



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms Linda Obrestad
Valent USA Corporation
1600 Riviera Ave. Suite 200
Walnut Creek, CA 94596-8025

SEP 15 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 17, 2009 for:

EPA Registration 59639-2 Clethodim Technical

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 be "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. 2070-0060. Approval expires 2-28-95

	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 59639-2	2. EPA Product Manager Ms. Joanne Miller	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Clethodim Technical	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Valent U.S.A. Corporation 1600 Riviera Ave. Suite 200 Walnut Creek, CA 94596-8025 <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"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other - Explain below.
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NOTIFICATION
SEP 15 2009

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
NOTIFICATION: Add Container Disposal according to 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 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			
* Certification must be submitted		If "Yes" Unit Packaging wgt. _____	No. per container _____	If "Yes" Package wgt. _____	No. per container _____
			<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input checked="" type="checkbox"/> Other (Specify) _____ ISO Tank		
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input checked="" type="checkbox"/> On Labeling	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued 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 Linda Obrestad	Title Labeling Specialist	Telephone No. (Include Area Code) (925) 253-2791
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 both under applicable law.		6. Date Application Received (Stamped) _____ _____ _____ _____
2. Signature <i>Linda Obrestad</i>	3. Title Labeling Specialist	
4. Typed Name Linda Obrestad	5. Date August 17, 2009	



September 14, 2009

**Clethodim Techemical
EPA Reg. No. 59639-2
Notification**

**Certification Statement
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.

Sincerely,

Linda Obrestad
Labeling Specialist
Registration and Regulatory Affairs



August 17, 2009

**Clethodim Technical
EPA Reg. No. 59639-2
NOTIFICATION**

Ms. Joanne Miller (Team 23)
Herbicide Branch (NOTIF)
Document Processing Deck (7504P)
Office of Pesticide Programs
U.S. Environmental Protection Agency
Room S4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, Virginia 22202

Dear Ms. Miller:

Valent U.S.A. Corporation would like to notify the agency of an update to our product label for Clethodim Technical (EPA Reg. No. 59639-2). The following change has been made to this product label:

- 1. Added Container Disposal according to PR-Notice 2007-4

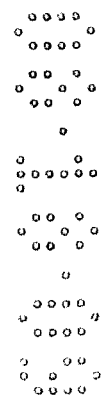
I have enclosed the following documents to support the product registration for this Notification submission:

- Pesticide Application (Form 8570-1)
- Certification Statement consistent with the provisions of PR-Notice 98-10
- One (1) copy of proposed label
- One (1) copy of proposed label with redline additions/strike through
- A CD with proposed label in PDF format and the statement of Certification with Respect to Label Integrity

If you should have any questions please contact me at (925) 256-2791 or email: linda.obrestad@valent.com or Mr. Joseph Powell at (925) 256-2719 or email: joseph.powell@valent.com

Sincerely,
Linda Obrestad
Linda Obrestad
Labeling Specialist
Registration and Regulatory Affairs

Enclosures





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.

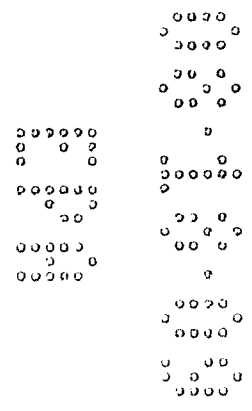
PROPOSED LABEL		
EPA Registration #	Date Submitted to EPA	Electronic file name
59639-2	20090817	059639-00002.20090817.ClethTech.pdf

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.

Linda Obrestad
Signature

August 17, 2009
Date

Linda Obrestad
Labeling Specialist
Registration and Regulatory Affairs
Valent U.S.A. Corporation





6/10

NOTIFICATION

NOTIFICATION

SEP 15 2009

Clethodim Technical

Active Ingredient	By Wt.
*Clethodim	95.3 %
Other Ingredients	4.7 %
Total	100.0%

*(E)-2[1-[[[3-Chloro-2-propenyl)oxy]imino]propyl]-5-[2-(ethylthio)propyl]-3-hydroxy-2-cyclohexen-1-one

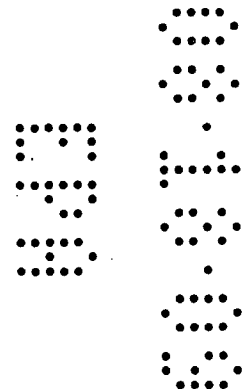
U.S. Pat. No. 4,440,566; RE-32,489

KEEP OUT OF REACH OF CHILDREN

WARNING

SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

TRANSPORTED IN BULK



PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS & DOMESTIC ANIMALS WARNING

Causes skin and eye irritation. Harmful if swallowed or inhaled. Do not get on skin or on clothing. Avoid contact with eyes. Avoid breathing vapors. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse. Keep out of reach of children.

