

45639-208

2/18/2000

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NOTIFICATION

Please read Instructions on reverse before completing form.

Form Approved. OMB No. 2070-0080



United States Environmental Protection Agency Washington, DC 20480

Registration Amendment Other (X)

OPP Identifier Number 267870

Application for Pesticide - Section I

1. Company/Product Number 45639-208
2. EPA Product Manager c/o James Jones
3. Proposed Classification
4. Company/Product (Name) PMS 21
5. Name and Address of Applicant (Include ZIP Code) AgrEvo USA Company 2711 Centerville Road Wilmington, DE 19808
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

Amendment - Explain below. Resubmission in response to Agency letter dated. Notification - Explain below. Final printed labels in response to Agency letter dated. "Me Too" Application. Other - Explain below.

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

NOTIFICATION of Change to Warranty Disclaimer statement on all AgrEvo USA Company products

Section - III

1. Material This Product Will Be Packaged In: Child-Resistant Packaging, Unit Packaging, Water Soluble Packaging, 2. Type of Container, 3. Location of Net Contents Information, 4. Size(s) Retail Container, 5. Location of Label Directions, 6. Manner in Which Label is Affixed to Product

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.) Name: Jacob J. Vukich, Title: Manager-Regulatory Affairs, Telephone No.: 302-892-9048. Certification: I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. Signature: Jacob J. Vukich, 3. Title: Manager - Regulatory Affairs, 4. Typed Name: Jacob J. Vukich, 5. Date: December 21, 1999.

2085



December 21, 1999

James Jones, Director
Registration Division
Document Processing Desk (NOTIF)
Office of Pesticide Programs – H7505C
US Environmental Protection Agency
401 M Street, SW
Washington, DC 20460-0001

Dear Mr. Jones:

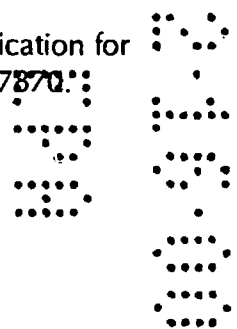
Subject: NOTIFICATION of Change in Warranty Disclaimer Statement

AgrEvo USA Company is herein notifying the Agency of a change to all our product labels. Specifically, we are changing the warranty disclaimer statement.

The warranty statement currently used on labels has been in effect since 1993 after the Agency was notified of the statement in a letter dated November 19, 1993 (the statement was subsequently altered slightly as a result of the company name change from NOR-AM Chemical Company to AgrEvo USA Company in 1994). A copy of the current statement is included here as Attachment A. The new statement, which will be used on newly produced product labeling, is presented herewith as Attachment B.

This notification is consistent with the provisions of PR Notice 95-2 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 95-2 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.

To facilitate this NOTIFICATION, enclosed is a completed "Application for Pesticide – Other", EPA Form 8570-1, OPP Identifier Number 267870.

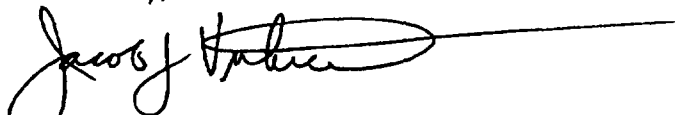


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Mr. James Jones
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December 21, 1999

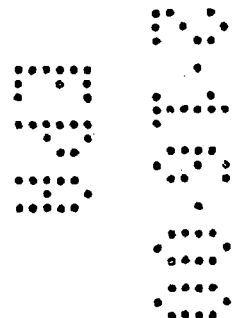
If you have any questions regarding this notification, please call me at 302-892-3048, or send a fax to 302-892-3099.

Sincerely,



Jacob J. Vukich
Manager, Regulatory Affairs

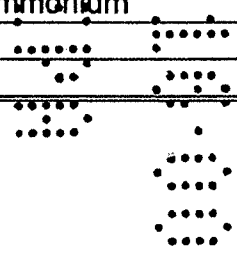
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LIST OF AGREVO USA COMPANY PRODUCTS FOR WHICH THIS NOTIFICATION IS MADE (refer to AgrEvo USA Co. letter dated 12/21/99):

EPA Registration Number	Product Name	Active Ingredient(s)
45639-171	TPTH Technical	Triphenyltin Hydroxide
45639-173	Hoelon 3EC Herbicide	Diclofop-Methyl
45639-174	Hoelon Technical	Diclofop-Methyl
45639-175	Whip Technical	Fenoxaprop-p-Ethyl
45639-176	Whip 1EC Herbicide	Fenoxaprop-p-Ethyl
45639-179	Ignite Manufacturing-Use Product	Glufosinate-Ammonium
45639-180	Ignite Technical	Glufosinate-Ammonium
45639-181	Whip 360 Herbicide	Fenoxaprop-p-Ethyl
45639-183	Whip 0.75 EC Herbicide	Fenoxaprop-p-Ethyl
45639-184	Tiller EC Herbicide	Fenoxaprop-p-Ethyl
45639-185	Silverado Herbicide	Fenoxaprop-p-Ethyl
45639-186	Photon Fungicide	Triphenyltin Hydroxide
45639-187	Ignite 1SC Herbicide	Glufosinate-Ammonium
45639-188	Fenoxaprop-Ethyl Technical	Fenoxaprop-Ethyl
45639-189	Cheyenne FM Herbicide	Fenoxaprop-p-Ethyl
45639-190	Dakota Herbicide	Fenoxaprop-p-Ethyl
45639-194	Phaser 50 WSB/WP Insecticide	Endosulfan
45639-195	Moncut 50WP	Flutolanil
45639-197	Phaser 3EC Insecticide – for Use in California	Endosulfan
45639-198	Phaser 50 WSB/WP – for Use in California	Endosulfan
45639-199	Liberty Herbicide	Glufosinate-Ammonium
45639-201	Dropp Ultra 75WP	Thidiazuron
45639-203	Moncut 50WP (for Use on Rice)	Flutolanil
45639-204	Remove Herbicide	Glufosinate-Ammonium
45639-207	Moncut 70WP (for use on rice)	Flutolanil
45639-208	Prostar 70WP	N-[3-(1-methylethoxy)phenyl]-2-(trifluoromethyl) benzamide
45639-212	Puma 1EC Herbicide	Fenoxaprop-p-Ethyl
45639-218	Prostar 1.5G	N-[3-(1-methylethoxy)phenyl]-2-(trifluoromethyl) benzamide
45639-219	Liberty ATZ Herbicide	Glufosinate-Ammonium
45639-221	Starlink Corn	N/A



IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

CONDITIONS: The directions for use of this product are believed to be adequate and should be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of AgrEvo USA Company. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: AGREVO USA COMPANY MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of AgrEvo USA Company is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. AgrEvo USA Company disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

LIMITATIONS OF LIABILITY: THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT AGREVO USA COMPANY'S ELECTION, THE REPLACEMENT OF PRODUCT.

NOTIFICATION
FEB 18 2000

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