

66222-20

8/26/2009

1066



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

AUG 26 2009

Ms. Christie Hitchcock
Regulatory Specialist
Makhteshim Agan of North America, Inc.
4515 Falls of Neuse Road, Suite 300
Raleigh, NC 27609

Subject: Label Notification for Pesticide Registration Notices 98-10 (Update Warranty Statement, Add Emergency Responder Phone Number and Address) and 2007-4 (EPA Registration Number 66222-20)

Dear Ms. Hitchcock,

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notices (PRNs) 98-10 and 2007-4 dated August 14, 2008 for the product Magnate[®] 500 EC (EPA Registration Number 66222-20). The Registration Division (RD) has conducted its review of this request for its applicability under PRNs 98-10 and 2007-4 and finds that the label changes requested fall within the scope of PRNs 98-10 and 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, please call me directly at 703-305-6249 or Steve Schaible of my staff at 703-308-9362.

Sincerely,

A simple, wavy handwritten line representing a signature.

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

2010

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 66222-20	2. EPA Product Manager Linda Arrington	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Magnate 500 EC	PM# <u>22</u> Registration Support Branch	
5. Name and Address of Applicant (Include ZIP Code) Makhteshim Agan of North America, Inc. 4515 Falls of Neuse Rd., Suite 300 Raleigh, NC 27609 <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. NOTIFICATION Product Name AUG 26 2009	

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 98-10 and PR Notice 2007-4. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and with the guidance of PR Notice 2007-4 and 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 of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make false statements to EPA. I further understand that if this notification/amended label is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, and 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	If "Yes" Package wgt	No. per container
				<input type="checkbox"/> Plastic	
				<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 5 gallons or less; more than 5 gallons		5. Location of Label Directions <input checked="" type="checkbox"/> on label	
6. Manner in Which Label is Affixed to Product		<input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		<input checked="" type="checkbox"/> Other Self-adhesive	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Christie Hitchcock	Title Regulatory Specialist	Telephone No. (Include Area Code) 919-256-9342
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 of Application Received (Stamped)
2. Signature <i>Christie Hitchcock</i>	3. Title Regulatory Specialist	
4. Typed Name Christie Hitchcock	5. Date 08-14-08	



August 14, 2008

Document Processing Desk (NOTIF)
Registration Division (7504P)
OPP, USEPA
Ariel Rios Building
1200 Pennsylvania Ave, NW
Washington DC 20460

Re: Magnate® 500 EC, EPA Reg. No. 66222-20
Notification per PRN 98-10 and 2007-4

To Whom It May Concern:

We are notifying the Agency of several label updates as allowed in PR Notices 98-10 and 2007-4. The changes are summarized below:

- Added "Manufactured for" in front of the company name (allowed per PRN 98-10 §II(N)(2))
- Updated the Warranty Statement that is now consistent with EPA's guidance document dated 10-17-06) (allowed per PRN 98-10 §II(J))
- Added Emergency Responder phone numbers in First Aid and/or Storage & Disposal sections (allowed per PRN 2006-01 §II(E))
- Updated address on product-specific labeling (allowed per PRN 98-10 §IV(D))(note; official EPA records have already been updated; we're just correcting this label)
- Updated container disposal instructions per PRN 2007-4

In support of this submission, the following documents are attached:

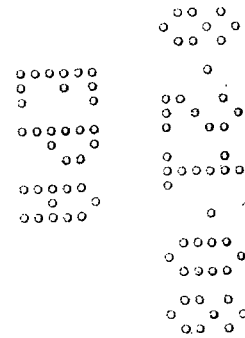
- Application for Pesticide Registration (EPA Form 8570-1)
- One copy of final printed labeling

Please contact me at 919-256-9342 or by email at chitchcock@manainc.com if you have any questions regarding this submission or would like a copy of the annotated label showing the changes for your files.

Sincerely,

Christie Hitchcock
Regulatory Specialist

Enclosures



4096

MAGNATE® 500 EC

For post-harvest treatment of citrus

ACTIVE INGREDIENT:	% BY WT.
Imazalil: 1-[2-(2,4-dichlorophenyl)-2-(2-propenyloxy)ethyl]-1H-imidazole	44.5%
OTHER INGREDIENTS:	55.5%
	TOTAL 100.0%

KEEP OUT OF REACH OF CHILDREN DANGER - PELIGRO

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 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 by the poison control center or doctor.
 - Do not give anything by mouth to an unconscious person.
- 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.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact Prostar at 1-877-250-9291 for emergency medical treatment information.

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS DANGER-PELIGRO

Corrosive. Causes irreversible eye damage. Do not get in eyes or on clothing. Wash thoroughly with soap and water after handling. Harmful if swallowed, absorbed through skin, or inhaled. Avoid breathing spray mist. Avoid contact with skin.

PERSONAL PROTECTIVE EQUIPMENT (PPE): Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category C on an EPA chemical resistance category selection chart.

