

66330-37

4/24/2009

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Becky Rhodes  
Head of Regulatory Affairs  
Arysta LifeScience North America LLC  
15401 Weston Parkway, Suite 150  
Cary, NC 27513

APR 24 2009

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

Dear Ms. Rhodes:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 2007-4 and 98-10 dated March 23, 2009 for:

**EPA Registration 66330-63**      **ETK-1101**  
**EPA Registration 66330-37**      **Chloropicrin**

The Registration Division (RD) has conducted a review of this request for applicability under PR Notices 2007-4 and 98-10 and finds that the label changes requested falls within the scope of PR Notices 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,

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

2007

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 05-31-98

 <b>EPA</b> Environmental Protection Agency Washington, DC 20460	United States <input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other:	OPP Identifier Number
	<b>Application for Pesticide - Section I</b>	

1. Company/Product Number <b>Arysta LifeScience North America, LLC/66330-37</b>	2. EPA Product Manager <b>Mary Waller</b>	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) <b>Arysta LifeScience North America, LLC/          CHLOROPICRIN</b>	PM# <b>21</b>	
5. Name and Address of Applicant (Include ZIP Code)  <b>Arysta LifeScience North America, LLC          15401 Weston Parkway, Suite 150          Cary, NC 27513</b>		6. <b>Expedited Review.</b> In accordance with FIFRA Section 3(c)(3) (b)(I), my product is similar or identical in composition and labeling to: EPA Reg. No. <b>NOTIFICATION</b>  Product Name <b>APR 24 2009</b>

Check if this is a new address

**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 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 USC Sec 1001 to willfully make any false statement to EPA. I further understand that if the amendment 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.

**Notification of label change per PR Notice 98-10.** 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 USC 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 may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

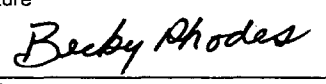
**Section - III**

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 If "Yes" Unit Packaging wgt.      No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Package wgt.      No. per container	<input checked="" type="checkbox"/> Metal <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 <b>5 lb, 7 lb, 40 lb, 125 lb, 360 lb, 1500 lb and Bulk</b>		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 type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled					

**Section - IV**

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application):

Name <b>Becky Rhodes</b>	Title <b>Head of Regulatory Affairs</b>	Telephone No. (Include Area Code) <b>865-950-3824</b>
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<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 <b>(Stamped)</b>
2. Signature 	3. Title <b>Head of Regulatory Affairs</b>	
4. Typed Name <b>Becky Rhodes</b>	5. Date <b>3/23/09</b>	



Arysta LifeScience

3 of 7  
b/c

March 23, 2009

Ms Mary Waller, PM 21  
Document Processing Desk (NOTIF)  
Office of Pesticide Programs – 7504P  
U.S. Environmental Protection Agency  
Room S-4900, One Potomac Yard  
2777 S. Crystal Drive  
Arlington, VA 22202

**NOTIFICATION**

APR 24 2009

**Subject: Chloropicrin  
EPA Reg. No. 66330-37  
Notification of Label Changes per PR Notice 98-10 and 2007-4**

Dear Ms. Waller:

Enclosed are the following documents in support of the notification of label changes to the Arysta LifeScience North America, LLC. product, Chloropicrin, EPA Reg. No. 66330-37:

- 1. EPA Form 8570-1 – per PR Notice 98-10 and 2007-4
- 2. One Redline copy of the Chloropicrin label showing changes
- 3. One Clean copy of the Chloropicrin label

This notification is consistent with PR Notice 2007-4 except that it does not include instructions for residue removal. This product is packaged in compressed gas cylinders and the Agency waived residue removal requirements for this type of packaging in 40 CFR 156.144 (e) as published in the Federal Register on October 29, 2008.

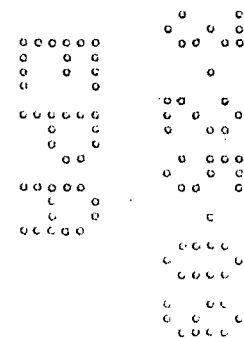
We request a stamped "Notification Approved" label to submit with our individual state renewals.

