



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Bill Washburn
Regulatory Manager
Arysta LifeScience North America LLC
15401 Weston Parkway, Suite 150
Cary, NC 27513

JUL 17 2009

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

1. **Update of company name**
2. **Added emergency telephone number(s)**
3. **Updated warranty statement**

Dear Mr. Washburn:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 2007-4 and 98-10 dated June 19, 2009 for:

EPA Registration 66330-209	Captan 80 W
EPA Registration 66330-361	Chlorothalonil Technical
EPA Registration 66330-27	Captan Garden Spray
EPA Registration 66330-332	Clethodim Technical
EPA Registration 66330-352	Clethodim Technical₂

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

Please read instructions on reverse before completing form.

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



EPA

United States
Environmental Protection Agency
Washington, DC 20460

- Registration
- Amendment
- Other:

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 66330-352	2. EPA Product Manager JOANNE MILLER	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) CLETHODIM TECHNICAL₂	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Arysta LifeScience North America, LLC 15401 Weston Parkway, Suite 150 Cary, NC 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. <u>NOTIFICATION</u> Product Name <u>JUL 17 2009</u>	

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	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
*Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 55.0 gal. and Bulk		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 Bill Washburn	Title Regulatory Manager	Telephone No. (include Area Code) 901-432-5118
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)
2. Signature <i>Bill Washburn</i>	3. Title Regulatory Manager	
4. Typed Name Bill Washburn	5. Date 06/19/09	



OK 3/7

June 19, 2009

Ms. Joanne Miller
Product Management Team 23
Fungicide-Herbicide Branch (H7505C)
Registration Division
Office of Pesticide Programs
Document Processing Desk (NOTIF)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

**Subject: CLETHODIM TECHNICAL₂
EPA Reg. No. 66330-352**

**Notification of Label Change per PR Notice 2007-4
and PR Notice 98-10**

Dear Ms. Miller:

Please find the following enclosed:

- Application for Pesticide Registration (Other) dated 06/19/09.
- One highlighted copy of subject label, showing all changes.
- One clean copy of the subject label.

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.

Also in this submission, we are using PR Notice 98-10 to update the name of the company, emergency telephone numbers and warranty. Arysta LifeScience North America Corporation was changed to Arysta LifeScience North America, LLC.

Should you have any questions or comments, please do not hesitate to contact me at 901-432-5118 or by e-mail at bill.washburn@arystalifescience.com

Sincerely,

Bill Washburn

Bill Washburn
Regulatory Manager

Arysta LifeScience North America, LLC
15401 Weston Parkway, Suite 150, Cary, NC 27513 Phone 919-678-4900 Fax 919-678-2194
www.arystalifescience.com

Handwritten initials and markings on the right side of the page.

NOTIFICATION

JUL 17 2009

CLETHODIM TECHNICAL₂

For Formulation of Herbicide Products

ACTIVE INGREDIENT:

*Clethodim 95.3%

OTHER INGREDIENTS: 4.7%

Total: 100.0%

*(E)-2[1-[[[(3-Chloro-2-propenyl)oxy]imino]propyl]-5-[2(ethylthio)propyl]-3-hydroxy-2-cyclohexen-1-one

KEEP OUT OF REACH OF CHILDREN

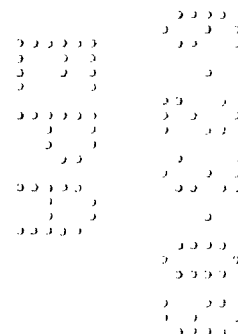
WARNING

SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

EPA REG. No. 66330-352
EPA EST. NO. 8655-AR-01
Made in USA

NET CONTENTS: _____
AD122906

Manufactured for:
Arysta LifeScience North America, LLC
15401 Weston Parkway, Suite 150
Cary, NC 27513



**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS & DOMESTIC ANIMALS**

WARNING: Causes skin and eye irritation. Do not get on skin or clothing. Harmful if swallowed or inhaled. Wash thoroughly with soap and water after handling. Remove contaminated clothing before reuse.

FIRST AID	
If on skin or clothing:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 to 20 minutes. • Call a poison control center or doctor for treatment advice.
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.
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 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 mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
NOTE TO PHYSICIAN	
Probable mucosal damage may contraindicate the use of gastric lavage.	
Hot Line Number	
Have the product container or label with you when calling poison control center or doctor, or going for treatment.	
EMERGENCY NUMBERS:	
FOR 24- HOUR EMERGENCY MEDICAL ASSISTANCE CALL: 1-866-303-6952	
FOR CHEMICAL EMERGENCY: Spill, leak, fire, exposure, or accident call CHEMTREC 1-800-424-9300	

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 OF CHEMICAL HAZARDS

Do not use or store near heat or open flame.

READ ENTIRE LABEL USE STRICTLY IN ACCORDANCE WITH PRECAUTIONARY STATEMENTS, USE DIRECTIONS AND WITH APPLICABLE STATE AND FEDERAL REGULATIONS.

THIS PRODUCT IS FOR USE IN FURTHER PREPARATION OF HERBICIDE PRODUCTS. DO NOT USE FOR ANY OTHER PURPOSES.

Products formulated with Clethodim Technical will require registration with 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.

Only for Formulation into Herbicide Products Intended For:

(1) The Following Use(s):

TERRESTRIAL, FOOD USES: Alfalfa, Cotton, Dry Beans, Peanuts, Soybeans, Sugar beets, Tomatoes, Peppers (bell and non bell), Eggplant, (and other Fruiting Vegetables), Onions (dry bulb and green), Shallots (dry bulb and green), Garlic, Sunflower, Canola, Flax, Mustard Seed, Potato, Sweet Potato, Yam (and other Tuberos and Corn Vegetables), Carrot, Radish, Garden Beet, Horseradish (and other Root Vegetables), Leaf Lettuce, Broccoli, Cabbage, Cauliflower (and other Head and Stem Brassica Vegetables), Mustard Greens (and other Leafy Brassica Greens), Spinach, Celery, Rhubarb, (and other leaf Petioles), Cranberry, Strawberry, Squash (including Pumpkins), Cucumber, melons (including Cantaloupes and watermelons), Mint and Clover.

GREENHOUSE, SHADEHOUSE, LATHHOUSES, AND OUTDOOR NON-FOOD USES:

Ornamentals, Non-Bearing Food Crops, Conifer Trees, fallow Land (and other non-producing agricultural areas), and Non Crop or non-Planted Areas.

(2) Uses for which USEPA has Excepted the Required Data and/or Citations of Data that the Formulator has Submitted in Support of registration; and

(3) Uses for Experimental Purposes that are in Compliance with the USEPA Requirements.

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 a cool dry place.

Pesticide Disposal:

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

Container Handling and Disposal:

Refillable container. Refill this container with pesticide only. Do not reuse or refill 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 pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

For final disposal, dispose of container in a sanitary landfill, or by incineration, or if allowed by State and local authorities, by burning. If burned, stay out of smoke.

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.