

55146-98

8/11/2010

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

AUG 11 2010

Ms. Georgia Anastasion
Lewis & Harrison
Product Registration Agent
For Nufarm Americas, Inc.,
122 C Street, N.W., Suite 740
Washington, D.C. 20001

Subject: Notification for Label Revisions under PRN 98-10 and 2007-4
Storage & Disposal, Warranty Statement and add emergency phone numbers

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 98-10, and 2007-4 Storage & Disposal and Other Changes dated July 23, 2010 for:

EPA Registration 55146-98 "AS-50 Agricultural Streptomycin"

The Registration Division (RD) has conducted a review of the request(s) for applicability under PRN 98-10 and 2007-4 and finds that the label changes requested fall within the scope of PRN 98-10 and 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 non-refillable 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 call me directly at 703-305-5335 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

Paul J. Mastradone, Ph.D., Acting *for*
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

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United States
Environmental Protection Agency
 Washington, DC 20460

- Registration
 Amendment
 Other: Notification

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 55146-98	2. EPA Product Manager Mary Waller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) AS-50 Agricultural Streptomycin	PM# 21	
5. Name and Address of Applicant (Include ZIP Code) Nufarm Americas, Inc. AGT Division 150 Harvester Drive, Ste. 200 Burr Ridge, IL 60527 <u>PLEASE SEND ALL CORRESPONDENCE TO</u> <u>"CONTACT POINT" LISTED BELOW</u>	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(1), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

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

AUG 11 2010

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

Notification to add container disposal and handling statements, revise the warranty section, and make minor changes to page 1.

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in 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.

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. 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.

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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
*Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 10, 15, 25 lbs		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"/> Other _____ <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled					

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application)

Name Georgia Anastasiou, Lewis & Harrison 122 C St. NW Suite 740, Washington DC 20001	Title Agent for Nufarm Americas, Inc.	Telephone No. (Include Area Code) (202) 393-3903 x19
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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 <i>Georgia Anastasiou</i>	3. Title Agent for Nufarm Americas, Inc.	6. Date Application Received (Stamped)
4. Typed Name Georgia Anastasiou	5. Date July 23, 2010	

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LEWIS & HARRISON

Consultants in Government Affairs

122 C Street, N.W., Suite 740
Washington, D.C. 20001

telephone 202.393.3903
fax 202.393.3906

July 23, 2010

HAND DELIVERED

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
US Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

**ATTENTION: Mary Waller
Product Manager #21**

**SUBJECT: Nufarm Americas, Inc.
AS-50 Agricultural Streptomycin, EPA Reg. No. 55146-98
Notification per PR Notice 2007-4 & 98-10**

Dear Ms. Waller:

On behalf of Nufarm Americas, Inc, I am a notification for the product **AS-50 Agricultural Streptomycin, EPA Reg. No. 55146-98**. The purpose of this notification is to make the following changes to the label:

1. Add container disposal and handling statements in accordance with PR Notice 2007-4.
2. Revise the Warranty statements in accordance with PR Notice 98-10.
3. Add emergency numbers, Spanish translation to the signal word and the following optional statements on page 1

"If you DO NOT understand the label, find someone to explain it to you in detail"

"See Inside Booklet for First Aid and additional precautionary statements"

In support of this submission I have enclosed the following documents:

- A. Application for Pesticide Notification;
- B. One (1) copy of the label with changes highlighted;
- C. Two (2) copies of the revised label;
- D. CD containing a PDF copy of the revised label; and,
- E. Certification with Respect to Label Integrity form.

If you have any questions, or require any additional information, please feel free to contact me by phone at 202-393-3903 ext. 19, by fax at 202-393-3906, or by email at georgia@lewisharrison.com.

Sincerely,

Georgia Anastasiou

Georgia Anastasiou
Agent for,
Nufarm Americas, Inc,

cc: Nathan Ehresman (Nufarm Americas, Inc,)

Certification with Respect to Label Integrity

version: 9/11/02

I certify that the information (including, but not limited to, text, tables, and graphics) contained in the electronic file identified below by file name and submitted with this certification is the same information as that on the paper copies of these documents included with this submission.