FIRST AID	
If on skin:	<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. • 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 immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to by a 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 further treatment advice.
HOT LINE NUMBER	
Have the product container or label with you when calling poison control center or doctor, or going for treatment. You may also contact 1-800-892-0099 for emergency medical treatment information.	
NOTE TO PHYSICIAN	
Probable mucosal damage may contraindicate the use of gastric lavage.	

ENVIRONMENTAL HAZARDS

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.

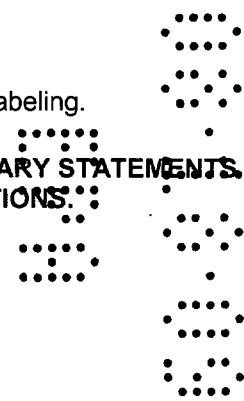
PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame.

INSTRUCTIONS FOR FORMULATION

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

READ ENTIRE LABEL. USE STRICTLY IN ACCORDANCE WITH PRECAUTIONARY STATEMENTS AND DIRECTIONS, AND WITH APPLICABLE STATE AND FEDERAL REGULATIONS.



**DISCLAIMER, RISKS OF USING THIS PRODUCT,
LIMITED WARRANTY
AND LIMITATION OF LIABILITY**

IMPORTANT: Read the entire Label including this Disclaimer, Risks of Using this Product, Limited Warranty, and Limitation of Liability before using this product. If the terms are not acceptable THEN DO NOT USE THE PRODUCT; rather, return the unopened product within 15 days of purchase for a refund of the purchase price.

RISKS OF USING THIS PRODUCT

The Buyer and User (referred to collectively herein as "Buyer") of this product should be aware that there are inherent unintended risks associated with the use of this product which are impossible to eliminate. These risks include, but are not limited to, injury to plants and crops to which this product is applied, lack of control of the target pests or weeds, resistance of the target pest or weeds to this product, injury caused by drift, and injury to rotational crops caused by carryover in the soil. Such risks of crop injury, non-performance, resistance or other unintended consequences are unavoidable and may result because of such factors as weather, soil conditions, disease, moisture conditions, irrigation practices, condition of the crop at the time of application, presence of other materials either applied in the tank mix with this product or prior to application of this product, cultural practices or the manner of use or application, (or a combination of such factors) all of which are factors beyond the control of Valent. The Buyer should be aware that these inherent unintended risks may reduce the harvested yield of the crop in all or a portion of the treated acreage, or otherwise affect the crop such that additional care, treatment and expense are required to take the crop to harvest. If the Buyer chooses not to accept these risks, THEN THIS PRODUCT SHOULD NOT BE APPLIED. By applying this product Buyer acknowledges and accepts these inherent unintended risks AND TO THE FULLEST EXTENT ALLOWED BY LAW, AGREES THAT ALL SUCH RISKS ASSOCIATED WITH THE APPLICATION AND USE ARE ASSUMED BY THE BUYER.

Valent shall not be responsible for losses or damages (including, but not limited to, loss of yield, increased expenses of farming the crop or such incidental, consequential or special damages that may be claimed) resulting from use of this product in any manner not set forth on the label. Buyer assumes all risks associated with the use of this product in any manner or under conditions not specifically directed or approved on the label.

LIMITED WARRANTY

Valent warrants only that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the label, under average use conditions, when used strictly in accordance with the label and subject to the Risks of Using This Product as described above. To the extent consistent with applicable law AND AS SET FORTH ABOVE, **VALENT MAKES NO OTHER WARRANTIES, EITHER EXPRESSED OR IMPLIED.** No agent or representative of Valent or Seller is authorized to make or create any other express or implied warranty.

