

42519-27

3/19/2010

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. Henry M. Jacoby, M.S.
C/O Luxembourg-Pamol Inc
The Aceta Group, LLC
1203 Nineteenth Street, NW
Suite 300
Washington, DC20036

MAR 19 2010

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated February 17, 2010 for:

EPA Registration 42519-27 Tegrol® Technical Fungicide

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls 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, please contact me directly at 703-305-6249 or Banza Djapao of my staff at 703-305-7269.

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

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

Application for Pesticide - Section I

1. Company/Product Number 42519-27	2. EPA Product Manager Mary Waller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Tegrol® Technical Fungicide	PM# 21	
5. Name and Address of Applicant (Include Zip Code) Luxembourg-Pamol, Inc. 5100 Poplar Avenue, Suite 2700 PMB 111 Memphis, TN 38137 <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

MAR 19 2010

Explanation: Notification of labeling changes pursuant to PR Notice 2007-4. This notification is consistent with the guidance of PR Notice 2007-4 and the requirements of EPA's regulations at 40 C.F.R. §§ 156.10, 156.140, 156.144, 156.146, and 156.156. 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. § 1001 to make willfully any false statement to EPA. I further understand that if this notification is not consistent with the requirements of 40 C.F.R. §§ 156.10, 156.140, 156.144, 156.146, and 156.156, 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	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Package wgt No. per container	2. Type of Container <input 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 <input type="checkbox"/> Container		4. Size(s) Retail Container 2, 5, 30, and 110 gallons	5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <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 Henry M. Jacoby, M.S.	Title Agent	Telephone No. (Include Area Code) (301) 865-9090
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, Toxicology and Regulatory Affairs	
4. Typed Name Michal Eldan, Ph.D.	5. Date March 8, 2010	



CHEMICAL PRODUCT DEVELOPMENT AND DEFENSE

February 17, 2010

Via Hand Delivery

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Handwritten marks and symbols on the right side of the page.

Re: Notification Application For Tegrol® Technical Fungicide,
EPA Reg. No. 42519-27

Dear Document Processing Officer:

The Acta Group, L.L.C. (Acta) submits on behalf of Luxembourg-Pamol Inc. (Luxembourg) this notification to make the following changes to the label of the above-referenced registered product, Tegrol® Technical Fungicide. These changes are made pursuant to Pesticide Registration (PR) Notice 2007-4.

- 1. A statement identifying the container as a nonrefillable container and an appropriate container reuse has been added; and
2. A statement providing cleaning instructions for removal of residues prior to container disposal has been added.

Luxembourg understands that it is a violation of 18 U.S.C. Section 1001 to make willfully any false statement to the U.S. Environmental Protection Agency (EPA). Luxembourg further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 C.F.R. Section 152.46, this product may be in violation of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), and Luxembourg may be subject to enforcement action and penalties under FIFRA Sections 12 and 14. Accompanying this letter is EPA Form 8570-1, which contains this certification as prescribed in PR Notice 98-10 and has been signed by Luxembourg's representative.

The Acta Group, L.L.C.
1203 Nineteenth Street, N.W.
Suite 300
Washington, D.C. 20036
TEL: 202/266-5020 • FAX: 202/557-3836
WEB: WWW.ACTAGROUP.COM

The Acta Group EU, Ltd
Avanta Royal Mills
17 Redhill Street
Ancoats Urban Village
Manchester M4 5BA
TEL: +44 (0) 161 216 4260 • FAX: +44 (0) 161 216 4261
WEB: WWW.ACTAGROUP.COM

Registered in England and Wales, No. 5307852
Registered office: The Acta Group EU, Ltd
1st Floor, Northern Assurance Buildings,
921 Princess Street, Manchester M2 4 DN

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CHEMICAL PRODUCT DEVELOPMENT
AND DEFENSE

Document Processing Officer
February 17, 2010
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A redlined copy and a clean copy of the revised product label are included with this notification. If you have any questions or comments following review of the enclosed notification, please call either me at (301) 865-9090 or my colleague, Sheryl Lindros Dolan, at (202) 266-5031.

Sincerely,

A handwritten signature in black ink that reads "Henry M. Jacoby". The signature is written in a cursive style with a large, sweeping "H" and "J".

Henry M. Jacoby

Attachments

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NOTIFICATION

MAR 19 2010

(Logo) LUXEMBOURG-PAMOL, INC.

