

59639-173

10/19/2011

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



OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

October 19, 2011

Sally Christopher  
Regulatory Analyst  
Registration and Regulatory Affairs  
Valent U.S.A. Corp  
1600 Riviera Ave., Suite 200  
Walnut Creek, CA 94596-8025

Subject: Clothianidin Technical to add additional nonrefillable container statements to  
Storage and Disposal box  
EPA Reg. No. 59639-173  
Notification Application Dated October 7, 2011

Dear Ms. Christopher:

The Agency has received your Application for Pesticide Notification under Pesticide Registration Notices (PRN) 98-10, dated October 7, 2011, for the product Clothianidin Technical, EPA Reg. No. 59639-173. The Registration Division (RD) has reviewed this request and finds that the actions requested fall within the scopes of PR Notice 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 call me directly at (703) 308-8043.

Sincerely,

A handwritten signature in black ink, appearing to read "Marianne Lewis".

Marianne Lewis  
Insecticide-Rodenticide Branch  
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

☐ Registration  
☐ Amendment  
☒ Other

OPP Identifier Number

### Application for Pesticide - Section I

1. Company/Product Number 59639-173	2. EPA Product Manager Venus Eagle	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Clothianidin Technical	PM# Team 1	
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"/> 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: Update to the Storage and Disposal statement with additional Container Handling text.

### 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 checked="" type="checkbox"/> Metal	
* Certification must be submitted				<input type="checkbox"/> Plastic	
If "Yes" Unit Packaging wgt. No. per container		If "Yes" Package wgt No. per container		<input type="checkbox"/> Glass	
				<input type="checkbox"/> Paper	
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 250 KG (550 LB)		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 <input 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 Sally S. Christopher		Title Regulatory Analyst		Telephone No. (Include Area Code) 925-256-2710	
<b>Certification</b> 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>Sally S. Christopher</i>		3. Title Regulatory Analyst			
4. Typed Name Sally S. Christopher		5. Date October 7, 2011			



October 7, 2011

Clothianidin Technical Insecticide  
EPA Registration No. 59639-173  
Active Ingredient: Clothianidin  
**Notification**

Ms. Venus Eagle  
Document Processing Desk (NOTIF)  
Registration Division, PM Team 1  
Office of Pesticide Programs (7504P)  
U.S. Environmental Protection Agency  
Room S-4900, One Potomac Yard  
2777 South Crystal Drive  
Arlington, VA 22202-4501

Dear Ms. Eagle:

Valent U.S.A. Corporation would like to update our product label for Clothianidin Technical Insecticide (EPA Reg. No. 59639-173). The following change was made to this product label:

- An updated Container Handling statement to include additional containers.

Please find enclosed the following documents to support this Notification:

- Pesticide application (Form 8570-1)
- Certification Statements consistent with the provisions of PR-Notice 98-10
- One (1) copy of the proposed label
- One (1) copy of the proposed label with redline additions/strike through
- One (1) 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: <sup>2710</sup>sally.christopher@valent.com or Ms. Sue-Chi Shen at (972) 244-6543 or email: sue.shen@valent.com.

Sincerely,

A handwritten signature in cursive script that reads "Sally Christopher". The signature is written in dark ink and is positioned above the printed name.

Sally Christopher  
Regulatory Analyst  
Registration and Regulatory Affairs

Enclosures



**NOTIFICATION**

**OCT 19 2011**

**REDLINE COPY - NOTIFICATION**

# Clothianidin Technical Insecticide

**For use in the Manufacture of Insecticides**

Active Ingredient	By Wt.
Clothianidin* .....	97.5%
Other Ingredients .....	2.5%
Total	100.0%

\*(E)-1-(2-chloro-1,3-thiazol-5-ylmethyl)-3-methyl-2-nitroguanidine

**KEEP OUT OF REACH OF CHILDREN**

## WARNING

**SEE NEXT PAGE FOR ADDITIONAL PRECAUTIONARY STATEMENTS**

**NET CONTENTS** \_\_\_\_\_

## PRECAUTIONARY STATEMENTS

### HAZARDS TO HUMANS & DOMESTIC ANIMALS

#### WARNING

May be fatal if swallowed. Harmful if absorbed through skin. Harmful if inhaled. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Remove contaminated clothing and wash before reuse.

FIRST AID	
<b>If swallowed:</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to by the poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
<b>If in eyes:</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If inhaled:</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>
<b>If on skin or clothing:</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 800-892-0099 for emergency medical treatment information.	
NOTE TO PHYSICIAN	
No specific antidote is available. Treat the patient symptomatically.	

**ENVIRONMENTAL HAZARDS:**

Do not discharge effluent containing this product in 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.

**DIRECTIONS FOR USE**

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.**

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**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 USA Corporation (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.

**FOR FORMULATION OF CLOTHIANIDIN CONTAINING INSECTICIDE PRODUCTS ONLY.**

This product is intended only for use in the formulation of Clothianidin containing insecticide products. Products formulated with Clothianidin Technical will require registration with the U. S. Environmental Protection Agency.

**Only for formulation into insecticide products intended for the following uses:**

**Terrestrial Food Crops:**

**Individual Crops:**

Canola, Cotton, Fig, Grapes, Mustard (seed), Peach, Pomegranate, Rapeseed, Soybean and Tobacco.

**Crop Groups:**

Cranberry (Low-growing Berry except Strawberry) – Crop Subgroup 13-07H  
 Root and Tuber Vegetables - Group 1  
 Bulb Vegetables - Crop Group 3  
 Leafy Vegetables (except Brassica Vegetables) - Crop Group 4  
 Brassica (Cole) Leafy Vegetables - Crop Group 5  
 Fruiting Vegetables - Crop Group 8  
 Cucurbit Vegetables - Crop Group 9  
 Pome Fruit - Crop Group 11  
 Tree Nuts – Crop Group 14  
 Cereal Grain except rice - Crop Group 15

**Terrestrial Non-Food Crops:** Turfgrass, Sod Farms, Ornamentals, Interior plantscapes, Non-bearing fruits and nuts (in landscape), application in Poultry Houses

Formulators who use this product are responsible for providing data to support their own registrations.

## STORAGE AND DISPOSAL

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

### PESTICIDE STORAGE

Store in a cool place.

Do not store in direct sunlight.

Protect from freezing temperatures.

### PESTICIDE DISPOSAL

Wastes resulting from the use of this product maybe disposed of on site or at an approved waste disposal facility.

### CONTAINER HANDLING

Nonrefillable container. Do not reuse or refill this container. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into manufacturing 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 manufacturing equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Offer for recycling, if available; otherwise dispose of in a sanitary landfill or incineration.

*[Use the following statement for flexible container without liner]*

Nonrefillable bag. Do not reuse or refill the bag. Completely empty bag by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into formulation equipment. Then offer for recycling if available or dispose of in a sanitary landfill, or by incineration.

*[Use the following statement for flexible container with liner]*

Nonrefillable bag. Do not reuse or refill the bag. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into formulation equipment. Then offer for recycling if available or dispose of liner in a sanitary landfill, or by incineration.

*[Use the following statement for the drum with liner]*

Nonrefillable container. Do not reuse or refill this container. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into formulation equipment. Then offer for recycling if available or dispose of liner in a sanitary landfill, or by incineration. If drum is contaminated and cannot be reused, dispose of it in the same manner.

10/10

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Manufactured for:

**Valent U.S.A. Corporation**

P.O.Box 8025

Walnut Creek, CA 94596-8025

(800) 682-5368

EPA Reg. No 59639-173

EPA Est. No.

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