

70506-128

12/19/2006

116



U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (H7505C)
401 M St., S.W.
Washington, D.C. 20460

EPA Reg. Number:

70506-128

Date of Issuance:

DEC 19 2006

Term of Issuance:

Conditional

Name of Pesticide Product:

UPI Imazethapyr
Technical

NOTICE OF PESTICIDE:

- Registration
- Reregistration

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

Ms. Rebecca Clemmer
United Phosphorus, Inc.
423 Riverview Plaza
Trenton, NJ 08611

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.

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

This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A) provided that you:

1. Submit and/or cite all data required for registration/reregistration of your product when the Agency requires all registrants of similar products to submit such data.
2. Make the following changes to your labeling:
 - a. Change the registration number to "70506-128"
 - b. Make all of the changes detailed in the attached document "Summary of Comments on Microsoft Word - 0070506-xxxxx..20060605UPI Imazethapyr Tech draft label.doc".

Approving Official

12-15-06

3. Submit studies of one year storage stability (Guideline 830.6317) and corrosion characteristics (Guideline 830.6320). The observations must be made at 0, 3, 6, 9, and 12 month intervals. The results should be submitted to the Agency in an electronic file and a paper copy.
4. Submit final labeling for this product **within 30 days** of the date of this letter.

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.

A stamped copy of the label is enclosed for your records.

If you have any questions about this letter, please contact Tobi Colvin-Snyder at 703-305-7801.



Jim Tompkins
Product Manager (25)
Herbicide Branch
Registration Division (7505C)

Summary of Comments on Microsoft Word - 0070506-xxxxx..20060605UPI Imazethapyr Tech draft label.doc

Page: 1

Sequence number: 1

Author: tsnyder

Subject: Note

Date: 12/12/2006 11:23:39 AM

Put the inhalation statement first since this product is toxicity category 3 for inhalation.

Page: 2

Sequence number: 1
Author: tsnyder
Subject: Replacement Text
Date: 12/12/2006 11:26:44 AM
T_A inhaled. Avoid breathing dust.

Sequence number: 2
Author: tsnyder
Subject: Cross-Out
Date: 12/12/2006 11:26:52 AM
T

Sequence number: 3
Author: tsnyder
Subject: Replacement Text
Date: 12/12/2006 11:20:10 AM
T_A may be formulated

Sequence number: 4
Author: tsnyder
Subject: Cross-Out
Date: 12/19/2006 9:57:44 AM
T

Sequence number: 5
Author: tsnyder
Subject: Cross-Out
Date: 12/19/2006 9:58:14 AM
T

Sequence number: 6
Author: tsnyder
Subject: Inserted Text
Date: 12/19/2006 9:59:27 AM
T OTHER THAN THOSE ON THIS LABEL

UPI IMAZETHAPYR TECHNICAL HERBICIDE

For use in the manufacture of herbicides

ACTIVE INGREDIENT

| | |
|---|---------------|
| Imazethapyr (±)-2-[4,5-dihydro-4-methyl-4-(1-methylethyl)-5-oxo-1H-imidazol-2-yl]-5-ethyl-3-pyridinecarboxylic acid | 98.0% |
| Inert Ingredients | 2.0% |
| Total | 100.0% |

KEEP OUT OF REACH OF CHILDREN CAUTION

| FIRST AID | |
|---|--|
| If In Eyes | <ul style="list-style-type: none"> • 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 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. |
| 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 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 the poison control center or doctor. • Do not give anything by mouth to an unconscious person. |
| Have the product container or label with you when calling a poison control center or doctor, or going for treatment. Contact the National Pesticide Information Center at 1-800-858-7378 for emergency medical treatment information. | |

FOR CHEMICAL EMERGENCY: Spill, leak, fire, exposure, or accident, call CHEMTREC at 1-800-424-9300



United Phosphorus, Inc.
 423 Riverview Plaza
 Trenton, NJ 08611
 1-800-247-1557 • www.upi-usa.com

Net Contents:
 EPA Reg. No. 70506-
 EPA Est. No.

ACCEPTED
 with **COMMENTS**
 In EPA Letter Dated

DEC 19 2006

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

70506-128

PRECAUTIONARY STATEMENTS

CAUTION

Harmful if absorbed through skin. Causes eye irritation. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling. ^{2/11} Avoid breathing dust. Remove contaminated clothing and wash before reuse.

ENVIRONMENTAL HAZARDS

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other waters unless in accordance with the requirement of a National Pollutant Discharge Elimination System (NDPES) 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.

DIRECTIONS FOR USE

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

UPI Imazethapyr Technical is intended for formulation into end use products for:

- (1) ⁴ ~~Terrestrial Non Food Crop~~ including Conservation Reserve Program and Agricultural Reserve Program land seeded to forage legume species and perennial forage grasses.
- (2) ⁵ ~~Terrestrial Food Crops~~ including alfalfa, clover, Clearfield corn hybrids, edible legume vegetables, peanuts, and soybeans.
- (3) Uses for which U.S. EPA has accepted the required data and/or citation of data that the formulator has submitted in support of registration; and
- (4) Uses for experimental purposes that are in compliance with U.S. EPA requirements.

STORAGE AND DISPOSAL

Pesticide Storage: Do not mix or store this product or solutions of this product in unlined steel or aluminum.

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

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

Container Disposal: Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into formulation equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by State and local authorities. If burned, stay out of smoke. If drum is contaminated and cannot be reused, dispose of in the same manner.

**CONDITIONS OF SALE
AND LIMITATION OF WARRANTY AND LIABILITY**

United Phosphorus, Inc. warrants that at the time of delivery, this product will conform to its chemical description on the label, that it is reasonably fit for the purposes referred to in the Directions for use, that it will pass without objection in the trade under the contract description, that the seller will convey title hereto, and that such product will be delivered free from any lawful security interest, lien or encumbrance.

This is the only warranty made on this product. UNITED PHOSPHORUS, INC. EXPRESSLY DISCLAIMS ANY IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE AND, EXCEPT AS SET FORTH IN THE ABOVE PARAGRAPH, ANY OTHER EXPRESS OR IMPLIED WARRANTIES. BUYER ACKNOWLEDGES THE USE OF ITS OWN INDEPENDENT SKILL AND EXPERTISE IN THE SELECTION AND USE OF THE PRODUCT AND DOES NOT RELY ON ANY ORAL OR WRITTEN STATEMENTS OR REPRESENTATIONS.