PROPOSED LABEL		
EPA Registration #	Date Submitted to EPA	Electronic file name
055146-00098	07/23/2010	055146-00098.20100723.PRN2007-4&Warrenty

I certify that the statements that I have made on this form are true, accurate, and complete. I acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

Signature

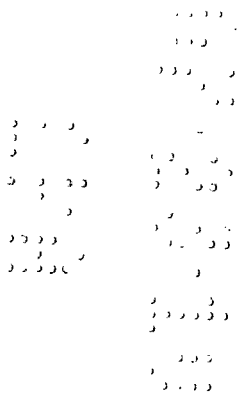
7/23/2010

Date

Name (typed)

Agent for Nufarm Americas, Inc.

Title



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AS-50™ Agricultural Streptomycin

For control of halo blight of beans

Seed treatment (only in commercial seed treatment plants) and control of fire blight of apples and pears

ACTIVE INGREDIENTS:

Streptomycin Sulfate (Equivalent to 50% streptomycin base 65.8%

OTHER INGREDIENTS: 34.2%

TOTAL: 100.0%

**KEEP OUT OF REACH OF CHILDREN
CAUTION / PRECAUCIÓN**

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.)

[SEE INSIDE BOOKLET FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS]

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300

For Medical Emergencies Only, Call (877) 325-1840

NOTIFICATION

AUG 11 2010

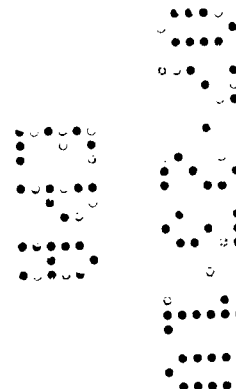
EPA REG. NO. 55146-98

EPA EST. NO. _____

MANUFACTURED FOR
NUFARM AMERICAS INC.
AGT Division
150 HARVESTER DRIVE
BURR RIDGE, IL 60527
800-455-2000



NET CONTENTS: _____ (Lbs.) (_____ kg)



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**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION / PRECAUCIÓN**

Causes moderate eye irritation. Harmful if absorbed through skin. Avoid contact with skin, eyes, or clothing. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals. Wash thoroughly with soap and water after handling.

FIRST AID	
IF ON SKIN OR CLOTHING	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 to 20 minutes. • Call a poison control center or doctor for treatment advice.
IF IN EYES	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 to 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.
HOT LINE NUMBER	
<p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-325-1840 for emergency medical treatment information.</p>	

Personal Protective Equipment (PPE)

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
- Dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C), or a NIOSH approved respirator with any R, P, or HE filter.

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

USER SAFETY RECOMMENDATIONS
<p>Users should:</p> <ul style="list-style-type: none"> • Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. • Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. • Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

This product may be hazardous to aquatic plants. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the high water mark. Do not contaminate water when disposing of equipment wash waters or rinsate.

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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 through any type of irrigation system. Do not apply this product in a way that will contact workers or other persons, either directly or 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 with 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 to 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
- Chemical resistant gloves made of any waterproof material
- Shoes plus socks
- Protective eyewear

CROP USE DIRECTIONS

Control of Fire Blight of Apples and Pears - Directions for Use

Crop	Concentration	First Spray	Follow-Up Spray Schedule
Pears (West Coast Area)	9.6 oz. AS-50 per acre (equivalent to 60 ppm at 600 gals. per acre).	10% bloom	Repeat at 5-day intervals until all late bloom is over. Do not make more than 15 additional applications. Continue to spray at 5 to 7-day intervals to control shoot and fruit infections. Do not apply within 30 days of harvest.
Apples (West Coast Area)	9.6 oz. AS-50 per acre (equivalent to 60 ppm at 600 gals. per acre).	Full bloom	Apply at petal fall and late secondary bloom. Continue to spray at 5 to 7-day intervals to maintain disease control but not later than 50 days before harvest.
Apples (Other Areas)	8-16 oz. AS-50 per acre (equivalent to 50-100 ppm at 600 gals. per acre).	Spray trees at 20-30% bloom.	Spray trees every 3-4 days during blossom time. Apply sprays after petal fall every 10-14 days to control twig blight. Do not make more than 8 additional after blossom spray applications. Do not apply within 30 days of harvest.

Crop	Concentration	First Spray	Follow-Up Spray Schedule
Pears (Other Areas)	8-16 oz. AS-50 per acre (equivalent to 50-100 ppm at 600 gals. per acre).	Spray trees at 20-30% bloom.	Spray trees every 3-4 days during blossom time. Apply sprays after petal fall every 10-14 days to control twig blight. Do not make more than 8 additional after blossom spray applications. Do not apply within 30 days of harvest.

