
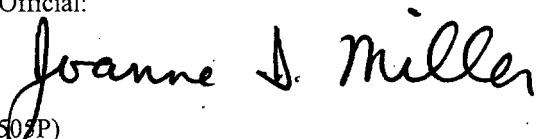


66330-386

06-01-2009

Jackets

 <p style="text-align: center;">U.S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Registration Division (7505P) Ariel Rios Building 1200 Pennsylvania Ave., NW Washington, D.C. 20460</p> <p style="text-align: center;">NOTICE OF PESTICIDE: <u>X</u> Registration — Reregistration (under FIFRA, as amended)</p>	EPA Reg. Number: 66330-386	Date of Issuance: JUN 1 2009
	Term of Issuance: Conditional	
	Name of Pesticide Product: Fluroxypyr Technical Herbicide	
Name and Address of Registrant (include ZIP Code): Arysta LifeScience North America 15401 Weston Parkway, Suite 150 Cary, NC 27513		
<p>Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.</p> <p>On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.</p> <p>This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A) provided that you:</p> <ol style="list-style-type: none"> 1) Submit and/or cite all data required for registration/reregistration review of your product when the Agency requires all registrants of similar products to submit data; and submit acceptable responses required for reregistration of this product under FIFRA section 4. 2) Add the phrase "EPA Reg. No. 66330-386" to the labeling. 3) Assure that the EPA Establishment Number and Net Contents are also on the label. 4) Per the Product Chemistry Review, revise the product label ingredient statement for the active ingredient from "98.00%" to "98.90%". Adjust the Other Ingredients percentage for a total 100.00%. 5) Per the Product Chemistry Review, generate one-year studies for guidelines 830.6317 (storage stability) and 830.6320 (corrosion characteristics) under full GLP requirements and with observations being made at 0, 3, 6, 9, and 12 month intervals. The results being submitted to the Agency within one year of the date on this notice. <p>SEE NEXT PAGE FOR ADDITIONAL COMMENTS</p>		
Signature of Approving Official: Joanne I. Miller Product Manager 23 Herbicide Branch Registration Division (7505P) 		Date: JUN 1 2009

6) In the Directions for Use section on page 2, make the following changes under the header "Only for formulation into a herbicide, for:"

a) Delete "and" from the end of the statement to read: "(2) Uses for which the US EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration."

b) Delete the statement which reads "(3) Uses for experimental purposes that are in compliance with USEPA compliance."

7) The following changes must be made to the Storage and Disposal section of the label:

a) Per the Label Review Manual, the Storage and Disposal instructions must appear on the label in the following order:

PESTICIDE STORAGE:.....

PESTICIDE DISPOSAL:.....

CONTAINER DISPOSAL:.....

b) Add "an" in the Pesticide Disposal statement. Per the Label Review Manual, the Pesticide Disposal statement should read: "Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility."

c) As appropriate, and based on the amended order of the Storage and Disposal instructions, change the sentence in the Pesticide Storage section from "Dispose of pesticide as directed above." to "Dispose of pesticide as directed below."

d) The Container Disposal text for technical product containers is as follows:

For nonrefillable containers, the Container Disposal text must read: "Non-refillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke."

For refillable containers, the Container Disposal text must read: "Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Triple rinse container (or equivalent) promptly after emptying. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke."

8) Under Conditions of Sale, the following changes must be made to the warranty and liability statement:

a) Correct the typographical error in the last sentence on page 4, changing "PRODUCE" to "PRODUCT".

b) On page 5, change the statement in the fourth sentence from "to the extent permitted by law" to read "to the extent consistent with applicable law".

9) Note: Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

A stamped copy of your labeling is enclosed for your records. Submit one copy of the revised final printed label for the record before you release the product for shipment. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

ACCEPTED
Page 1 of 5
With COMMENTS

In EPA Letter Dated:

JUN 1 2009

Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No.

