

66330-51

6/28/2011

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Jonathan A. Janis
Arysta LifeScience North America, LLC
15401 Weston Parkway, Suite 150
Cary, NC 27513

JUN 28 2011

Subject: Notification of Minor Label Revisions (Warranty Statement)
Everest ® Technical Herbicide
EPA Reg. No. 66330-51
Your Application, Dated June 9, 2011

Dear Mr. Janis,

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

The Registration Division (RD) has conducted a review of this request for applicability under PRN 98-10 and finds that the label changes requested fall within the scope of the PR Notice. The label has been date-stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at (703) 306-0415 or Kelsey Semrod of my staff at (703) 347-0284.

Sincerely,

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

Kable Bo Davis, Product Manager 25
Herbicide Branch
Registration Division (7505P)
Office of Pesticide Programs

Please read instructions on reverse before completing form.

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

 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 Arysta LifeScience North America, LLC. / 66330-51	2. EPA Product Manager Bo Davis	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Arysta LifeScience North America, LLC / Everest Technical Herbicide	PM# 25	
5. Name and Address of Applicant (Include ZIP Code) Arysta LifeScience North America, LLC 15401 Weston Parkway, Suite 105 Cary, North Carolina 27513 <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"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other - Explain below.
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NOTIFICATION
JUN 28 2011

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
 Notification of Changes in Warranty Statement per PR Notice 98-10. No fee is associated with this action. This notification is consistent with the provisions of PR Notice 98-10 and the EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling.

Certification statement found on cover letter

Section - III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Package wgt No. per container	2. Type of Container <input 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 type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container	5. Location of Label Directions <input 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 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 Jonathan A. Janis	Title Regulatory Manager	Telephone No. (Include Area Code)
2. Signature 		3. Title Regulatory Manager
4. Typed Name Jonathan A. Janis	5. Date June 9, 2011	
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)

4087

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EVEREST Technical _ Add Xmas Tree & Turf
EPA AD080409 ¶
Notification to update Warranty Page 1 of 4

EVEREST®
TECHNICAL HERBICIDE

FOR USE ONLY IN THE MANUFACTURING OF HERBICIDES

INGREDIENTS:

Active Ingredient:	By wt.
Flucarbazone-sodium*,	
4,5-Dihydro-3-methoxy-4-methyl-5-oxo-N-	
-[[2-(trifluoromethoxy)phenyl]sulfonyl]-1-H-	
-1,2,4-triazole-1-carboxamide, sodium salt.....	92.6%
Other Ingredients.....	7.4%
Total.....	100.0%

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*87.5% Flucarbazone acid equivalent

®EVEREST is a registered trademark of Arysta LifeScience North America, LLC

EPA Registration No. 66330-51 EPA Est. No. 79749-IND-001

Read the entire label before use

KEEP OUT OF REACH OF CHILDREN

CAUTION

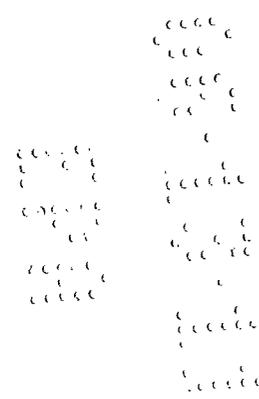
See back panel for additional precautionary statements.

FIRST AID	
If in eyes	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing. • Call a poison control center or doctor for treatment advice.
IN CASE IF EMERGENCY CALL DAY OR NIGHT (866) 303-6952 OR (651) 632-8946.	
Have an EVEREST Technical container or label with you when calling a poison control center or doctor, or going for treatment.	

Manufactured For:
ARYSTA LIFESCIENCE NORTH AMERICA, LLC
15401 Weston Parkway, Suite 150
Cary, North Carolina 27513
NET WEIGHT ____ POUNDS

NOTIFICATION

JUN 28 2011



HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Causes moderate eye irritation. Avoid contact with eyes and clothing. Wash thoroughly with soap and water after handling.

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EVEREST Technical _ Add Xmas Tree & Turf
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Notification to update Warranty Page 1 of 4

Deleted: HAZARDS TO HUMANS AND DOMESTIC ANIMALS

ENVIRONMENTAL HAZARDS

Do not discharge effluent containing this product in to 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 Environmental Protection Agency (EPA).

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Only for formulation into a herbicide for:

The following uses:

1. Terrestrial food and feed crop uses: winter wheat and all types of spring wheat including durum.
2. Selective control of weeds in turf on golf courses, sod farms, residential and commercial turf sites, park and recreation areas, school grounds and other turf areas, conifer nurseries and field plantings, and seed head and growth management in turf.
3. Uses for which EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and,
4. Uses for experimental purposes that are in compliance with EPA requirements.

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EVEREST Technical _ Add Xmas Tree & Turf
EPA AD080409 ¶
Notification to update Warranty Page 1 of 4

STORAGE AND DISPOSAL

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

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

Container Disposal: Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available or dispose of in a sanitary landfill, or by incineration or burning; (if allowed by state and local authorities). If burned, stay out of smoke.

Pesticide Storage: Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Store in original container and out of reach of children, preferably in a locked storage area.

Handle and open container in a manner as to prevent spillage. If the container is leaking or material spilled for any reason or cause, carefully sweep material into a pile. Refer to Precautionary Statements on label for hazards associated with the handling of this material. Do not walk through spilled material. Dispose of pesticide as directed above. In spill or leak incidents, keep unauthorized people away.

Deleted: For help with any spill, leak, fire or exposure involving this material, call day or night CHEMTREC (703) 527-3887 or (800) 424-9300.

FOR 24 HOUR CHEMICAL EMERGENCY ASSISTANCE: Spill, leak, fire or exposure involving this material, call CHEMTREC (800) 424-9300 or (703) 527-3887 if calling from outside the U.S.

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EPA AD080409 ¶
Notification to update Warranty Page 1 of 4

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.

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.

EVEREST TECHNICAL (MASTER) 08/04/09, NOTIFICATION 06/13/11