

63588-4

11/30/2011

10/11



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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

NOV 30 2011

Robin Charlton, Ph.D.
Valent U.S.A. Company
1600 Riviera Ave., Suite 200
Walnut Creek, CA 94596-8025

Subject: Notification per PR Notice 98-10: Remove irrelevant statement, minor label changes, and addition of net weight
Bolero Technical
EPA Reg. No. 63588-4
Application Dated: November 11, 2011

Dear Dr. Charlton:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the subject product.

The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of this notice. The label submitted with the application has been date-stamped "Notification" and will be placed in our records.

If you have any questions regarding this letter, please feel free to contact Maggie Rudick at (703) 347-0257 or rudick.maggie@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Montague".

Kathryn Montague, Product Manager 23
Herbicide 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 63588-4	2. EPA Product Manager Kathryn Montague	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Bolero Technical	PM# Team 23, Herbicide Branch	
5. Name and Address of Applicant (Include ZIP Code) Valent U.S.A. Company 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.)

As agent for K-I Chemical U.S.A., Inc., we are submitting a label notification. We propose to remove a statement from the Storage and Disposal section that is not relevant to the containers that are used, and we are adding the net weight. This notification is compliant with PR Notices 98-10 and 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		<input checked="" type="checkbox"/> Metal	
	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	<input type="checkbox"/> Plastic	
			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 43,000 pounds		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 Robin Charlton		Title Senior Regulatory Scientist		Telephone No. (Include Area Code) 925-256-2820	
<p align="center">Certification</p> <p>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.</p>					6. Date Application Received (Stamped)
2. Signature <i>Robin Charlton</i>		3. Title Senior Regulatory Scientist			
4. Typed Name Robin Charlton		5. Date November 11, 2011			



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

November 11, 2011

Bolero[®] Technical
EPA Reg. No. 63588-4
Label Notification

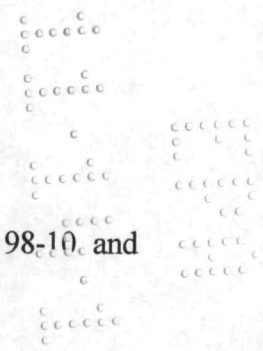
Ms. Kathryn Montague, PM Team 23
Registration Division, Herbicide Branch
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7505P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Dear Ms. Montague:

Valent U.S.A. Corporation is acting as agent on behalf of K-I Chemical U.S.A., Inc. We are respectfully submitting a label notification to the Bolero Technical Section 3 label to remove a statement from the Storage and Disposal section that is not relevant. Bolero Technical is transported in bulk ISO containers, and the statement to be removed refers to drum lids with bungs. The ISO container is not a drum and has no drum lid or bung. We are also adding the net weight to the label.

Enclosed with this letter are the following:

- Pesticide application Form 8570-1
- One (1) redlined copy of the proposed Bolero Technical label
- ~~Five (5)~~ ^{One (1)} clean copies of the proposed Bolero Technical label
- A CD with the proposed label in PDF format
- The Certification with Respect to Label Integrity
- Certification statements that this notification is compliant with PR notices 98-10 and 2007-4



If you have any questions, please contact me at (925) 256-2820 or rchar@valent.com. Thank you very much for your time and consideration.

6 of 11

NOTIFICATION

NOV 30 2011

K-I Chemical U.S.A., Inc.

REDLINE COPY - NOTIFICATION

BOLERO[®] Technical

Active Ingredient	By Wt.
*Thiobencarb	97.4%
Other Ingredients	2.6%
Total	100.0%

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

KEEP OUT OF REACH OF CHILDREN

CAUTION

SEE NEXT PAGE FOR ADDITIONAL PRECAUTIONARY STATEMENTS

NET CONTENTS 43,000 POUNDS

**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:	<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 do so by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If in eyes:	<ul style="list-style-type: none"> • 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:	<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.
If on skin or clothing:	<ul style="list-style-type: none"> • 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~~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.

**DISCLAIMER, ~~CONDITIONS OF SALE~~RISKS OF USING THIS PRODUCT,
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 allowed 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~~Risks of Using This Product, 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.

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 HANDLING

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

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