

67702-7

06/10/2009

1/8



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. Walter G Talarek
Agent for W.Neudorff GmbH KG
C/O Walter G Talarek PC
1008 Riva Ridge Drive
Great Falls, VA 22066-120

JUN 10 2009

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

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 and 98-10 dated March 8, 2009 for:

EPA Registration 67702-7 H01 RTU Herbicidal Soap

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and 98-10 and finds that the label change(s) requested falls within the scope of PRN-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 Banza Djapao of my staff at 703-305-7269.

Sincerely,

A handwritten signature in black ink, appearing to be "Linda Arrington".

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. 2070-0080

	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 67702-7	2. EPA Product Manager Joanne Miller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) HOT RTU Herbicidal Soap	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) W. Neudorff GmbH KG c/o Walter G. Talarek PC 1008 Riva Ridge Drive Great Falls, VA 22066-1620 <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: <div style="text-align: center; font-weight: bold; font-size: 1.2em;">NOTIFICATION</div> EPA Reg. No. _____ Product Name <u>JUN 10 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 minor revisions to the product's label under PR Notices 98-10 and 2007-4. See the enclosed letter to Ms. Linda Arrington, Team Leader, Notifications and Minor Formulations, for a full explanation of the revisions being made and the certifications required by PR Notices 98-10 and 2007-4.

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			
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt No. per container	<input checked="" type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input checked="" type="checkbox"/> Other (Specify) <u>polyethylene</u>	
3. Location of Net Contents Information		4. Size(s) Retail Container		5. Location of Label Directions	
<input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		8, 16, 32 & 64 oz.; 1 gal.		<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"/> Other _____	
<input checked="" type="checkbox"/> Lithograph <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 Walter G. Talarek	Title Authorized Agent	Telephone No. (Include Area Code) 703-759-4837
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)
2. Signature 	3. Title Authorized Agent	
4. Typed Name Walter G. Talarek	5. Date March 8, 2009	

3/8

LAW OFFICES OF
WALTER G. TALAREK, P.C.

1008 RIVA RIDGE DRIVE
GREAT FALLS, VA 22066-1620

PHONE: 703-759-4837
FAX: 703-759-5548
E-MAIL: WTALAREK@VERIZON.NET

April 8, 2009

DELIVERED BY COURIER

Linda Arrington
Team Leader, Notifications and Minor Formulations
Registration Division
c/o 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

Re: H01 RTU Herbicidal Soap
EPA Reg. No. 67702-7
Notification

Dear Ms. Arrington:

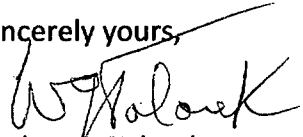
By this notification, W. Neudorff GmbH KG ("Neudorff") is revising the label for H01 RTU Herbicidal Soap, EPA Reg. No. 67702-7. In essence, the notification makes the following minor revisions to the product's label:

1. Substitutes the word "Other" for the word "Inert" in the ingredients section;
2. Revises the directions for use section to add an optional table which presents substantially the same use directions already approved by EPA in narrative form;
3. Revises the Storage and Disposal section and adds a Batch Code to comport with PR Notice 2007-4;
4. Adds seven (7) optional claims in the optional wording section;
5. Revises the warranty section to comport with EPA's Label Review Manual;
6. Adds an optional guarantee statement; and
7. Revises the country code for Germany in the EPA establishment number from "WG" to "DEU".

Two (2) copies of the revised label are enclosed. One copy has the revisions being made by this notification highlighted in yellow.

This notification is consistent with the guidance in PR Notices 98-10 and 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 152.46, 156.10, 156.140, 156.144, 156.146, and 156.156., 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 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the guidance of PR Notices 98-10 and 2007-4 and the requirements of 40 CFR §§ 152.46, 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.

If you have any questions about this notification, please feel free to call me.

Sincerely yours,

Walter G. Talarek
Authorized Agent

Enclosures

.....
.....

.....
.....
.....
.....
.....
.....
.....
.....
.....

H01 RTU HERBICIDAL SOAP

Active Ingredient:	
Ammoniated soap of fatty acids	3.68%
Other Ingredients	96.32%
Total	100.00%

KEEP OUT OF REACH OF CHILDREN

CAUTION

H01 is a fast-acting weed, grass, algae and moss killer. It does not stain concrete or pavement. H01 is a non-selective herbicide that controls many common annual weeds. H01 suppresses the growth of some bi-annual and perennial weeds. It can be used in cultivated areas prior to planting grass, flowers and vegetables. Areas can be re-sown five days after treatment. H01 can be used at any time during the year. Best results are obtained with young, actively growing weeds, less than five inches in size.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Causes moderate eye irritation. Harmful if inhaled. Avoid contact with eyes or clothing. Avoid breathing vapor. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

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 mouth-to-mouth, if possible. -Call a poison control center or doctor for further treatment advice.
Have the product container or label with you when calling a poison control center or doctor or going for treatment.	

ENVIRONMENTAL HAZARDS

This product may be hazardous to aquatic invertebrates. Do not apply directly to water.

DIRECTIONS FOR USE

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

[Subregistrants may choose one of the following formats:

Before You Use	Shake well before each use. Do not dilute.
When to Use	Anytime of the year
How to Use:	<ul style="list-style-type: none"> Spray weeds thoroughly when weather is dry and warm (application rate: 3 – 9 oz/yd²). Avoid spraying desirable plants. For optimum results spray weeds before they reach 5 inches in size.

