

51873-5

09/28/2009

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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 51873-5

Fair Tac

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,

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
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number Fair Products, Inc. / 51873-5	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 Tac	PM# 22	
5. Name and Address of Applicant (Include ZIP Code) Fair Products, inc. PO Box 386 COLUMBIA, MO 65203 <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. 19713-18 Product Name Antak	

Section - II

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

NOTIFICATION
SEP 28 2009

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:

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	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) _____
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container

3. Location of Net Contents Information
 Label Container

4. Size(s) Retail Container
5, 275 gal.

5. Location of Label Directions
 On Label On Labeling accompanying product

6. Manner in Which Label is Affixed to Product glued and slip sleeve
 Lithograph Paper glued Other _____
 Stenciled

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) 939-467-1599
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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.

2. Signature
R. L. Cargill

3. Title
Product Registration Specialist

4. Typed Name
Roland L. Cargill

5. Date
8/5/09

6. Date Application Received (Stamped)



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. 51873-5 Fair Tac

Dear Tony:

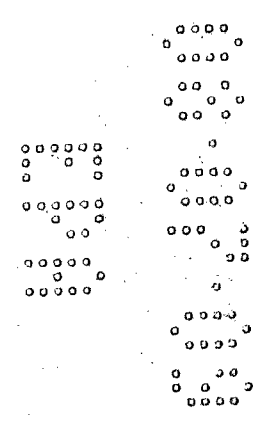
Attached is the completed Notification (EPA form 8570-1) for the subject product in compliance with PR 2007-4, as well as a copy of the updated label that contains the revised Container Disposal Statement.

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



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NOTIFICATION

FAIR-TAC/Front panel

SEP 28 2009

****PROPOSED CHANGES IN RED****

FAIR-TAC®

CONTACT TOBACCO SUCKER CONTROL AGENT

DANGER-(PELIGRO)
KEEP OUT OF REACH OF CHILDREN
 PRECAUCION AL USUARIO: Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail)

ACTIVE INGREDIENT:

n-DECANOL (C₁₀).....78.5%

INERT INGREDIENTS:.....21.5%

TOTAL.....100.0%

THIS PRODUCT CONTAINS 5.7 LBS. OF FATTY ALCOHOL PER GALLON

READ ENTIRE LABEL CAREFULLY BEFORE USING THIS PRODUCT

SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

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 27511

Telephone: (919) 467-8352

MADE IN U.S.A.

EPA REG. NO. 51873-5

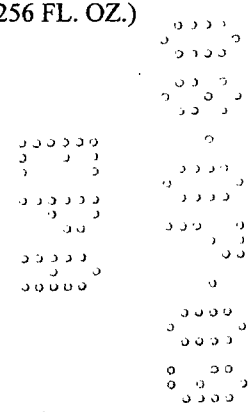
EPA EST. NO. 45671-NC-01

NET CONTENTS:

7.57 LITERS (7570 ML.)

2 GALLONS (256 FL. OZ.)

04081994V-2009P



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FAIR-TAC/Left side panel, p.1

<p>PRECAUTIONARY STATEMENTS Hazards to humans and domestic animals</p> <p>Danger</p> <p>Corrosive. Causes irreversible eye damage. Do not get in eyes, on skin or on clothing. Wear protective eyewear, (goggles or face shield). Harmful if absorbed through skin or inhaled. Avoid contact with skin, eyes, or clothing. Avoid inhalation of mist. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.</p> <p>ENVIRONMENTAL HAZARDS</p> <p>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 wash waters.</p>

<p>FIRST AID FATTY ALCOHOLS (N-DECANOL)</p>	
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.
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 Swallowed	<ul style="list-style-type: none"> • Call a poison control center or doctor 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 treatment advice.
<p>Hot Line Number FATTY ALCOHOLS (N-DECANOL)</p>	
<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. After 5 PM call your poison control center or call the National Poison Control Hotline at 1-800-222-1222 for additional information.</p>	
<p>NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage</p>	

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FAIR-TAC/Right side panel

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 24 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:

- Coveralls over long sleeved shirt and long pants
- Chemical resistant gloves made of any waterproof material
- Shoes plus socks
- Protective eyewear.

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.
2. **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.
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.

