

61842-8

05/25/2011

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

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

MAY 25 2011

Product Name: Metam-K [redacted] Manufacturer's Concentrate  
EPA Reg. No: 61842-8  
Subject: Label Notification dated March 9, 2011: Pesticide Registration  
Notice 2007-4  
EPA Decision Number: 447622

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](mailto:keigwin.tracy@epa.gov).

Sincerely,

A handwritten signature in cursive script, appearing to read "Shaja B. Joyner".

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





United States  
Environmental Protection Agency  
Washington, DC 20460

☐ Registration  
☐ Amendment  
☒ Other

OPP Identifier Number

## Application for Pesticide - Section I

1. Company/Product Number Tessenderlo Kerley, Inc./61842-8	2. EPA Product Manager M. Waller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Tessenderlo Kerley Inc./Metam-K Manufacturers Concentrate	PM# PM 21	
5. Name and Address of Applicant (Include ZIP Code) Tessenderlo 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				<input checked="" 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 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 <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 Ross Gilbert		Title Agent	
		Telephone No. (Include Area Code) 253-853-7369	
<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 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 136<sup>th</sup> St. NW  
Gig Harbor, WA 98332

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

March 9, 2011

COURIER DELIVERY

*pm 20*

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-K Fluid Manufacturers Concentrate (EPA Reg. No. 61842-8)  
Revision to Container Disposal Instructions per PRN 2007-4

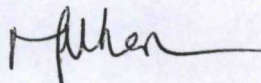
On behalf of Tessenderlo Kerley, Inc., please find the enclosed label notification revising the container disposal instructions per PRN 2007-4 for Metam-K Fluid Manufacturers Concentrate (EPA Reg. No. 61842-8).

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-K Fluid Manufacturers Concentrate labeling with changes tracked
3. One (1) copy of the Metam-K 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](mailto:Ross@PyxisRC.com) if you have any questions or need any additional information.

Sincerely,



Ross Gilbert

Enclosures

cc: B. Thomassen, Tessenderlo Kerley, Inc.



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# METAM-K MANUFACTURER'S CONCENTRATE

Tessenderlo Kerley, Inc.  
2255 North 44th Street, Suite 300  
Phoenix, Arizona 85008-3279  
1-888-732-8246

NOTIFICATION

MAY 25 2011

FOR THE FORMULATION OF END-USE PRODUCTS

**ACTIVE INGREDIENT:**

Potassium N-methyldithiocarbamate  
(anhydrous) . . . . . 54.0%

**INERT INGREDIENTS** . . . . . 46.0%

**TOTAL** . . . . . 100.0%

Contains 5.8 lbs. active ingredient per gallon

EPA Reg. No. 61842-8      EPA Est. No. 61842-WA-001

KEEP OUT OF REACH OF CHILDREN  
**DANGER – PELIGRO**

**READ LABEL. USE STRICTLY IN ACCORDANCE WITH LABEL WARNINGS AND DIRECTIONS.**

PRECAUTION 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.)

**FIRST AID**

**If on Skin or Clothing:** 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 in Eyes:** 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 Inhaled:** 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.

**If Swallowed:** 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 do so by the poison control center or doctor. Do not give anything by mouth to an unconscious person.

**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 1-800-877-1737 for emergency medical treatment information.

**NOTE TO PHYSICIAN**

Probable mucosal damage may contraindicate the use of gastric lavage.

**NET CONTENTS:**

0710



**PRECAUTIONARY STATEMENTS  
HAZARDS TO HUMANS AND DOMESTIC ANIMALS  
DANGER**

Causes skin burns. Harmful if absorbed through skin. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Causes moderate eye irritation. Do not get in eyes, on skin or on clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

**ENVIRONMENTAL HAZARDS**

This product is toxic to fish. Do not discharge effluent containing the 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.

**STORAGE AND DISPOSAL**

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

**STORAGE:** Store in a cool, dry place. Keep container closed when not in use. DO NOT STORE BELOW 0° F. Product crystallizes at lower temperature. Warm or store at higher temperatures and mix to redissolve crystals and assure uniformity before use.

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

**CONTAINER DISPOSAL: [NON-REFILLABLE CONTAINERS - PLASTIC] Non-refillable container. Do not reuse or refill this container.** Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip the 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 if available 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.

**CONTAINER DISPOSAL: [NON-REFILLABLE CONTAINERS - METAL/STAINLESS STEEL] Nonrefillable container. Do Not reuse or refill this container.** Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or mix



tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip the 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 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-K 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 — METAL/STAINLESS STEEL]**

Refillable container. Refill this container with Metam-K 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.



Each formulator is responsible for obtaining and maintaining EPA registration for their formulated product(s). Labeling for products formulated for applications around homes and other structures which people inhabit or otherwise occupy must include appropriate wording for "Restricted Use Pesticides" and will include small-area applications such as, non-field application (including greenhouse) to seed bed, plant beds, lawns and other limited areas.

**CONDITIONS OF SALE – LIMITED WARRANTY AND LIMITATIONS OF LIABILITY AND REMEDIES**

The directions on this label are believed to be reliable and should be followed carefully. Insufficient control of pests and/or injury to the crop to which the product is applied may result from the occurrence of extraordinary or unusual weather conditions, the failure to follow the label directions, or good application practices, all of which are beyond the control of Tessenderlo Kerley, Inc., or seller. In addition, failure to follow label directions may cause injury to crops, animals, man or the environment. Tessenderlo Kerley, Inc. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purpose referred to in the directions for use, subject to the factors noted above which are beyond the control of Tessenderlo Kerley, Inc. Tessenderlo Kerley, Inc. makes no other warranties or representations of any kind, express or implied, concerning the product, including no implied warranty of merchantability or fitness for any particular purpose. The exclusive remedy against Tessenderlo Kerley, Inc. for any cause of action relating to the handling or use of this product is a claim of damage, and in no event shall damages or any other recovery of any kind against Tessenderlo Kerley, Inc. exceed the price of the product which causes the alleged loss, damage, injury, or other claim. Tessenderlo Kerley, Inc. shall not be liable and any and all claims against Tessenderlo Kerley, Inc. are waived, for special, indirect, incidental, or consequential damages or expense of any nature, including, but not limited to, loss of profits or income, whether or not based on the negligence of Tessenderlo Kerley, Inc. breach of warranty, strict liability in tort, or any other cause of action. Tessenderlo Kerley, Inc. and the seller offer this product, and the buyer and users accept it, subject to the foregoing conditions of sale and limitations of warranty, liability and remedies.

