. (Include Area Code) 630-455-2000	
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 Registration Manager		
4. Typed Name Mary Beth Endres	5. Date 04-06-2010		



3044
Nufarm Americas Inc.

150 Harvester Drive, Suite 200

Burr Ridge, IL 60527

Telephone: (630) 455.2000 Facsimile: (630) 455.2001

www.us.nufarm.com

Overnight Courier

April 6, 2010

Linda Arrington
Notification and Minor Formulations Team Leader
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

Subject: Primary Brand Name Change and Updated Warranty Statement

Product: DuPont Ethephon MUP, EPA Reg. No. 35935-81

Dear Ms. Arrington:

Enclosed please find one copy of labeling for the above referenced product. This label notification is sent in accordance with PR Notices 1998-10. The following changes were made:

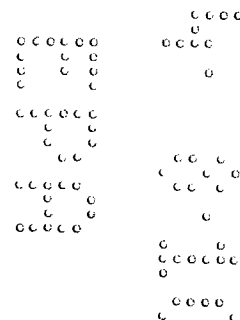
1. Primary Brand Name Change to: **Nufarm Ethephon MUP**
2. Revise warranty statement

Should you have any questions please contact me at the address and telephone number above or by email.

Sincerely,

Mary Beth Endres
Registration Manager
Nufarm Limited
Email: maryb.endres@us.nufarm.com

Enclosure



NOTIFICATION **Nufarm Ethephon MUP**

APR 23 2010

FOR FORMULATING USE ONLY

ACTIVE INGREDIENT:

Ethephon (2-Chloroethyl) phosphonic acid 75.0%

OTHER INGREDIENTS: 25.0%

TOTAL 100.0%

EPA Reg. No. 35935-81

EPA Est. No. 70027-CHN-001

KEEP OUT OF REACH OF CHILDREN DANGER / PELIGRO

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

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

FIRST AID

IF IN EYES	<ul style="list-style-type: none">Hold eye open and rinse slowly and gently with water for 15 to 20 minutes.Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.Call a poison control center or doctor for treatment advice.
IF SWALLOWED	<ul style="list-style-type: none">Call a poison control center or doctor immediately for treatment advice.Have person sip a glass of water if able to swallow.Do not induce vomiting unless told to do so by the poison control center or doctor.Do not give anything by mouth to an unconscious person.
IF INHALED	<ul style="list-style-type: none">Move person to fresh air.If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.Call a poison control center or doctor for further treatment advice.
IF ON SKIN OR CLOTHING	<ul style="list-style-type: none">Take off contaminated clothing.Rinse skin immediately with plenty of water for 15 to 20 minutes.Call a poison control center or doctor for treatment advice.

FIRST AID (cont'd)

HOT LINE NUMBER: Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-325-1840 for emergency medical treatment information.

NOTE TO PHYSICIAN: There is no specific antidote. All treatment should be based on observed signs and symptoms of distress in the patient. Over exposure to materials other than this product may have occurred. Victims of severe overexposure, by inhalation, should be kept under observation for up to 72 hours for delayed onset of pulmonary edema. Probable mucousal damage may contraindicate the use of gastric lavage. This material is an acid, but use of alkaline substances to neutralize it is contraindicated.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS

DANGER! CORROSIVE. CAUSES IRREVERSIBLE EYE DAMAGE AND SKIN BURNS. HARMFUL IF SWALLOWED OR ABSORBED THROUGH SKIN. Do not get in eyes, on skin or on clothing. Wear goggles or face shield. Wear protective clothing and rubber gloves. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

ENVIRONMENTAL HAZARDS

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters 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 sewer 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.

For reformulation or repackaging use only. Each formulator is responsible for obtaining EPA registration for his end use product(s).

For formulation into end-use products intended for use on cotton and tobacco.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by 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 DISPOSAL: Triple rinse (or equivalent) the empty containers. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

LIMIT OF WARRANTY AND LIABILITY

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. 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.

(RV031110)

Product of China

NET WEIGHT: ____ LBS. (____ Kg)

MANUFACTURED FOR
NUFARM LIMITED
104 T.W. ALEXANDER DRIVE, BLDG. 5
RTP, NC 27709


Nufarm

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