Please contact me by phone at (865)850-3824 or by e-mail at [becky.rhodes@arystalifescience.com](mailto:becky.rhodes@arystalifescience.com) if you have any questions or require additional information.

Best Regards.

*Becky Rhodes*

Becky Rhodes  
Head of Regulatory Affairs



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Chloropicrin Technical 66330-37  
CN 071002 EPA AD 102102  
PR Not 2007-4

# CHLOROPICRIN

## FOR MANUFACTURING PESTICIDE FORMULATIONS


Only for manufacturing pesticide formulations used for preplant soil fumigations of terrestrial and greenhouse food crops, ornamentals and nursery beds

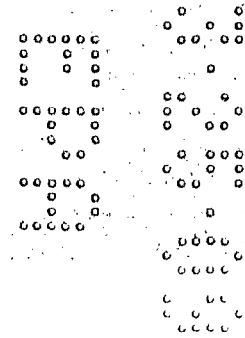
### Active Ingredient

Chloropicrin .....	99.5%
Inert Ingredients .....	0.5% Max.
	100.0%

**NOTIFICATION**

APR 24 2009

KEEP OUT OF REACH OF CHILDREN	
DANGER	 PELIGRO
POISON	
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.)	
IN ALL CASES OF OVEREXPOSURE GET MEDICAL ATTENTION IMMEDIATELY. TAKE PERSON TO A DOCTOR OR AN EMERGENCY TREATMENT FACILITY.	
FIRST AID	
IF INHALED	<ul style="list-style-type: none"> <li>▪ Move person to fresh air.</li> <li>▪ If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth (if possible).</li> <li>▪ Call a poison control center or doctor for further treatment advice.</li> </ul>
IF ON SKIN OR CLOTHING	<ul style="list-style-type: none"> <li>▪ Take off contaminated clothing, shoes, and other items covering the skin.</li> <li>▪ Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>▪ Call a poison control center or doctor for further treatment advice.</li> </ul>
IF IN EYES	<ul style="list-style-type: none"> <li>▪ Hold eyelids and rinse slowly and gently with water for 15-20 minutes.</li> <li>▪ Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eyes.</li> <li>▪ Call a poison control center or doctor for further treatment advice.</li> </ul>
IF SWALLOWED	<ul style="list-style-type: none"> <li>▪ Call a poison control center or doctor immediately for treatment advice.</li> <li>▪ Have the person sip a glass of water if able to swallow.</li> <li>▪ Do not induce vomiting unless told to do so by a doctor or poison control center.</li> <li>▪ Do not give anything by mouth to an unconscious person.</li> </ul>
HOT LINE NUMBER	
Have the product container or label with you when calling 911, a poison control center or doctor, or going for treatment. You may also contact 1-800-228-5635 Extension 174 PROSAR 1-866-303-6952 PROSAR 1-866-303-6952 for emergency medical treatment information. For outside the U.S. call 1-651-632-8946. For outside the U.S. call 1-651-632-8946.	
NOTE TO PHYSICIAN	
Chloropicrin is a volatile liquid that is the active ingredient in tear gas. As a gas it is a powerful lachrymator. Early symptoms of overexposure are lachrymation, respiratory distress, and vomiting. Pulmonary edema may develop later. Treatment is symptomatic.	
<small>See side panel for additional precautionary statements</small>	



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Chloropicrin Technical 66330-37  
CN 071002 EPA AD 102102  
PR Not 2007-4

**MFG. By ForFor:** ARYSTA LIFESCIENCE NORTH AMERICA, LLC  
15401 Weston Parkway, Suite 150  
Cary, NC 27513 Arvesta Corporation Arysta LifeScience North  
America, LLC  
100 First St., Suite 1700 15401 Weston Parkway, Suite 150  
San Francisco, CA 94105 Cary, NC 27513

Establishment Number: \_\_\_\_\_  
EPA Registration Number 66330-37

Net Contents - \_\_\_\_\_

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

See below for additional precautionary statements

See below for additional precautionary statements

THIS PRODUCT IS A HIGHLY HAZARDOUS MATERIAL AND MUST BE HANDLED WITH CARE ONLY BY THOSE INDIVIDUALS EXPERIENCED WITH ITS PROPER USE. CONSULT YOUR DEALER REPRESENTATIVE OR THE DISTRIBUTOR FOR CORRECT PROCEDURE BEFORE USING. READ AND FOLLOW ALL LABEL DIRECTIONS AND PRODUCT LITERATURE SPECIFIC TO YOUR REQUIREMENTS.