Tegrol[®] Technical

For manufacturing or formulating use only

ACTIVE INGREDIENT

Tebuconazole: α -[2-(4-chlorophenyl)-ethyl]- α -(1,1-dimethylethyl)-1H-1, 2, 4-triazole-1-ethanol..... 98.1%

OTHER INGREDIENTS 1.9%

TOTAL 100.0%

STOP- Read The Label Before Use

KEEP OUT OF REACH OF CHILDREN

WARNING

FIRST AID

If in eyes: 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. Call a poison control center or doctor for treatment advice.

If on skin or clothing: 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.

If inhaled: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to mouth if possible. Call a poison control center or doctor for further treatment advice.

If swallowed: 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 a poison control center or doctor. Do not give anything by mouth to an unconscious person.

In case of medical emergency, also call toll free 1-800-424-9300.

Note to Physician: No specific antidote is available. Treat symptomatically.

EPA Reg. No. 042519-27
EPA Est. No. xxxxxxx

Batch Code _____
Net Contents: _____

Manufactured for:
Luxembourg-Pamol, Inc.
5100 Poplar Avenue, Suite 2700
Memphis, TN 38137
U.S.A.

Notification_PR-Notice 2007-4]
[February 17, 2010]

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PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING

May be fatal if inhaled. Harmful if swallowed. Causes eye irritation. Do not breathe dust and avoid contact with eyes and clothing. Wear a mask or pesticide respirator jointly approved by the Mine and Safety Health Administration and the National Institute for Occupational Safety and Health. Wash thoroughly with soap and water. Remove contaminated clothing and wash before reuse.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to estuarine invertebrates. 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 into sewer systems without previously notifying the sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of EPA.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

For manufacturing and formulating into fungicides intended to be used for the following: peanuts, wheat (foliar treatment only), barley (foliar treatment only), soybeans, sunflowers, and grasses grown for seed.

Detailed information on chemical and physical properties and other formulating recommendations for Tegrol[®] Technical are available upon request from Luxembourg-Pamol. Obtain and read this information before undertaking the formulation of Tegrol[®] Technical in order to avoid formulation hazards and insure a satisfactory finished product.

Labeling for products formulated from this product must conform to that which is currently registered with the U.S. Environmental Protection Agency. For specific information on federally registered uses, contact Luxembourg-Pamol. Any variance from the federally registered labeling for products containing Tegrol[®] Technical will have to be supported by data provided by the formulator.

This product may be used to formulate products for any additional uses not listed on the MP label if the formulator, user group, or grower has complied with EPA data submission requirements regarding the support of such use(s).

RESTRICTIONS

DO NOT PACKAGE TEGROL[®] TECHNICAL IN METAL CONTAINERS.

STORAGE AND DISPOSAL

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

Storage: Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food and feed. Store in original container and out of reach of children, preferably in a locked storage area.

Notification_PR-Notice 2007-4]
[February 17, 2010]

Handle and open container in a manner as to prevent spillage. If the container is leaking or material spilled for any reason or cause, carefully sweep material into a pile. Refer to Precautionary Statements on label for hazards associated with the handling of this material. Do not walk through spilled material. Dispose of pesticide as directed below. In spill or leak incidents, keep unauthorized people away. You may contact 1-800-424-9300 for assistance.

Pesticide Disposal: Pesticide wastes are toxic. 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 U.S. EPA Regional Office for guidance.

Container Disposal: Nonrefillable Container: Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying.

For 5 gallons or less, triple rinse as follows:

Empty the remaining contents into application equipment or a mix tank.

Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after flow begins to drip. Repeat this procedure two more times.

For 5 gallons or more, triple rinse as follows:

Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

Then offer for recycling or reconditioning, if available, 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.

WARRANTY LIMITATIONS AND DISCLAIMER

Luxembourg warrants that at the time of delivery, the product will conform to its chemical description on the label, that it will pass without objection in the trade under the contract description, that seller will convey good title thereto, and that such product will be delivered free from any lawful security interest, lien, or encumbrance.

This is the only warranty made on this product. To the fullest extent permitted by law, Luxembourg EXPRESSLY DISCLAIMS ANY IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE AND, EXCEPT AS SET FORTH IN THE ABOVE PARAGRAPH, ANY OTHER EXPRESS OR IMPLIED WARRANTIES. Buyer assumes all risk of use of this material when such use is contrary to label instructions. Read and follow the label directions carefully.

Tegrol® is a trademark of Luxembourg Industries Ltd.