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FAIR-TAC/Rear panel, p.1

FAIR-TAC is an effective contact sucker control agent which goes to work promptly (usually within a period of one hour) to kill tobacco suckers. FAIR-TAC is mixed with water to form a milky emulsion, which is then applied as a coarse spray directly on to the suckers. In a period of about one-hour the contacted suckers turn brown to black and costly and tedious hand suckering is eliminated.

For maximum sucker control FAIR-TAC applications are followed within 7-10 days by systematic maleic hydrazide (MH) type sucker control agents such as **FST-7, FAIR 80 SP, FAIR 30** or **FAIR PLUS** applied in accordance with directions.

DIRECTIONS

Top the tobacco plants when they are in the late button or early flower stage and remove by hand any suckers which are over one inch. Plants that are leaning must be straightened so that the spray flows down the stalk evenly and contacts each sucker. The plants should be sprayed with FAIR-TAC within one day after topping and not later than two days.

FAIR-TAC can be applied at any time during the day up to early evening before the leaves begin to close but it is best to wait until the dew is dried if the spray is applied in the early morning. Spraying during the bright noonday sun at atmospheric temperatures above 90 F should be avoided since injury to the top tender leaves may result. In this case, it is recommended that spraying be delayed until the afternoon when the plants have recovered from wilt. Do not apply FAIR-TAC when the wind velocity is high enough to turn over the top leaves since injury may result from the application to the tender underside of the tobacco leaf. Do not apply during a rain or when the leaves are still wet. When properly sprayed on tobacco plants, FAIR-TAC will be effective if it has at least one hour to act before being washed off by rain. Do not apply during periods of high heat or if plants are under excessive stress.

Usually one application of FAIR-TAC will give good control of both primary and secondary suckers and produce excellent leaf quality. However, a dual treatment of FAIR-TAC is recommended 7 to 10 days apart to allow time for uneven crops to become uniform. For season long sucker control, these treatments should be followed by a maleic hydrazide (MH) product (such as **FST-7, FAIR 80 SP FAIR 30** or **FAIR PLUS**) treatment applied within 7-10 days of the last FAIR-TAC treatment in accordance with instructions.

BURLEY and FLUE CURED TOBACCO:

Add 50 gallons of water to 1.5 to 2 gallons of FAIR-TAC. For smaller quantities, add one gallon of water to 5 to 6 ounces of FAIR-TAC. Always add water to the FAIR-TAC, not the reverse. Apply with diluted emulsion at the rate of 50 gallons per acre of tobacco. Take care to observe that the emulsion is running down the tobacco stalk and wetting the suckers properly.

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FAIR-TAC/Rear panel, p.2

DARK TOBACCO

Add one gallon of water to 7 to 8 ounces of FAIR-TAC. Always add water to the FAIR-TAC, not the reverse. Take care to observe that the emulsion is running down the tobacco stalk and wetting the suckers properly.

When applying FAIR-TAC with power equipment, use a coarse spray (TG-3 full cone tips or larger) three nozzles per row. Ideally, one TG-5 nozzle should be directed downward, over the center of the row and two TG-3 nozzles should be 11 inches on either side directed at or slightly above the top of the stalk. FAIR-TAC should be applied from a height of about 12-16" above the top of the taller stalks of tobacco. Keep the boom pressure at 20-25 lbs. and do not exceed 25 lbs. pressure. Operate the vehicle at a speed of 2 to 3 miles per hour and apply 50 gallons of diluted emulsion per acre of tobacco.

When using a hand-held or knapsack type sprayer, be sure to use a coarse spray and direct the spray downward at the top of the stalk about 6 inches above the top leaves. Apply enough diluted emulsion to get run down to the bottom of each plant. Not much tank pressure is needed. Do not exceed 20 lbs. of pressure.

NOTES

- 1. Mix well prior to use and, if allowed to stand during use, mix again before applying since the diluted emulsion may separate on standing.
- 2. Do not use on Burley tobacco during periods of high heat and humidity or under conditions which favor the spread of tobacco diseases.
- 3. Usage according to the directions outlined has resulted in adequate sucker control with very little or no leaf injury. Application not in accordance with the directions may lead to injury of leaves or improper sucker control.
- 4. Make sure spray equipment is clean before using.

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

