

63588-12

11-28-2011

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Robin Charlton
Valent U.S.A. Company
Agent for: K-I Chemical U.S.A., Inc.
1600 Riviera Avenue
Suite 200
Walnut Creek, CA 94596-8025

NOV 28 2011

Subject: Product Name: Bispyribac-Sodium Technical
EPA Reg. No. 63588-12
Label Notification per PRN 2007-4

Dear Dr. Charlton,

The Agency is in receipt of your application for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 for Bispyribac-Sodium Technical (EPA Reg. No. 63588-12) dated November 11, 2011. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 2007-4 and finds that the action requested falls within the scope of PRN 2007-4. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please contact Emily Hartman of my staff at (703) 347-0189 or hartman.emily@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kable Bo Davis".

Kable Bo Davis, Product Manager 25
Herbicide Branch
Registration Division
Office of Pesticide Programs



United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☐ Amendment
☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 63588-12	2. EPA Product Manager Kable Bo Davis	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Bispyribac-Sodium Technical	PM# Team 25, 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.)

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 Bispyribac-Sodium Technical label. We are making two minor changes to the Storage and Disposal section. This notification is compliant with PR Notice 2007-4.

* Certification statement on attached sheet

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) fiber drum	
* Certification must be submitted					
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 66 lb or 30 kg		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
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) CCCCCC CCCCCC CCCCCC CCCCCC CCCCCC
2. Signature Robin Charlton	3. Title Senior Regulatory Scientist	
4. Typed Name Robin Charlton	5. Date November 11, 2011	



November 11, 2011

Bispyribac-Sodium Technical
EPA Reg No. 63588-12

NOTIFICATION

NOV 28 2011

**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.

Sally S. Christopher

Labeling Specialist

Registration and Regulatory Affairs

Valent U.S.A. Corporation

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



November 11, 2011

Bispyribac-Sodium Technical
EPA Reg. No. 63588-12
Label Notification

Mr. Kable Bo Davis, PM Team 25
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 Mr. Davis:

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 Bispyribac-Sodium Technical label. We are making two minor changes to the Storage and Disposal section:

- Change "Pesticide Handling" to "Pesticide Disposal".
- Change "Container Disposal" to "Container Handling".

Enclosed with this letter are the following:

- Pesticide application Form 8570-1
- One (1) redlined copy of the proposed label
- ~~One~~ (1) clean copies of the proposed label
- A CD with the proposed label in PDF format
- The Certification with Respect to Label Integrity
- Certification statement that this notification is compliant with PR Notice 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.

Sincerely,

Robin Charlton

Robin R. Charlton, Ph.D.

Mr. Kable Bo Davis

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November 11, 2011

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Senior Regulatory Scientist
Registration and Regulatory Affairs

Enclosures

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

REDLINE COPY - NOTIFICATION

Bispyribac-Sodium Technical

Active Ingredient	By Wt.
*Bispyribac-sodium.....	98.0%
Other Ingredients	2.0%
Total	100.0%

*Sodium 2,6-bis[(4,6-dimethoxypyrimidin-2-yl)oxy]benzoate

NOTIFICATION

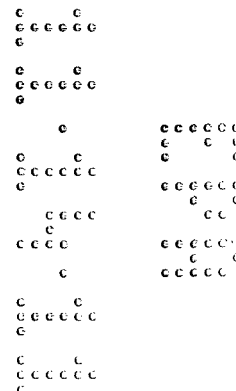
NOV 28 2011

KEEP OUT OF REACH OF CHILDREN

CAUTION

SEE NEXT PAGE FOR ADDITIONAL PRECAUTIONARY STATEMENTS

NET CONTENTS 66 POUNDS or 30 KG



PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS & DOMESTIC ANIMALS
CAUTION

Causes moderate eye irritation. Harmful if swallowed or absorbed through skin. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling.

FIRST AID	
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 swallowed:	<ul style="list-style-type: none"> • Call 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 by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
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 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.
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.	

PERSONAL PROTECTIVE EQUIPMENT (PPE): long-sleeved shirt and long pants, chemical resistant gloves made of any waterproof material, shoes plus socks. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

USER SAFETY RECOMMENDATIONS

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

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.

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, 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

K-I Chemical 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

K-I Chemical 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 EXCEPT AS SET FORTH ABOVE, K-I CHEMICAL MAKES NO OTHER WARRANTIES, EITHER EXPRESSED OR IMPLIED. 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

In no event shall K-I Chemical or Seller be liable for any incidental, consequential, indirect or special damages resulting from the use or handling of this product. To the extent consistent with applicable law 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 extent consistent with applicable law THE EXCLUSIVE REMEDY OF THE 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 THE PRODUCT.

PROMPT NOTICE OF CLAIM

K-I Chemical 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.

If Buyer does not notify K-I Chemical of any claims, in such period, it shall be barred from obtaining any remedy.

NO AMENDMENTS

K-I Chemical 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 BISPYRIBAC-SODIUM CONTAINING HERBICIDE PRODUCTS ONLY.

This product is only for use in the formulation of bispyribac-sodium containing herbicide products. Products formulated with Bispyribac-Sodium Technical will require registration with the U.S. Environmental Protection Agency.

Only for formulation into herbicide products intended for the following uses:

Terrestrial Food Uses: Rice

Terrestrial Non-Food Uses: Sod Farm

Outdoor Non-crop Uses: Golf Course Turf

Aquatic Non-Food Uses On:

Bayous, Canals, Drainage Ditches, Lakes, Marshes, Non-irrigation Canals, Ponds, Reservoirs and other slow moving or quiescent bodies of water.

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.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE

Store in a cool dry place.

Keep pesticide in original container.

Keep container closed when not in use.

Do not put concentrate or dilute into food or drink containers.

Not for use or storage in or around the home.

For help with any spill, leak, fire or exposure involving this material, call day or night 1-800-892-0099.

PESTICIDE HANDLING/ DISPOSAL

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

CONTAINER DISPOSAL/ HANDLING

Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into mixing equipment. Dispose of liner in a sanitary landfill or by incineration if allowed by state and local authorities. If drum is contaminated and cannot be reused¹, dispose of in the same manner.

¹Manufacturer may replace this phrase with one indicating whether and how fiber drum may be reused.

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Manufactured for:

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

White Plains, New York 10606

Made in Japan

EPA Reg. No. 63588-12

EPA Est. 035475-JPN-001

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