

63588-4

12-22-2009

1/12



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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Linda Obrestad  
Valent U.S.A. Corporation  
1600 Riviera Ave. Suite 200  
Walnut Creek, CA 94596-8025

DEC 22 2009

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4 and 98-10

1. Updated warranty statement
2. Additional state designation

Dear Ms. Obrestad:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 and 98-10 dated August 13, 2009 for:

**EPA Registration 63588-4**

**Bolero Technical**

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and 98-10 and finds that the label change(s) requested falls within the scope of PRN 2007-4 and 98-10. 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 Nicole Williams of my staff at 703-308-5551.

Sincerely,

A handwritten signature in black ink, appearing to read "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. 2070-0080. 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

### Application for Pesticide - Section I

1. Company/Product Number 63588-4	2. EPA Product Manager Joanne Miller	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Bolero 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"/> 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.

**NOTIFICATION**

**DEC 22 2009**

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

Notification: Updated the Container Disposal according to PR-Notice 2007-4 and the Warranty/Disclaimer Statement with EPA approved language.

### 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 type="checkbox"/> Plastic	
				<input type="checkbox"/> Glass	
				<input type="checkbox"/> Paper	
				<input checked="" type="checkbox"/> Other (Specify) _____	ISO Tank
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 45,000 lbs (Not a 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) 256-2791
<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 <i>Linda Obrestad</i>	3. Title Labeling Specialist	
4. Typed Name Linda Obrestad	5. Date October 19, 2009	



October 19, 2009

**Bolero® Technical Herbicide  
EPA Reg. No. 63588-4  
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,

A handwritten signature in cursive script that reads "Linda Obrestad".

Linda Obrestad  
Labeling Specialist  
Registration and Regulatory Affairs



August 13, 2009

**Bolero<sup>®</sup> Technical**  
**EPA Reg. No. 63588-4**  
**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, as agent for KI Chemical USA Inc. would like to update the product label for Bolero Technical (EPA Reg. No. 63588-4). The following changes have been made to this product label:

1. Updated the Container Disposal according to PR-Notice 2007-4
2. Updated the Warranty/Disclaimer statement with EPA approved language.
3. Additional state designations.

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](mailto:linda.obrestad@valent.com) or Ms. Regaine Pereira at (925) 256-2786 or email: [regaine.pereira@valent.com](mailto:regaine.pereira@valent.com) .

Sincerely,  
  
 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.

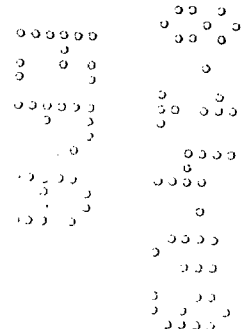
PROPOSED LABEL		
EPA Registration #	Date Submitted to EPA	Electronic file name
63588-4	20090813	063588-00004.20090813.BOLTECH.NOTIF.pdf

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 13, 2009  
Date

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





August 13, 2009

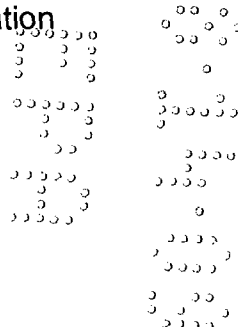
Bolero® Technical  
EPA Reg No. 63588-4  
Notification

**CERTIFICATION STATEMENT**

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.

*Linda Obrestad*

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



**NOTIFICATION**

**BOLERO<sup>®</sup> Technical**

**NOTIFICATION**

DEC 22 2009

Active Ingredient	By Wt.
*Thiobencarb.....	97.4%
Other Ingredients.....	<u>2.6%</u>
Total .....	100.0%

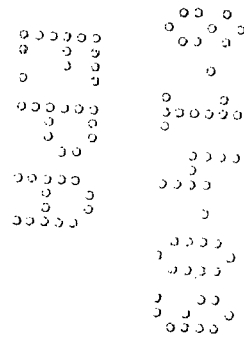
\*S-[(4-chlorophenyl)methyl]diethylcarbamothioate

**KEEP OUT OF REACH OF CHILDREN**

**CAUTION**

**SEE NEXT PAGE FOR ADDITIONAL PRECAUTIONARY STATEMENTS**

**NET CONTENTS**



**PRECAUTIONARY STATEMENTS  
HAZARDS TO HUMANS & DOMESTIC ANIMALS  
CAUTION**

Harmful if swallowed. Wash hands thoroughly before eating, drinking, chewing gum, using tobacco or using the toilet.

**FIRST AID**

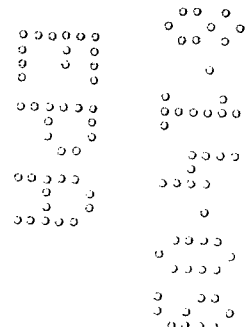
- If swallowed:**
  - Call a poison control center or doctor immediately for treatment advice.
  - Have person sip a glass of water if able to swallow.
  - Do not induce vomiting unless told to do so by a poison control center or doctor.
  - Do not give anything by mouth to an unconscious person.
- If 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 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 advise.

**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**

Thiobencarb is a cholinesterase inhibitor. If signs of cholinesterase inhibition appear, atropine is antidotal.