Mixing Instructions For Apple and Pear

Concentration Desired	Quantity AS-50 in Ounces per Volume of Water			
	50 gals.	100 gals.	500 gals.	600 gals.
50 ppm	2/3	1 1/3	6 2/3	8 (1/2 lb.)
60 ppm	0.8	1.6	8 (1/2 lb.)	9.6
100 ppm	1 1/3	2 2/3	13 1/3	16 (1 lb.)

Information regarding use of AS-50 may be obtained from your local Agricultural Extension Agent or State Experiment Station.

Seed Treatment - Control of Halo Blight of Beans

The purchaser of this product is responsible for ensuring that all treated seed are adequately dyed with suitable color to prevent its accidental use as food for man or feed for animals.

Refer to 40 CFR 153.155, use of an approved dye or colorant

Federal law requires that bags containing treated seed shall be labeled with the following information: "This seed has been treated with streptomycin sulfate." Do not use for feed, food, or oil purposes. Store away from feed and foodstuffs. Wear long pants, long-sleeved shirt, and protective gloves when handling treated seed. Treated seeds exposed to soil surface may be hazardous to wildlife. Cover or collect treated seeds spilled during loading and planting. Dispose of all excess treated seeds by burying seed away from bodies of water. Do not contaminate bodies of water when disposing of planting equipment wash water. Dispose of seed packaging or containers in accordance with local requirements.

Crop/Disease	Concentration	Use Directions
Beans - Seed Protection (For Control of Surface Infection)	0.18-0.91 oz./cwt of seed	Use higher rate of product when halo blight pressure is severe. This product dissolves in water and is compatible with Nufarm fungicides and insecticides (e.g., Sebring and Senator). Slurry rates will vary with components and treating equipment. Apply this product using commercial mist, spray or other application equipment.

For use by commercial treaters only. Not for on farm use or at planting time. Do not use treated seed for food or feed purposes.

Mixing Instructions For Seed Treatment

Concentration Desired	Quantity AS-50 per Volume of Water			
	1 pt.	1 qt.	1 gal.	5 gals.
1%	0.3 oz. (9.5 g)	0.6 oz. (19.0 g)	2 2/3 oz.	13 1/3 oz.
2%	0.6 oz. (19.0 g)	1 1/3 oz. (38.0 g)	5 1/3 oz.	26 2/3 oz.
5%	1.5 oz. (47.5 g)	3.0 oz. (90.0 g)	13 1/3 oz.	66 2/3 oz.

STORAGE AND DISPOSAL

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

Pesticide Storage – Keep tightly closed. Store at a cool temperature when possible, and with minimum exposure to atmosphere.

Pesticide Disposal – Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

[Nonrefillable plastic containers]

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying.

[Nonrefillable Containers 5 Gallons or Less:]

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 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. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration. Do not burn unless permitted by state and local ordinance. If burned stay out of smoke.

[Nonrefillable containers larger than 5 Gallons:]

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 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 this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration. Do not burn unless permitted by state and local ordinance. If burned stay out of smoke.

[Nonrefillable bags]

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment, then offer for recycling if available, or dispose of empty bag in a sanitary landfill or by incineration. Do not burn unless permitted by state and local ordinance. If burned, stay out of smoke.

[Refillable drum with a Nonrefillable liner]

CONTAINER HANDLING: Refill this container with pesticide only. Do not use this container for any other purpose. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by state and local authorities by burning. If burned, stay out of smoke. If drum is contaminated and cannot be reused, dispose of in the same manner required for its liner. To recycle, contact Nufarm's Customer Service Department at 1-800-345-3330 to arrange for return of the empty refillable container.

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WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

LIMITATION OF LIABILITY

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR ARISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you DO NOT agree with or DO NOT accept any of directions for use, the warranty disclaimers, or limitations on liability, DO NOT use the product, and return it unopened to the Seller, and the purchase price will be refunded.

_____ is a registered trademark of Nufarm Americas Inc.
All other trademarks appearing on this label are the property of their respective owners.

BATCH CODE: _____

(RV072310)

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LABEL HISTORY

File Name	Revision Mark	Comment
055146-00098.20100723.PRN2007-4&Warrenty	RV072310	Notification to add S&D language per PR Notice 2007-4, revise warranty statements and add emergency numbers, booklet reference statement, Spanish text to page 1. Reformatted Label