

51873-18

2/21/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

FEB 21 2009

Mr. Roland L. Cargill
Product Registration Specialist
Fair Products, Inc.
P.O. Box 386
Cary, NC 27512

RE: Notification of Change in Alternate Brand Name to: "O-TAC Plant Contact Agent"

EPA-Registration-Number: 51873-18

Date of Submission: January 30, 2009

Dear Mr. Cargill:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated January 30, 2009, A-TAC 85. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please 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

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0080



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./ 51873-18	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./ O-TAC PLANT CONTACT AGENT	PM# 22	
5. Name and Address of Applicant (Include ZIP Code) Fair Products, Inc. PO Box 386 Cary, 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: EPA Reg. No. 51873-18 NOTIFICATION Product Name A-TAC 85 FEB 21 2009	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<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 change in brand name from A-TAC 85 to "O-TAC PLANT CONTACT AGENT" per PR Notice 98-10. "This notification is consistent with the provisions of PR Notice 98-10 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. (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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input checked="" 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 <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container 2 gal. bottles, 5 gal. pail, 275 gal. Totes	5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input checked="" type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product plastic sleeve & glued paper		<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) 919-467-1599
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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.

6. Date Application Received
(Stamped)

2. Signature 	3. Title Product Registration Specialist
4. Typed Name Roland L. Cargill	5. Date Jan 30, 2009

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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 98-10 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."

[illegible]



Fair Products, Inc.

January 30, 2009

Tony Kish Product Manager, Team-22
Fungicide Branch, Registration Division (7505C)
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U.S ENVIRONMENTAL Protection Agency
401 M Street S.W.
Washington, DC 20460-0001

Subject: Brand Name Change

Dear Tony:

Thank you for your prompt response (1/28/09) by email concerning the action necessary to complete a brand name change for a product.

Per your instructions and following PR Notice 98-10, we have enclosed the following:

1. Completed 8570-1 form that provides the notification to submit a brand name change for Fair Products, Inc. A-TAC 85 (EPA Reg. No. 51873-18) to O-TAC Plant Contact Agent. It includes the certification statement in PR Notice 98-10 (section VI).
2. Copy of the label replacing the brand name A-TAC 85 with the brand name O-TAC Plant Contact Agent.

Thank you again for your assistance on this matter. If you have any questions, please do not hesitate to contact me at carla@fairproductsinc.com. or call 919-467-1599

Sincerely,

Roland L. Cargill
Product Registration Specialist

Enclosed

50611

O-TAC PLANT CONTACT AGENT/Front panel

O-TAC PLANT CONTACT AGENT®

CONTACT TOBACCO SUCKER CONTROL AGENT

KEEP OUT OF REACH OF CHILDREN

WARNING - AVISO

Do not inhale mist. Avoid contact with eyes, skin and clothing.

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)

READ ENTIRE LABEL CAREFULLY BEFORE USING THIS PRODUCT.

ACTIVE INGREDIENTS:

Fatty Alcohols.....85%

(C8 - 45%, C10 - 55%.....100%)

INERT INGREDIENTS.....15%

TOTAL.....100%

This product contains 6.01 lbs. of fatty alcohols per gallon

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

Sold by:

Fair Products, Inc., USA

Agri-Specialties Division

Post Office Box 386

Cary, North Carolina 27512

Telephone: (919) 467-8352

NOTIFICATION

FEB 21 2009

MADE IN U.S.A.

EPA REG. NO. 51873-18

EPA EST. NO. 45671-NC-01

03062003V-2008P

NET CONTENTS:

7.57 LITERS (7570 ML.)

2 GALLONS (256 FL. OZ.)

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PRECAUTIONARY STATEMENTS

Hazards to humans and domestic animals

WARNING

Causes substantial but temporary eye injury. Do not get in eyes, on skin or on clothing. Wear protective eyewear (goggles or face shield). Causes skin irritation. Harmful if swallowed. Avoid inhalation of mist. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

ENVIRONMENTAL HAZARDS (moved to box)

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 by cleaning equipment or disposal of wastes.

FIRST AID

FATTY ALCOHOLS (ALIPHATIC ALCOHOLS)

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.

Hot Line Number

Fatty Alcohols (aliphatic alcohols)

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.

70911

DIRECTIONS FOR USE

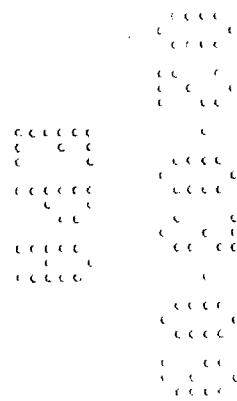
It is a violation of federal law to use this product in a manner inconsistent with its labeling. Do not apply this product in a way that will contact workers or persons, either directly or indirectly through drift. Only protected handlers may be in the area during application. For any requirements specific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

*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 Pollution 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.

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.

- Coveralls
- Chemical resistant gloves made of any waterproof material (new text)
- Shoes plus socks
- Protective eyewear.



80911

USE PRECAUTIONS

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for **CATEGORY C** on an EPA chemical resistance category selection chart.

MIXERS, LOADERS, APPLICATORS AND OTHER HANDLERS MUST WEAR:

- Long-sleeved shirt and long pants
- Chemical resistant gloves made of any waterproof material (new text)
- Shoes plus socks
- Protective eyewear.

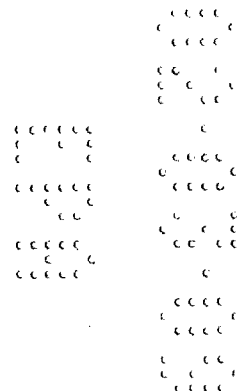
USER SAFETY REQUIREMENTS

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. 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/PPE 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.