**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.

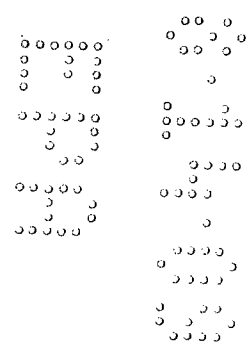
**PHYSICAL OR CHEMICAL HAZARDS**

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, CONDITIONS OF SALE,  
LIMITED WARRANTY  
AND LIMITATION OF LIABILITY**

**IMPORTANT: Read the entire Label including this Disclaimer, Limited Warranty and Limitation of Liability before using this product. If the terms are not acceptable, return the unopened product within 15 days of purchase.**

**RISKS OF USING THIS PRODUCT**

It is impossible to eliminate all risks associated with the use of this product. Such 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, injury caused by drift, and injury to rotational crops caused by carryover in the soil. Such risks of crop injury, non-performance or other unintended consequences are unavoidable and may result because of such factors as weather, soil conditions, moisture conditions, irrigation practices, presence of other materials, cultural practices or the manner of use or application, all of which are factors beyond the control of K-I Chemical. **To the extent allowed by law, all such risks shall be assumed by the Buyer.**

K-I Chemical shall not be responsible for losses or damages resulting from use of this product in any manner not set forth on the label. User 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**

K-I Chemical warrants 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** described above.

**DISCLAIMER OF ALL OTHER WARRANTIES**

**K-I CHEMICAL MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR OF MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.** No agent or representative of K-I Chemical or Seller is authorized to make or create any other express or implied warranty.

**LIMITATION OF LIABILITY**

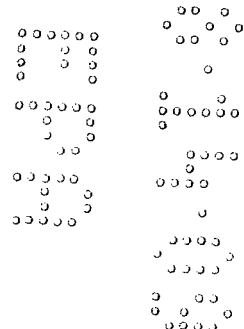
**To the fullest extent by law, K-I Chemical or Seller is not liable for any incidental, consequential, indirect or special damages resulting from the use or handling of this product. TO THE EXTENT ALLOWED BY LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE MAXIMUM LIABILITY OF K-I CHEMICAL 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 K-I CHEMICAL OR SELLER, THE REPLACEMENT OF THIS PRODUCT.**

**NO AMENDMENTS**

K-I Chemical and Seller offer this product, and Buyer and User accept it, subject to the foregoing **Disclaimer, Conditions of Sale, Limited Warranty and Limitation of Liability**, which may not be modified by any oral or written agreement.

**PROMPT NOTICE OF CLAIM**

To the extent consistent with applicable law allowing such requirements K-I Chemical must have prompt notice as soon as Buyer or User has reason to believe they may have a claim (not to exceed twenty-one days from date of application) so that an immediate inspection of the affected property and growing crops can be made. Unless Buyer and Users shall promptly notify K-I Chemical of any claims, they shall be barred from obtaining any remedy.



**FOR FORMULATION OF *BOLERO* HERBICIDE CONTAINING PRODUCTS ONLY**

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

**DIRECTIONS FOR USE**

**Only for formulation into herbicide products intended for the following use(s):**

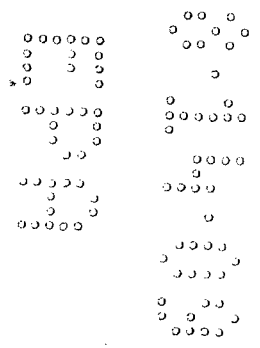
**Terrestrial Food Use(s):** Rice – Rice weed control in Arkansas, California, Florida, Hawaii, Louisiana, Mississippi, Missouri, North Carolina, South Carolina, Tennessee and Texas.

**Uses for which USEPA has accepted the required data and/or Citations of Data that the formulator has submitted in support of registration; and uses for experimental purposes that are in compliance with USEPA requirements.**

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

**SPILL OR LEAK PROCEDURES**

Steps to be taken if material is spilled or released.  
Immediately evacuate the area. Produce maximum ventilation and eliminate all sources of ignition and flammable material. Unprotected personnel should move upwind of the spill. Only personnel equipped with proper respiratory and skin/eye protection should be permitted in the area. Take precautions to prevent contamination of groundwater and surface water. Recover spilled material on absorbents, such as sawdust or vermiculite and sweep into plastic or metal containers for disposal. After all visible traces and all vapors have been removed, thoroughly wet vacuum the area. Do not flush to sewer. If area of spill is porous, remove as much contaminated earth and gravel as necessary and place in closed container for disposal.



### STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage, disposal or cleaning of equipment. Open dumping is prohibited.

#### PESTICIDE STORAGE

Keep pesticide in original container.  
Do not put concentrate or dilute into food or drink containers.  
Store in cool, dry place.  
Protect from excessive heat.  
For help with any spill, leak, fire or exposure involving this material, call day or night **800-892-0099**.

#### PESTICIDE DISPOSAL

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

#### 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.

#### CONTAINER REUSE BY FORMULATOR

When empty, replace bungs and drum head and return to formulator for refilling with *Bolero*.

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*Bolero* is a registered trademark of Kumiai Chemical Industry Co., Ltd.

Manufactured for  
K-I Chemical U.S.A., Inc.  
White Plains, New York 10606  
Made in Japan

EPA Reg. No. 63588-4  
EPA Est. 35475-JP-01

063588-00004.20090813.BOLTECH.NOTIF.