	<ul style="list-style-type: none"> • For control of dandelions and other large rooted weeds, first injure plant by splitting top of root; then spray damaged root 20 times. • Repeat treatment every 2 to 3 weeks for control of new growth. • If rain falls within three hours of application an additional application may be required.
Kills:	Annual bluegrass, chickweed, corn spurry, dandelion, groundsel, lamb's-quarters, large crabgrass, mouse-eared chickweed, mustards, plantain, redroot pigweed, round leaved mallow, sheep sorrel, sheperd's-purse, stinkweed, thistle.

OR

Shake well before using. Do not dilute. Spray weeds thoroughly when weather is dry and warm (application rate: 6 – 9 oz/yd²). If rain falls within three hours of application an additional application may be required. Repeat treatment every 2 to 3 weeks for control of new growth. Avoid spraying desirable plants. For optimum results spray weeds before they reach 5 inches in size. For control of dandelions and other large rooted weeds, first injure plant by splitting top of root; then apply 0.7 oz. of H01 onto damaged root (Optional wording: squirt 20 times with sprayer set on stream setting).

Controls: Annual bluegrass, chickweed, corn spurry, dandelion, groundsel, lamb's-quarters, large crabgrass, mouse-eared chickweed, mustards, plantain, redroot pigweed, round leaved mallow, sheep sorrel, sheperd's-purse, stinkweed, thistle, moss, algae and lichens]

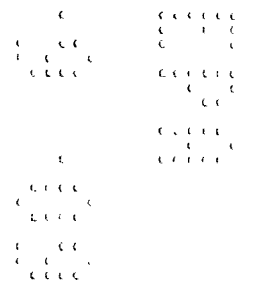
Use Sites: patios, driveways, sidewalks, bark mulch, roofs and in planting beds prior to planting grass, flowers and vegetables.

<p>STORAGE AND DISPOSAL Do not contaminate water, food or feed by storage or disposal. STORAGE: Store this product in its original container and keep in a secure storage area away from children and domestic animals. Store unused material, tightly closed, in original container only, away from open flame. Do not store at temperatures below 39°F. PESTICIDE AND CONTAINER DISPOSAL: If empty: Nonrefillable. Do not reuse or refill this container. Place in trash or offer for recycling if available. If partly filled: Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.</p>
--

BATCH CODE:

[Optional wording that may or may not appear on the label:

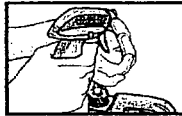
[Optional sprayer instructions:





Attach Sprayer

- Remove sprayer from bottle and extend hose.
- Open flip-cap on bottle.
- Insert hose and plug into flip-cap opening until it snaps into place.



Spray

- Adjust nozzle to stream or spray position.
- Point sprayer downward and squeeze trigger repeatedly until liquid is released.



After Use

- Turn sprayer nozzle to X (off) position. Do not unplug hose.
- Return sprayer to bottle. Sprayer will snap into place.

]

-This product is a fast acting, herbicidal soap that eliminates unwanted vegetation fast. It can be used on patios, driveways, mulch and sidewalks without staining. It can be used in planting beds prior to planting grass, flowers or vegetables.

-Read the Label First!

-Quick Facts:

-Kills: Weeds and Grasses, including dandelion, chickweed and other listed weeds.

-Where to Use: on patios, driveways, sidewalks, mulch, and in planting beds prior to planting grass, flowers or vegetables.

-Eliminates unwanted vegetation fast

-Won't stain bricks, concrete or asphalt

-Kills within hours

-Fast acting

-Kills weeds, grasses, algae, moss and lichens

-Formulated for fast and easy application

-Kills (Controls) [weeds, grass(es), algae and moss]

-Grass and weed killer.

-See results in 20 minutes!

-Weed control for outdoor uses

-For household use only

-Fast acting weed, grass, algae and moss killer can be used anytime of the year.

-Does not stain concrete or pavement

-Foam helps you see exactly where you have applied

-Areas can be planted in 5 days after treatment

-For use on patios, driveways, flowerbeds and sidewalks

-Kills weeds & grasses including Dandelion, Chickweed and Other Listed Weeds

-Made with Finalsan™, a trademark of W. Neudorff GmbH KG

-Made with Finalsan™ Herbicidal Soap, a trademark of W. Neudorff GmbH KG

-Contains Finalsan™, a trademark of W. Neudorff GmbH KG

-Contains Finalsan™ Herbicidal Soap, a trademark of W. Neudorff GmbH KG

-Finalsan™ is a trademark of W. Neudorff GmbH KG

-A herbicidal soap

-Herbicidal Soap

-For questions or comments, call toll free 1-XXX-XXX-XXXX

-For emergency medical information, you may call toll free 1-XXX-XXX-XXXX.

-Manufactured under a license of Neudorff

-www.neudorff.de



”]

[The registrant may use any of these optional statements:

“(NOTICE) Buyer assumes all responsibility for safety and use not in accordance with directions.”

or

“We guarantee your satisfaction or your money back.”

CCCC
CCCC

CCCCC
CCCCC
CCCCC

CCCCC
CCCCC

CCCC
CCCC
CCCC