POISONOUS LIQUID AND VAPOR. INHALATION OF VAPOR MAY BE FATAL. CHLOROPICIRIN IS READILY IDENTIFIABLE BY SMELL. EXPOSURE TO VERY LOW CONCENTRATIONS OF VAPOR WILL CAUSE IRRITATION OF EYES, NOSE AND THROAT. CONTINUED EXPOSURES AFTER IRRITATION IS EVIDENT, OR HIGHER CONCENTRATION, MAY CAUSE PAINFUL IRRITATION OR TEMPORARY BLINDNESS. LIQUID WILL CAUSE CHEMICAL BURNS TO SKIN OR EYES. DO NOT GET ON SKIN, IN EYES, OR ON CLOTHING. HARMFUL OR FATAL IF SWALLOWED.

**ENVIRONMENTAL HAZARD**

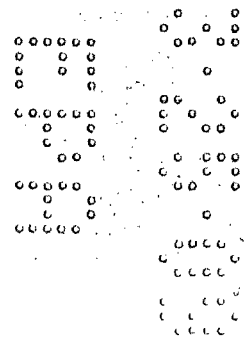
This product is toxic to fish and aquatic organisms. Do not contaminate water by cleaning of equipment or disposal of wastes. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other waters unless in accordance with the requirements of a National Pollution 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.

**CHEMICAL HAZARD**

Do not use containers made of magnesium, aluminum, or other alloys, as under certain conditions this product may be severely corrosive to such metals. Do not permit water to be used to clean the container, as corrosion will result.

**DIRECTIONS FOR USE**

**IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN A MANNER INCONSISTENT WITH ITS LABELING. FOR MANUFACTURING OF PESTICIDE FORMULATIONS ONLY.**



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### STORAGE AND DISPOSAL

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

**STORAGE:** Store in a dry, well-ventilated area under lock and key. Post as a pesticide storage area. Persons moving, handling or opening containers must wear appropriate personal protective equipment (including prescribed respirator). Open container only in a well-ventilated area.

**SPILL AND LEAK PROCEDURES:** Evacuate everyone from the immediate areas of the spill or leak. Entering into the affected area requires that workers wear appropriate personal protective equipment (PPE) (including prescribed respirator). Move leaking or damaged containers outdoors or to an isolated location. Observe strict safety precautions. Work upwind, if possible. Allow spilled product to evaporate or to absorb onto vermiculite, dry sand, earth, or similar absorbent material. Such material should be disposed of on site or at an approved disposal facility. Only correctly trained and PPE-equipment handlers are permitted to perform such cleanup. Do not permit entry into the spill or leak area by any other person until the concentration of chloropicrin is measured to be less than 0.1ppm. **FOR CHEMICAL EMERGENCY:** Spill, leak, fire, exposure or accident call CHEMTREC 1-800-424-9300. Outside the U.S. call 1-703-527-3887. Outside of U.S. call 1-703-527-3887.

**DISPOSAL:** Do not contaminate water, food, or feed by storage or disposal. Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsates 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.

### CONDITIONS OF SALE

~~1. Arvesta Corporation warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in accordance with the directions under normal conditions of use.~~

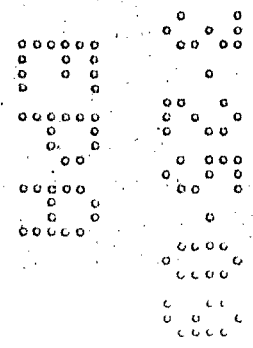
~~2. This warranty does not extend to the use of this product contrary to label instruction, or under abnormal use conditions, or under conditions not reasonably foreseeable to Arvesta. ARVESTA DISCLAIMS ALL OTHER WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING ANY WARRANTY OF FITNESS OR MERCHANTABILITY. SELLER SHALL NOT BE LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT AND SELLER'S SOLE LIABILITY AND BUYER'S AND USER'S EXCLUSIVE REMEDY SHALL BE LIMITED TO THE REFUND OF THE PURCHASE PRICE. ARVESTA DOES NOT AUTHORIZE ANY AGENT OR REPRESENTATIVE TO MAKE ANY OTHER WARRANTY, GUARANTEE OR REPRESENTATION CONCERNING THIS PRODUCT.~~

