

51873-2

09/28/2009

1/9



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. Roland L. Cargill
Product Registration Specialist
Fair Products, Inc.
P.P. Box 386
Cary, North Carolina 2712-0386

SEP 28 2009

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

Dear Mr. Cargill:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated August 5, 2009 for:

EPA Registration 51873-2 Fair Plus

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 identify 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 Joyce Edwards of my staff at 703-308-5479.

Sincerely,

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



United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

| | | | | | |
|---|--|-------------------------------------|---|--|--|
| 1. Company/Product Number Fair Products, Inc. / 51873-2 | | 2. EPA Product Manager Tony Kish | | 3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted | |
| 4. Company/Product (Name) Fair Products, Inc. / Fair Plus | | PM# 22 | | | |
| 5. Name and Address of Applicant (Include ZIP Code) Fair Products, inc. PO Box 386 Clemmons, NC 27512 <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: <input checked="" type="checkbox"/> EPA Reg. No. 51873-8 Product Name DeCut | | |

Section - II

| | | |
|--|--|---|
| <input type="checkbox"/> Amendment - Explain below. | <input type="checkbox"/> Final printed labels in response to Agency letter dated _____ | NOTIFICATION SEP 28 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 guidances PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.146 and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. (Continued on attached page)

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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | <input checked="" type="checkbox"/> Metal | <input type="checkbox"/> Plastic | <input type="checkbox"/> Glass | <input type="checkbox"/> Paper |
| * Certification must be submitted | | If "Yes" Unit Packaging wgt. | No. per container | If "Yes" Package wgt. | No. per container | Other (Specify) _____ | |
| 3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container | | 4. Size(s) Retail Container 2,5110, 275 g. | | 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 glued and slip sleeve | | | <input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled | <input type="checkbox"/> Other _____ | | | |

Section - IV

| | | | | | |
|---|--|----------------------------------|--|---|--|
| 1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.) | | | | | |
| Name Roland L. Cargill | | Title Product Reg. Specialist | | Telephone No. (Include Area Code) 919-467-1590 | |
| 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) |
| | | | | | |
| 4. Typed Name Roland L. Cargill | | 5. Date 8/5/09 | | | |



Fair Products, Inc.

August 5, 2009

Tony Kish Product Manager, Team-22
Fungicide Branch, Registration Division
Document Processing Desk (AMEND)
Office of Pesticide Programs (7504P)
U.S Environmental Protection Agency
Room S-4900 One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Subject: Notification: Container Disposal Statement per PR 2007-4
EPA Reg. No. 51873-2 Fair Plus

Dear Tony:

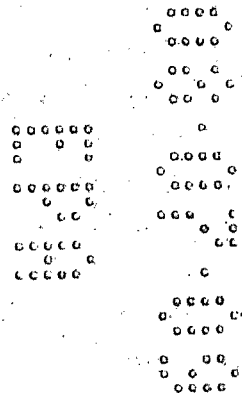
Attached is the completed Notification (EPA form 8570-1) for the subject product in compliance with PR 2007-4, as well as a copy of the updated label that contains the revised Container Disposal Statement.

If you have any questions, please do not hesitate to contact me at (919) 467-1599 or by email carla@fairproductsinc.com.

Sincerely,

Roland L. Cargill
Product Registration Specialist

Enclosed



4/9

FAIR PLUS/Front panel

DRAFT

NOTIFICATION

****CHANGES REQUESTED IN RED****

SEP 28 2009

FAIR PLUS®

A 1.5 lb Maleic Hydrazide Product
FOR THE PREVENTION OF GROWTH OF TOBACCO SUCKERS

KEEP OUT OF REACH OF CHILDREN
CAUTION
DO NOT INHALE MIST. AVOID CONTACT WITH EYES, SKIN AND CLOTHING

ACTIVE INGREDIENT:
Potassium salt of 1,2-Dihydro-3,6-pyridazinedione21.7%

INERT INGREDIENTS:.....78.3%

TOTAL.....100.0%

** Hereinafter called potassium salt of maleic hydrazide CAS No. 28382-15-2*
This product contains 1.5 lbs. maleic hydrazide (MH) CAS No. 123-33-1 equivalent per gallon

SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS
READ ENTIRE LABEL CAREFULLY BEFORE USING THIS PRODUCT

If not used in accordance with directions, plant injury,
or other undesirable results may occur.

Sold by:

Fair Products, Inc., USA

Agri-Specialties Division

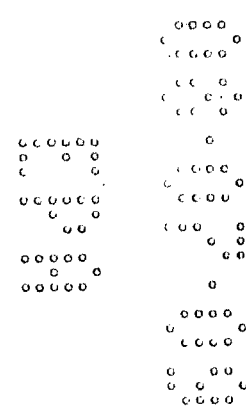
Post Office Box 386

Cary, North Carolina 27512-0386

Telephone: (919) 467-8352

EPA Reg. No. 51873-2
EPA Est. No. 45671-NC-01
12271994V-2009P

Net Contents:
2 Gallons (256 Fl Oz)
7.57 LITERS (7570 ml)



****DRAFT****

FAIR PLUS/Left panel, p.1

PRECAUTIONARY STATEMENTS

Hazards to humans and domestic animals

CAUTION

Harmful if absorbed through skin. Avoid contact with eyes, skin, or clothing. Wear long-sleeved shirt and long pants, socks, and shoes, and chemical resistant gloves made of any waterproof material.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not apply this product through any type of irrigation system. Do not contaminate water when disposing of equipment washwaters.