FLUROXYPYR

TECHNICAL HERBICIDE

For use only in the manufacture of herbicides

ACTIVE INGREDIENT(S):

fluroxypyr 1-methylheptyl ester: ((4-amino-3,5-dichloro-6-fluoro-2-pyridinyl)oxy)acetic acid, 1-methylheptyl ester	98.00%
Other Ingredients	2.00%
TOTAL	100.00 %

BY WT. 66330-386

CAUTION CAUCION

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand this label, find someone to explain it to you in detail)

Read the entire label before use

KEEP OUT OF REACH OF CHILDREN

Precautionary Statements
Hazards to Humans and Domestic Animals

Causes moderate eye irritation. Harmful if inhaled or absorbed through the skin. Avoid contact with eyes, skin or clothing. Avoid breathing dust. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

Manufactured for:
ARYSTA LIFESCIENCE NORTH AMERICA LLC
15401 Weston Parkway, Suite 150
Cary, North Carolina 27513

EPA Registration No.66330-xx

EPA Est. No. 73660-CHN-001

NET WEIGHT _____ OUNCES/PINTS/QUARTS/GALLONS

FIRST AID	
If in eyes:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with warm water for 15-20 minutes. • Remove contact lenses, if present, after first 5 minutes, then continue rinsing eye. • 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 mouth-to-mouth if possible. • Call a poison control center or doctor for further treatment advice.
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.
IN CASE OF EMERGENCY CALL DAY OR NIGHT (866) 303-6592 OR (651) 632-8946	
Have the product container or label with you when calling a poison control center, or doctor or going for treatment.	

ENVIRONMENTAL HAZARDS

Do not discharge effluent containing this product directly 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 in 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.

Only for formulation into a herbicide, for:

- (1) Crops including barley, wheat and oats, field corn, sweet corn, sorghum and grasses grown for seed, onions, pome fruit, fallow crop land, non-cropland including rangeland and permanent pastures,
- (2) Uses for which USEPA has accepted 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 USEPA compliance.

Manufacturing Chemical: Do not ship or store with food, feeds, drugs or clothing.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage and disposal.
Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or an approved waste disposal facility.

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. In case of leak or spill, use absorbent materials to contain material and dispose of waste. Refer to Precautionary Statements on label for hazards associated with the handling of this product. Do not walk through spilled material. Dispose of pesticide as directed above. In spill or leak incidents keep unauthorized people away. For help with any spill, leak, fire or exposure involving this material, call day or night CHEMTREC (703) 527-3887 or (800) 424-9300.

Non-refillable rigid containers 5 gallons or less:

Container Reuse: Non-refillable container. Do not reuse or refill this container. Offer for recycling if available.

Triple rinse or pressure rinse container (or equivalent) promptly after emptying.

Triple rinse as follows: Empty the remaining contents into applicator or equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container $\frac{1}{4}$ 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.

Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 psi for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

Non-refillable non-rigid containers:

Container Reuse: Non-refillable container. Do not reuse or refill this container. Offer for recycling if available.

Refillable rigid containers larger than 5 gallons:

Container Reuse: 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. To clean the container before final disposal empty the remaining contents from this container into application equipment or a mix tank. Fill the container about 10% full with water and, if possible, spray all sides while adding water. If practical, agitate vigorously or re-circulate water with the pump for two minutes.

Pour or pump rinsate into application or rinsate collection system. Repeat this rinsing procedure two more times.

Non-refillable rigid containers larger than 5 gallons:

Container Reuse: Non-refillable container. Do not reuse or refill this container. Offer for recycling if available.

Triple rinse or pressure rinse container (or equivalent) promptly after emptying.

Triple rinse as follows: Empty the remaining contents into applicator 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.

Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold the container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container and rinse at about 40 psi for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

CONDITIONS OF SALE

1. **Arysta LifeScience North America LLC** (Arysta) warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label only 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 instructions, or under abnormal use conditions, or under conditions not reasonably foreseeable to Arysta. **TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ARYSTA DISCLAIMS ALL OTHER WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING ANY WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE OR MERCHANTABILITY. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, SELLER SHALL NOT BE LIABLE FOR CONSEQUENTIAL, SPECIAL OR DIRECT DAMAGES RESULTING FROM OR IN CONNECTION WITH THE MANUFACTURE, SALE, DELIVERY, USE, HANDLING OR STORAGE OF THIS PRODUCT. TO THE EXTENT OF APPLICABLE LAW, SELLER'S LIABILITY SHALL BE LIMITED TO THE REFUND OF THE PURCHASE PRICE. ARYSTA DOES NOT AUTHORIZE ANY AGENT OR REPRESENTATIVE TO MAKE ANY OTHER WARRANTY, GUARANTEE OR REPRESENTATION CONCERNING THIS PRODUCE.**

3. Critical and unforeseeable factors beyond the control of Arysta prevent Arysta from eliminating all risks in connection with the use of this product. Such risks include, but are not limited to, damage of plants and crops to which 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 use stated on the label and even though label directions are followed. Except as stated in 1 above, to the extent permitted by law, purchasing, accepting and using this product, the buyer and user acknowledge and assume all risks and liabilities resulting from handling, storing and use of this product.