

50534-226

11-27-2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms Pat Dinnen
GB Biosciences Corporation
P.O.BOX 18300
Greensboro, NC 27419-8300

NOV 27 2009

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 August 3, 2009 for:

EPA Registration 50534-226 Chlorothalonil 720 MUP

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

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

Application for Pesticide - Section I

1. Company/Product Number 50534-226	2. EPA Product Manager Tony Kish	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Chlorothalonil 720 MUP	PM# 22	
5. Name and Address of Applicant (Include ZIP Code) GB Biosciences Corporation P. O. Box 18300 Greensboro, NC 27419-8300 <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 _____	NOTIFICATION NOV 27 2009
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.	
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.	

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

Notification of label change per 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 CFR §§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 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 40 CFR §§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.

GB Biosciences Corporation is amending the Storage and Disposal section of the label by Notification according to the directions stated in PR Notice 2007-4.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input 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	
*Certification must be submitted				<input checked="" type="checkbox"/> Plastic	
If "Yes" Unit Packaging wgt. No. per Container		If "Yes" Unit Packaging wgt. No. per container		<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 264 gal. and 330 gal.		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"/> Paper glued <input type="checkbox"/> Stenciled			
		<input checked="" type="checkbox"/> Other <u>Pressure Sensitive</u>			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)			
Name Pat Dinnen		Title Label Group Leader	
		Telephone No. (Include Area Code) 336-632-2494	
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 <i>Pat Dinnen</i>		3. Title Regulatory Specialist	
4. Typed Name Pat Dinnen		5. Date August 3, 2009	

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A collection of 15 small, stylized line drawings of various bird species, arranged in a grid-like fashion. The birds include shorebirds, waterfowl, and songbirds, each depicted in a simple, artistic style.

Chlorothalonil 720 MUP

A Fungicide for Manufacturing Use Only

NOTIFICATION

NOV 27 2009

Active Ingredient:

Chlorothalonil (tetrachloroisophthalonitrile) 54.0%

Other Ingredients: 46.0%

Total 100.0%

Contains 6.0 Pounds Chlorothalonil Per Gallon (720 grams per liter)

KEEP OUT OF REACH OF CHILDREN.

CAUTION

See additional precautionary statements and directions for use inside booklet.

EPA Reg. No. 50534-226

EPA Est. 50534-TX-001

SCP 50534-226-M1 0905

Net Contents:

FIRST AID	
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 a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If on skin or clothing	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
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 mouth to mouth, if possible. • Call a poison control center or doctor for further treatment advice.
If in eyes	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 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.
NOTE TO PHYSICIAN	
Persons suffering with temporary allergic skin reactions may respond to treatment with oral antihistamines and topical or oral steroids.	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	
HOT LINE NUMBER	
For 24 Hour Medical Emergency Assistance (Human or Animal) or Chemical Emergency Assistance (Spill, Leak, Fire, or Accident), Call 1-800-888-8372	

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION

Harmful if swallowed, absorbed through skin, or inhaled. Causes moderate eye irritation. Avoid contact with skin, eyes, or clothing. Avoid breathing spray mist. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

Environmental Hazards

This product is toxic to fish and wildlife. 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 sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product should be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather or crop conditions, presence of other materials or other influencing factors in the use of the product, which are beyond the control of GB BIOSCIENCES CORPORATION or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold GB BIOSCIENCES and Seller harmless for any claims relating to such factors.

GB BIOSCIENCES warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks referred to above, when used in accordance with directions under normal use conditions. This warranty does not extend to the use of the product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or GB BIOSCIENCES, and Buyer and User assume the risk of any such use. GB BIOSCIENCES MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

In no event shall GB BIOSCIENCES or Seller be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF GB BIOSCIENCES AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF GB BIOSCIENCES OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

GB BIOSCIENCES and Seller offer this product, and Buyer and User accept it, subject to the foregoing Conditions of Sale and Limitations of Warranty and Liability, which may not be modified except by written agreement signed by a duly authorized representative of GB BIOSCIENCES.

DIRECTIONS FOR USE

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

Formulators using this product are responsible for obtaining EPA registration for their formulated product which may be labeled for the use patterns as listed on this label.

This product is intended for formulation into a fungicide/mildewicide for the following uses:

1. Terrestrial Food and Feed Crops, Greenhouse Crops

almonds	Cocoa bean	papaya
apricot	Coffee bean	parsnip
asparagus	corn (sweet, for seed)	passion fruit
banana	cranberry	peach
beans (succulent and dry)	cucumber	peanuts
blueberry	filberts (hazelnuts)	pistachio
broccoli	garlic	plum
Brussels sprouts	leeks	potato
cabbage	mango	prune
carrot	melon	pumpkin
cauliflower	mint	shallot
celery	mushrooms	soybean
cherry	nectarine	squash (summer, winter)
Chinese broccoli	onions (dry, green, seed)	tomato
Chinese cabbage		

2. Terrestrial Non-Food, Greenhouse, Nursery

turf	Conifers
sod farms	Christmas trees
ornamental plants, trees, shrubs	Forest stand
grasses grown for seed	

3. Additive for aqueous paints, stains, coatings, adhesives, caulks, sealants, grouts, joint compounds, and wood preservative stains

4. This product must not be formulated into products labeled for use on home lawns.

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

6. This product must not be formulated into a product intended as a mildewcidal paint additive designed for direct sale to retail customers, e.g., in a 'pillow pack' or other small volume one-use package.
7. This product may only be formulated into mildewcidal paint additive products that are labeled as follows: This product may only be added to paint products that are labeled A) with product-specific instructions for the use of a respirator during application, or B) as follows "When applying with a sprayer, wear a dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C), or a NIOSH approved respirator with any R, P, or HE filter. If oil is not present in the paint product or recommended for use as an additive in the paint product, add "N" as an additional respirator type."
8. This product must not be used to formulate products for use as in-container preservatives.
9. This product may be used for experimental purposes that are in compliance with U.S. EPA requirements.

STORAGE AND DISPOSAL

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

Pesticide Storage

Store in a cool place. Protect from excessive heat.

Pesticide Disposal

Pesticide wastes are toxic. Improper disposal of excess pesticide, pesticide formulation, 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 Handling

Refillable container. Refill this container with pesticide only. Do not use 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 container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes.

Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

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<p>For non-emergency (e.g., current product information) call Syngenta Crop Protection at 1-800-334-9481.</p>

GB Biosciences Corporation
Greensboro, North Carolina 27409
www.syngenta-us.com

SCP 50534-226-M1 0905

CHLO 720 MUP 50534-226-M1 0905 PRN2007-4 NOTIF-AUG2009-B CLEAN – pd – 10/21/09
050534-00226.20090803B.CHLO-720-MUP_PRN2007-4_AUG2009.pdf