SURFACE WATER ADVISORY

Under some conditions, maleic hydrazide (MH) may have a significant potential for runoff into surface water (primarily via dissolution in runoff water), for several days post-application. Conditions favoring runoff include poorly draining soils or wet soils with readily visible slopes, frequently flooded areas, areas where an intense or sustained rainfall is forecast to occur within 48 hours, areas overlying extremely shallow ground water, and areas overlying tile drainage systems that flow to surface water.

USE PRECAUTIONS

PERSONAL PROTECTIVE EQUIPMENT

APPLICATORS AND OTHER HANDLERS MUST WEAR:

- Long-sleeved shirt and long pants
- chemical resistant gloves made of any waterproof material
- Shoes plus socks
- Protective eyewear Follow manufacturer's instructions for cleaning and maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

USER SAFETY RECOMMENDATIONS

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Users should remove PPE immediately after handling this product. Wash outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

6/9

****DRAFT****

FAIR PLUS/Left panel, p.2

| | |
|--|--|
| FIRST AID MALEIC HYDRAZIDE | |
| 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. |
| HOT LINE NUMBER MALEIC HYDRAZIDE | |
| <p>Have the container or label with you when calling a poison control center or doctor or going for treatment. For emergency information on product call (919) 467-8352, Monday through Friday 9 am to 5 PM EST.</p> <p>After 5 PM call your poison control center or call the National Poison Control Hotline at 1-800-222-1222 for additional information.</p> | |

DIRECTIONS FOR USE

It is a violation of federal law to use this product in a manner inconsistent with its labeling. Do not apply this product in a way that will contact workers or persons, either directly or indirectly through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and the Worker Protection Standard, 40 CFR part 170. This standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

**Do not enter or allow worker entry into treated areas during the
Restricted Entry Interval (REI) of 12 hours.**

PPE required for early entry into treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is:

- **Long-sleeved shirt and long pants**
- **Chemical resistant gloves made of any waterproof material (changed from "Waterproof gloves")**
- **Shoes plus socks**

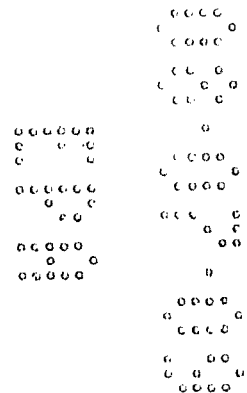
****DRAFT****

FAIR PLUS/Right panel

STORAGE AND DISPOSAL

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

- 1. **PESTICIDE STORAGE** - Do not stack over 2 pallets high. Store original containers in cool dry place away from food, water and feed. Avoid storage below 45 degrees F. At temperatures below 40 degrees F, the formulation will form solids. It readily re-dissolves, but must be warmed to 50 degrees F or above. The larger the container the more time is needed to completely re-dissolve the solids.
- 2. **PESTICIDE DISPOSAL** - Open dumping is prohibited. Do not reuse empty container. Pesticide spray mixture or rinse that cannot be used according to label instructions must be disposed according to applicable federal, state or local procedures.
- 3. **CONTAINER DISPOSAL** - Non-refillable containers. Do not use or refill this container. Offer for recycling if available. **For container sizes of 5 gallons or less, triple rinse as follows:** Empty the remaining contents into application equipment or a mix tank and draining for 10 seconds after the flow begins to drip. 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 the flow begins to drip. Repeat this procedure two more times. **For container sizes greater than 5 gallons, 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 the procedure two more times.
- 4. **GENERAL** - Consult federal, state or local disposal authorities for approved alternative procedures in your area.



****DRAFT****

FAIR PLUS/Rear panel,p.1

FAIR PLUS is a tailor-made formulation exclusively for use on tobacco. The active ingredient is the time-tested and classic growth retardant, Maleic Hydrazide in the form of the potassium salt. This formulation contains an agricultural surfactant (wetting agent) to facilitate better "sticking" especially under adverse weather conditions. It is necessary to apply FAIR PLUS at the correct time, in the correct amounts, and in equal amounts to each plant, in order to obtain the optimum sucker control. Only the upper 1/3 to 1/2 of the plant needs to be sprayed for best results. FAIR PLUS is absorbed by the tobacco leaves and spreads throughout the entire plant. Please follow directions carefully.