LIMITATION OF LIABILITY

To the fullest extent allowed by law, Valent or Seller is not liable for any incidental, consequential, indirect or special damages resulting from the use or handling of this product. The limitation includes, but is not limited to, loss of yield on all or any portion of the treated acreage, increased care, treatment or other expenses required to take the crop to harvest, increased finance charges or altered finance ratings, emotional or mental distress and/or exemplary damages. **TO THE FULLEST EXTENT ALLOWED BY LAW, THE EXCLUSIVE REMEDY OF THE BUYER, AND THE EXCLUSIVE MAXIMUM LIABILITY OF VALENT OR 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 THIS PRODUCT OR, AT THE ELECTION OF VALENT OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

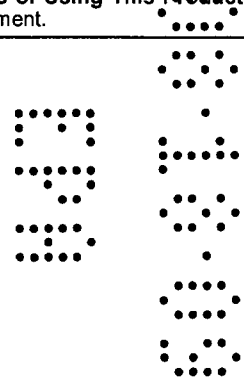
PROMPT NOTICE OF CLAIM

To the extent consistent with applicable law allowing such requirements Valent must be provided notice as soon as Buyer has reason to believe it may have a claim, but in no event later than twenty-one days from date of planting, or twenty-one days from the date of application, whichever is latter, so that an immediate inspection of the affected property and growing crops can be made.

To the extent consistent with applicable law if Buyer does not notify Valent of any claims, in such period, it shall be barred from obtaining any remedy.

NO AMENDMENTS

Valent and Seller offer this product, and Buyer accepts it, subject to the foregoing Disclaimer, Risks of Using This Product, Limited Warranty and Limitation of Liability, which may not be modified by any oral or written agreement.



A HERBICIDE FOR FORMULATION

THIS PRODUCT IS FOR USE IN FURTHER PREPARATION OF HERBICIDE PRODUCTS. DO NOT USE FOR ANY OTHER PURPOSES. Products formulated with Clethodim Technical will require registration with the Environmental Protection Agency.

DIRECTIONS FOR USE

Only for Formulation Into Herbicide Products Intended For:

(1) The Following Use(s):

TERRESTRIAL, FOOD USES:

- Crop Subgroup 1 B Root Vegetables (except Sugar Beet)
- Crop Subgroup 1 C Tuberos and Corm Vegetables
- Crop Subgroup 4 A Leafy Greens
- Crop Subgroup 4 B Leaf Petioles
- Crop Subgroup 5 A Head and Stem Brassica
- Crop Subgroup 5 B Leafy Brassica Greens
- Crop Group 6 Legume Vegetables (Dried and Succulent), except Soybean
- Crop Group 8 Fruiting Vegetables (except Cucurbit)
- Crop Subgroup 9 A Melon
- Crop Subgroup 9 B Squash/Cucumber
- Crop Subgroup 19 A Herbs

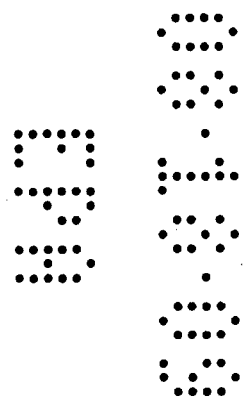
Individual Food Crops: Alfalfa; Asparagus; Canola; Clover; Cotton; Cranberry; Flax; Field Corn, Hops; Mint; Mustard Seed; Onion, Dry Bulb; Onion, Green; Peanut (including perennial); Safflower; Sesame; Soybean; Strawberry; Sugar Beet; Sunflower and Turnip

GREENHOUSES, SHADEHOUSES, LATHHOUSES, AND OUTDOORS, NON-FOOD USES:

Ornamentals, Non-Bearing Food Crops, Conifer Trees, Fallow Land (and other non-producing agricultural areas), and Non-Crop or Non-Planted Areas.

(2) Uses for Which USEPA Has Accepted The Required Data And/Or Citations of Data That The Formulator Has Submitted In Support of Registration; and

(3) Uses for Experimental Purposes That Are In Compliance with USEPA Requirements.



STORAGE AND DISPOSAL

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

PESTICIDE STORAGE

Keep pesticide in original container.

Do not put concentrate or dilute into food or drink containers.

Store in cool dry place.

Emergency Response: For help with any spill, leak, or fire involving this material, call day or night 800-892-0099.

PESTICIDE DISPOSAL

Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility. Open dumping is prohibited.

CONTAINER DISPOSAL

Refillable container. Refill this container with pesticide only. Do not reuse 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 the 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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Manufactured for:
Valent U.S.A. Corporation
P.O. Box 8025
Walnut Creek, CA 94596-8025

Made in U.S.A.

EPA Reg. No. 59639-2
EPA Est. 8655-AR-01

059639-00002.20090817.ClethTech.doc