Applicators and other handlers must wear long-sleeved shirt and long pants, chemical-resistant gloves such as butyl rubber ≥ 14 mils, nitrile rubber ≥ 14 mils, neoprene rubber ≥ 14 mils, polyvinyl chloride ≥ 14 mils, barrier laminate, or Viton ≥ 14 mils, shoes plus socks, and protective eyewear.

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

NET CONTENTS: _____ Gallons

Manufactured for:
Makhteshim-Agan of North America, Inc.
4515 Falls of Neuse Road, Suite 300
Raleigh, NC 27609

EPA Reg. No. 66222-20
EPA Est. No. [REDACTED]

USER SAFETY RECOMMENDATIONS

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing 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 sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the Environmental Protection Agency.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Do not apply this product in a way that will contact workers or other persons either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants in farms, forests, nurseries, or greenhouses.

Applicators and other handlers who handle this pesticide for any use NOT covered by the Worker Protection Standard must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves such as butyl rubber ≥ 14 mils, nitrile rubber ≥ 14 mils, neoprene rubber ≥ 14 mils, polyvinyl chloride ≥ 14 mils, barrier laminate, or Viton ≥ 14 mils
- Shoes plus socks
- Protective eyewear

Keep unprotected persons out of the treated area until sprays have dried.

CITRUS

Intended for post-harvest control of *Penicillium digitatum* (green mold), *Penicillium italicum* (blue mold), *Daporthia citri* (phomopsis stem end rot), *Diplodia natalensis* (diplodia rot), and *Alternaria citri* on citrus fruits.

Used as directed, MAGNATE 500 EC has curative and preventive action as well as soil anti-sporulation properties.

In dips, wash tanks and drenchers: Apply MAGNATE 500 EC at rates of 12.5 or 18.7 fl. oz. per 100 gallons water (500-750 ppm active ingredient). The treatment solutions should be inspected periodically to insure the proper concentration of active ingredient. Length of dip time should not exceed two minutes.

In non-recovery spray: Apply MAGNATE 500 EC at 24.9 fl. oz. per 100 gallons of water (1000 ppm a.i.). Apply to freshly-cleaned citrus immediately prior to waxing.

For water spray brush application: After washing, apply MAGNATE 500 EC at 24.9 fl. oz. per 100 gallons water. Apply prior to storage wax application.

Foamer: Apply MAGNATE 500 EC at 49.8 fl. oz. per 100 gallons of diluted "ready to use" detergent material (2000 ppm a.i.). Apply to citrus from a mechanical foamer. Use only as much as needed to clean fruit.

In citrus wax: Apply 49.8 fl. oz. of MAGNATE 500 EC to 100 gallons of citrus wax. Use without further dilution in conventional waxing equipment.

Remark 1: Combination of above-listed treatments are possible but never more than two treatments should be carried out on the same citrus lot.

Remark 2: In waxes and foams, sporulation control can be obtained at the rate of 99.7 fl. oz. MAGNATE 500 EC per 100 gallons citrus wax or diluted "ready to use" detergent material (4000 ppm a.i.). When this dilution is used, combinations of treatments are not allowed.

6096

REMARK 3: AFTER DILUTION OF MAGNATE 500 EC IN FOAM OR WAX, STIR THOROUGHLY FOR AT LEAST 15 MINUTES WITH AN ELECTRIC MIXING DEVICE AT 1500 RPM.

Imazalil is intended for use on all crops having tolerances for imazalil residues.

STORAGE AND DISPOSAL

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

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. 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:

Nonrefillable Container (five gallons or less): Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Nonrefillable Container (greater than five gallons): Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip 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 or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Refillable Container: Refillable container. Refill this container with imazalil 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 24-HOUR EMERGENCY ASSISTANCE (SPILL, LEAK, OR FIRE), CALL INFOTRAC AT 1-800-535-5053.

LIMITATION OF WARRANTY AND LIABILITY

Read the entire directions for use, conditions of warranties and limitations of liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following **CONDITIONS, DISCLAIMER OF WARRANTIES and LIMITATIONS OF LIABILITY.**

CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Makhteshim Agan of North America, Inc. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: To the extent consistent with applicable law, Makhteshim Agan of North America, Inc. makes no other warranties, express or implied, of merchantability or of fitness for a particular purpose or otherwise, that extend beyond the statements made on this label. No agent of Makhteshim Agan of North America, Inc. is authorized to make any warranties beyond those contained hereon or to modify the warranties contained herein. To the extent consistent with applicable law, Makhteshim Agan of North America, Inc. disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

LIMITATIONS OF LIABILITY: To the extent consistent with applicable law, the exclusive remedy of the user or buyer for any and all losses, injuries or damages resulting from the use or handling of this product, whether in contract, warranty, tort, negligence, strict liability or otherwise, shall not exceed the purchase price paid or at Makhteshim Agan of North America, Inc.'s election, the replacement of product.

Magnate 500 EC (66222-20-ZA)(EPA app 8-23-01)(CA app 10-31-01)(notif to EPA 08-14-08)