

61842-4

05/25/2011

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Tessengerlo Kerley, Inc.
c/o Mr. Ross Gilbert
Pyxis Regulatory Consulting, Inc.
4110 136th St. NW
Gig Harbor, WA 98332

MAY 25 2011

Product Name: Metam Fluid Manufacturer's Concentrate
EPA Reg. No: 61842-4
Subject: Label Notification dated March 9, 2011: Pesticide Registration
Notice 2007-4
EPA Decision Number: 447742

Dear Mr. Gilbert:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 2007-4 and finds that the label changes requested fall within the scope of PRN 2007-4.

The label submitted with the application has been 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 regarding this correspondence, contact Tracy Keigwin of my staff by phone at 703-305-6605 or via email at keigwin.tracy@epa.gov.

Sincerely,

Shaja B. Joyner
Shaja B. Joyner
Product Manager (20)
Fungicide Branch
Registration Division (7505P)



United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 61842-4	2. EPA Product Manager M. Waller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Tessengerlo Kerley Inc./Metam Fluid Manufacturers Concentrate	PM# PM 21	
5. Name and Address of Applicant (Include ZIP Code) Tessengerlo Kerley, Inc. 2255 North 44th Street, Suite 300 Phoenix, AZ 85008-3279 <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 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.

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			If "Yes" Unit Packaging wgt.	No. per container	<input type="checkbox"/> Plastic
			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 type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container bulk, mini bulk (250 gallon)		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 checked="" type="checkbox"/> Lithograph 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 Ross Gilbert	Title Agent	Telephone No. (Include Area Code) 253-853-7309
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 Agent	
4. Typed Name Ross Gilbert	5. Date 3/9/2011	

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PYXIS REGULATORY CONSULTING, INC.

4110 136th St. NW
Gig Harbor, WA 98332

Phone: 253-853-7369
Fax: 253-853-5516
www.PyxisRC.com

March 9, 2011

COURIER DELIVERY

Mary Waller (PM 21)
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

Dear Ms. Waller,

RE: Tessenderlo Kerley, Inc. – Metam Fluid Manufacturers Concentrate (EPA Reg. No. 61842-4)
Revision to Container Disposal Instructions per PRN 2007-4

On behalf of Tessenderlo Kerley, Inc., please find the enclosed label notification revising the container disposal instructions per PRN 2007-4 for Metam Fluid Manufacturers Concentrate (EPA Reg. No. 61842-4).

In support of this notification submission, we submit the following documents:

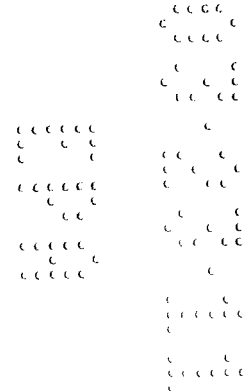
1. Completed Application for Registration (EPA Form 8570-1)
2. One (1) copy of the Metam Fluid Manufacturers Concentrate labeling with changes tracked
3. One (1) copy of the Metam Fluid Manufacturers Concentrate labeling with changes incorporated
4. A CD containing an electronic version of the proposed labeling
5. Certification with Respect to Label Integrity
6. Letter of Authorization

Please feel free to contact me by phone (253) 853-7369 or by email at Ross@PyxisRC.com if you have any questions or need any additional information.

Sincerely,



Ross Gilbert



Enclosures

cc: B. Thomassen, Tessenderlo Kerley, Inc.

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 if available or reconditioning if appropriate or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

CONTAINER DISPOSAL: [REFILLABLE CONTAINERS - PLASTIC]

Refillable container. Refill this container with Metam Fluid Manufacturer's Concentrate 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. For final disposal, offer for recycling if available, 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.

CONTAINER DISPOSAL: [REFILLABLE CONTAINERS - STAINLESS STEEL]

Refillable container. Refill this container with Metam Fluid Manufacturer's Concentrate 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. For final disposal, offer for recycling if available or reconditioning if appropriate or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

DIRECTIONS FOR USE

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

MANUFACTURING USE

Dilute this product with water or a miscible solvent system to the concentration of active ingredient specified on the label of currently registered end-use products containing metam sodium, such as the following types of products:

- Fumigant solutions for the suppression of weeds, fungi and nematodes in soil of ornamental, food and fiber crops.