90811

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 resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.
3. **CONTAINER DISPOSAL** - Do not reuse empty container. Triple rinse (or equivalent). Then offer for recycling or reconditioning, 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.
4. **GENERAL** - Consult federal, state or local disposal authorities for approved alternative procedures in your area.

100811

O-TAC PLANT CONTACT AGENT is a carefully balanced combination of active ingredients and wetting agents to be used for the control of sucker growth on Burley, Flue-Cured, Dark, Maryland and Cigar tobacco. The concentrated product is diluted with water to form a creamy emulsion, which is applied as a coarse spray. The emulsion is effective only when it comes in direct contact with suckers; therefore, the material is applied so that maximum contact is made with the suckers. For maximum sucker control O-TAC PLANT CONTACT AGENT 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.

WHEN TO APPLY:

O-TAC PLANT CONTACT AGENT can be applied before or after topping. Best results are usually obtained by spraying the tobacco with O-TAC PLANT CONTACT AGENT before topping in the early to late button stage and then topping the tobacco one week later, removing any suckers that were missed. If you top the tobacco before spraying, remove any suckers over one inch in length as you top and apply O-TAC PLANT CONTACT AGENT after topping. Because O-TAC PLANT CONTACT AGENT is a contact type agent, it is necessary to straighten any plants that are leaning so that the emulsion flows down the stalk evenly and contacts each sucker.

O-TAC PLANT CONTACT AGENT can be applied anytime during the day. For best results, it is recommended that you wait until the dew dries before spraying. Do not spray after the leaves begin to close in the evening. Because the underside of the leaves may be injured by contact with O-TAC PLANT CONTACT AGENT, do not apply when the wind is high enough to turn the top leaves over. Do not apply during the rain or when plants are wet. If however, it rains after O-TAC PLANT CONTACT AGENT has been on the plants for over an hour, you should not have to apply O-TAC PLANT CONTACT AGENT again. Do not apply during periods of high heat or if plants are under excessive stress.

HOW MUCH O-TAC PLANT CONTACT AGENT TO APPLY:

Flue-Cured: For power sprayer - use 1.5 to 2 gallons (5.68-7.57 liters) in 50 gallons (189 liters) of water, or 2.5 gallons (9.4 liters) in 50 gallons (189 liters) of water.
For hand sprayer - use 4 to 5 ounces (118-148 milliliters) per gallon (3.785 liters) of water, or 6 ounces (177 milliliters) per gallon (3.785 liters of water).

NOTE: In the event of an extended season and to avoid excessive MH residues, a later season application of 2.5 gallons O-TAC PLANT CONTACT AGENT in 47.5 gallons water (5% concentration) may be made 3 to 4 weeks after MH application.

Burley: For power sprayer - use 1.75 to 2 gallons (6.62-7.57 liters) in 50 gallons (189 liters) of water.

Dark Fired: For hand sprayer, use 6 to 8 ounces per gallon (177-237 milliliters per gallon (3.785 liters) of water.

Cigar: Use 4 to 5 ounces per gallon (118-148 milliliters per 3.785 liters) of water to apply with a hand sprayer.

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Maryland: Use 4 to 4.5 ounces per gallon (118-133 milliliters per 3.785 liters) of water to apply with a hand sprayer.

When applied by hand, 1 gallon (3.785 liters) of diluted O-TAC PLANT CONTACT AGENT will treat approximately 190 plants.

If a power sprayer is used, 50 gallons (189 liters) of diluted product should be applied per acre of tobacco.

HOW TO APPLY:

The diluted emulsion is most easily prepared by adding the required amount of O-TAC PLANT CONTACT AGENT to your spray tank and then adding the water. In order to obtain the best results, it is important that the water be added to the O-TAC PLANT CONTACT AGENT rather than the O-TAC PLANT CONTACT AGENT to the water.

If you use a hand-held or backpack sprayer, the diluted emulsion should be applied at a rate of 2/3 to 1 ounce (20-30 milliliters) per plant (or enough to insure rundown to the bottom of the plant). A coarse spray is recommended, directed downward at the top of the stalk from 6-8 inches above the top leaves, very little tank pressure is required, and in no case should more than 20 pounds be used.

When applied with power equipment, three nozzles per row should be used (TG full cone tips, or larger, are satisfactory). One TG-5 nozzle should be directed downward over the center of the row and two TG-3s should be positioned approximately 11 inches on either side directed at or slightly above the top of the stalk. The diluted O-TAC PLANT CONTACT AGENT should be applied to the tobacco as a coarse spray from a height of 12 to 16 inches above the top of the stalk. It is recommended that boom pressure be kept at 20 to 25 lbs., and should never exceed 25 lbs. By using the recommended spray tips, spraying at approximately 20 lbs. pressure, and operating a tractor speed of 2.5 to 3 mph, you will apply approximately 50 gallons of diluted emulsion per acre of tobacco.

HOW OFTEN TO APPLY:

Usually one application of O-TAC PLANT CONTACT AGENT will give good control of both primary and secondary suckers and produce excellent leaf quality. However, in most cases a dual treatment of O-TAC PLANT CONTACT AGENT 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 treatment (such as **FST-7**, **FAIR 80 SP**, **FAIR 30** or **FAIR PLUS**) applied within 7-14 days of the last O-TAC PLANT CONTACT AGENT treatment in accordance with label instructions. In the event of an extended season and to avoid excessive MH residues, a later season application of 2.5 gallons O-TAC PLANT CONTACT AGENT in 47.5 gallons water (5% concentration) may be made 3 to 4 weeks after MH application.

NOTES:

1. Mix well prior to use and, if allowed to stand during the 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 high humidity.
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.

NOTIFICATION

FEB 21 2009

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.