~~3. Critical and unforeseeable factors beyond Arvesta's control prevent it from eliminating all risks in connection with the use of this product. Such risks include, but are not limited to, damage to plants and crops to which the product is applied, lack of complete control, and damage caused by drift to other plants or crops. Such risks occur even though the product is reasonably fit for the uses stated on the label and even though label directions are followed. Except as stated in 1 above, Buyer and User acknowledge and assume all risks and liability resulting from handling, storage, and use of this product.~~

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### Warranty and Disclaimer Statement

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. Such risks may arise from weather conditions, soil factors, off-target movement, unconventional farming techniques, the presence of other materials, the manner of use or application, or other unknown factors, all of which are beyond the control of Arysta LifeScience North America, LLC ("Arysta"), and can cause crop injury, injury to non-target crops or plants, ineffectiveness of the product, or other unintended consequences. To the extent consistent with applicable law, all such risks shall be assumed by the user or buyer.



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Chloropicrin Technical 66330-37  
CN 071002 EPA AD 102102  
PR Not 2007-4

Arysta warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks described above, when used in accordance with the Directions for Use under normal conditions. This warranty does not extend to the use of this product contrary to label instructions or under conditions not reasonably foreseeable to Arysta, and is subject to the inherent risks described above.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ARYSTA DISCLAIMS ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ARYSTA, MANUFACTURER, AND SELLER DISCLAIM AND SHALL NOT BE LIABLE FOR ANY SPECIAL, INCIDENTAL, INDIRECT, OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE, HANDLING, APPLICATION, STORAGE, OR DISPOSAL OF THIS PRODUCT OR FOR DAMAGES IN THE NATURE OF PENALTIES, AND THE USER AND BUYER WAIVE ANY RIGHT THAT THEY MAY HAVE TO SUCH DAMAGES. NO AGENT, REPRESENTATIVE OR EMPLOYEE OF ARYSTA IS AUTHORIZED TO MAKE ANY WARRANTY, GUARANTEE OR REPRESENTATION BEYOND THOSE CONTAINED HEREIN OR TO MODIFY THE WARRANTIES CONTAINED HEREIN.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE TOTAL LIABILITY OF ARYSTA, MANUFACTURER, AND SELLER, SHALL BE LIMITED TO THE PURCHASE PRICE PAID, OR AT ARYSTA'S ELECTION, THE REPLACEMENT OF THE PRODUCT.

**Warranty and Disclaimer Statement**

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. Such risks may arise from weather conditions, soil factors, off-target movement, unconventional farming techniques, the presence of other materials, the manner of use or application, or other unknown factors, all of which are beyond the control of Arysta LifeScience North America, LLC ("Arysta"), and can cause crop injury, injury to non-target crops or plants, ineffectiveness of the product, or other unintended consequences. To the extent consistent with applicable law, all such risks shall be assumed by the user or buyer.

Arysta warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks described above, when used in accordance with the Directions for Use under normal conditions. This warranty does not extend to the use of this product contrary to label instructions or under conditions not reasonably foreseeable to Arysta, and is subject to the inherent risks described above.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ARYSTA DISCLAIMS ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ARYSTA, MANUFACTURER, AND SELLER DISCLAIM AND SHALL NOT BE LIABLE FOR ANY SPECIAL, INCIDENTAL, INDIRECT, OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE, HANDLING, APPLICATION, STORAGE, OR DISPOSAL OF THIS PRODUCT OR FOR DAMAGES IN THE NATURE OF PENALTIES, AND THE USER AND BUYER WAIVE ANY RIGHT THAT THEY MAY HAVE TO SUCH DAMAGES. NO AGENT, REPRESENTATIVE OR EMPLOYEE OF ARYSTA IS AUTHORIZED TO MAKE ANY WARRANTY, GUARANTEE OR REPRESENTATION BEYOND THOSE CONTAINED HEREIN OR TO MODIFY THE WARRANTIES CONTAINED HEREIN.

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