WHEN TO APPLY:

FLUE CURED, BURLEY, DARK FIRE, MARYLAND TOBACCO

When all plants flower at the same time, wait until the plants are in full flower, then top and pull all suckers from the early maturing plants and within 24 hours after topping, spray FAIR PLUS onto the entire field. "Full flower" is the stage when 90% of the plants have started shedding their first flowers. In most years, plants flower over a wide range of time. In these situations, FAIR PLUS treatments should be preceded by application of "contact type" sucker control materials such as FAIR 85 or FAIR-TAC which allow uneven crops to become uniform before MH application. When the remaining plants are in full flower, top them and remove the suckers from the entire field, then spray FAIR PLUS within 24 hours after topping. The tip leaves to be harvested should be at least 6 to 8 inches long at the time of application of FAIR PLUS.

SPECIAL DIRECTIONS FOR BURLEY TOBACCO:

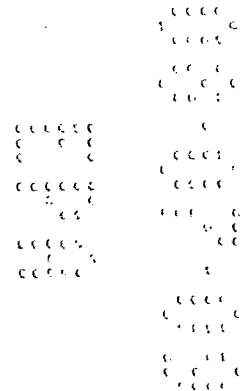
Alternatively, to reduce maleic hydrazide (MH) residues and to enhance sucker control apply Fair Plus as soon as 10 to 25% of the plants have open flowers or whenever the majority of plants have 20 to 25 harvestable leaves (greater than 8 inches long and about 5 inches wide). This will result in MH application 7 to 14 days earlier than the normal application at full to late flower.

PENNSYLVANIA CIGAR TOBACCO

If the field flowers uniformly, then top when 1/4 to 1/2 of the plants show one or more open flowers on each head. Apply FAIR PLUS to dry leaves within 3 days of topping. Do not spray on leaves covered with dew. If flowering is not uniform, top when 50 to 60% of the plants show one or more open flowers per head, then wait three days and remove any suckers more than one inch long and apply FAIR PLUS over the entire field.

WISCONSIN CIGAR TOBACCO

When most of the plants are in full flower, top the field and remove by hand any suckers over one inch. Apply FAIR PLUS over the entire field within 24 hours after topping.



9/9

****DRAFT****

FAIR PLUS/ Rear panel, p.2

HOW MUCH FAIR PLUS TO APPLY:

FLUE CURED, BURLEY, DARK FIRE, CIGAR (Pennsylvania and Wisconsin) and MARYLAND TOBACCO, use 1 1/3 gallons of FAIR PLUS per 6000 plants per acre or 1.5 gallons of FAIR PLUS per 8000 plants per acre. On small plots, use 1.0 to 1.5 pints of FAIR PLUS per 1000 plants in 3 gallons of water.

HOW TO APPLY:

FAIR PLUS can be applied by tractor or animal drawn sprayer or with a compressed air shoulder sprayer. Any number of nozzles may be used and it can be applied in the same manner as insecticides. Spray one or more rows at a time, wetting only the upper one-third to one-half of the plants. When using a compressed-air shoulder sprayer with a single nozzle, spray one side of each tobacco row while walking at a constant rate, using a uniform motion to moisten the upper 6 to 8 leaves of each plant, and apply equal amounts of spray to each plant. Make sure to use a nozzle that delivers a fine, mist spray. Apply FAIR PLUS in 20 to 50 gallons of water per acre. DO NOT use less than 20 gallons of water per acre.

NOTES AND LIMITATIONS

1. Do not make more than one application per season.
2. Do not harvest earlier than 7 days after application.
3. Should wash-off occur within 6 hours a single repeat application may be made.
4. Make sure spray equipment is clean before using.
5. Do not use on seed tobacco.
6. Do not allow drift to nearby crops.

FAIR PLUS normally requires 6 hours contact with the plant for full results. Rain occurring within six hours of spraying reduces effectiveness. Also extremely dry weather conditions reduce the optimum effect. Do not harvest the tobacco until it is fully ripe. When tobacco has been properly treated with FAIR PLUS, or closely hand suckered, it will not ripen as rapidly as untreated tobacco. Under certain conditions tobacco tips treated with FAIR PLUS tend to turn yellow prematurely. This does not mean that the tobacco is ripe or that it has been harmed. Do not use time and color of the leaves as the only guide to the ripeness of FAIR PLUS treated tobacco, use other characteristic indications of ripeness, such as the change in the leaf texture and the fading of color from the mid-rib. Premature harvesting results in poor tobacco quality. Leaving one row of tobacco untreated can be helpful in determining when the treated tobacco is ripe. Best results are obtained when FAIR PLUS is applied on humid mornings after the dew has disappeared from the plants. Avoid application of FAIR PLUS during the hot, mid-day or afternoon sun. It is important to use the correct amount of FAIR PLUS and to follow directions carefully. Do not use too much of it. Too little will not achieve the proper sucker control. Rinse the spray tank and equipment after spraying but do not contaminate natural waters by cleaning of equipment or disposal of wastes. FAIR PLUS reacts slowly on plants grown under drought conditions and the results may not be as good as on plants treated under normal conditions.

WARRANTY STATEMENT: Seller's guarantees shall be limited to the terms of the label and subject thereto the buyer assumes any risk to person or property arising out of use or handling and accepts the product on these conditions.