

70596-1

12/23/2011

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

DEC 23 2011

Mr. William Mahlburg
Nufarm Americas, Inc.
150 Harvester Dr.
Suite 200
Burr Ridge, IL 60527

Subject: Notification dated December 20, 2011
MCPA (Technical Acid)
EPA Reg. No. 70596-1

Dear Mr. Mahlburg:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated December 20, 2011 for the product 70596-1. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10. The container disposal language has been updated per the requirements of PRN 2007-4. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-1243.

Sincerely,


A handwritten signature in black ink, appearing to read "Kathryn V. Montague".

Kathryn V. Montague
Product Manager 23
Herbicide Branch
Registration Division (7505P)
Office of Pesticide Programs

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Please read instructions on reverse before completing form.

Form Approved, O. 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
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Application for Pesticide - Section I

1. Company/Product Number <p style="text-align: center;">70596-1</p>	2. EPA Product Manager <p style="text-align: center;">Kathryn Montague</p>	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Nufarm BV / MCPA (Technical Acid)	PM# <p style="text-align: center;">23</p>	
5. Name and Address of Applicant (Include ZIP Code) Nufarm BV 4020 Aerial Center Pkwy, Ste 101 Morrisville NC 27560 <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 : _____ <p style="text-align: right; font-size: 1.2em;">NOTIFICATION</p> <p style="text-align: right; font-size: 1.5em;">DEC 23 2011</p>

Section - II

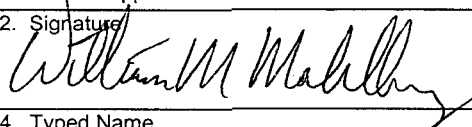
<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application
<input type="checkbox"/> Notification - Explain below.	<input checked="" 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 the 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 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label 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.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
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	<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify)		
* Certification must be submitted					
3. Location of Net Contents Information <input type="checkbox"/> Label or <input type="checkbox"/> Container		4. Size(s) Retail Container <p style="text-align: center;">50-250 gallons, BULK</p>		5. Location of Label Directions <input type="checkbox"/> On Label or <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 William M. Mahlburg	Title Agent	Telephone No. (Include Area Code) 630-455-2015
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 Agent	4. Date <p style="text-align: center; font-size: 1.2em;">12/20/11</p>	
4. Typed Name William M. Mahlburg		



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Nufarm Americas Inc.
150 Harvester Drive, Suite 200
Burr Ridge, IL 60527
Phone: 630.455.2000 Fax: 630.455.2001
www.us.nufarm.com

December 20, 2011

Ms Kathryn Montague, PM 23
Herbicide Branch
Registration Division (7504P)
Office of Pesticide Programs
U.S. Environmental Protection Agency
2777 South Crystal Drive
Arlington, VA 22202

Subject: MCPA (Technical Acid)
EPA Reg. No. 70596-1
Notification of Label Changes Per PR Notice 2007-4
Submission in Behalf of Nufarm BV

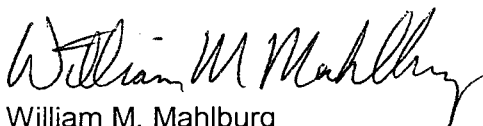
Dear Ms Montague:

Enclosed is one copy of labeling for the subject product in which the Container Disposal section has been revised fully consistent with the standard wording of PR Notice 2007-4 for the applicable nonrefillable container type. The revisions are indicated by highlighting and no other changes have been made.

If there are any questions, my direct number is 630-455-2015 and my email address is bill.mahlburg@us.nufarm.com

Thank you.

Sincerely,


William M. Mahlburg
Agent

NOTIFICATION

DEC 23 2011

MCPA (TECHNICAL ACID)

FOR MANUFACTURE OF END-USE PRODUCTS FOR ACCEPTABLE USE PATTERNS

ACTIVE INGREDIENT:

4-Chloro-2-methylphenoxyacetic acid 96.6%
OTHER INGREDIENTS: 3.4%

TOTAL 100.0%

CAS No. 94-74-6

KEEP OUT OF REACH OF CHILDREN
DANGER / PELIGRO
Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300
For Medical Emergencies Only, Call (877) 325-1840

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
DANGER / PELIGRO

May be fatal if swallowed. Harmful if absorbed through skin or inhaled. Avoid breathing dust. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

FIRST AID (Continued)
NOTE TO PHYSICIAN
Probable mucosal damage may contraindicate the use of gastric lavage.

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.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Read entire label before using this product.

For use only by manufacturers in the formulation of herbicides. Formulators using this product are responsible for obtaining EPA registration of their formulated products.

Only for formulation into a herbicide for the following uses: wheat, barley, flax, oats, peas, rye, alfalfa, clover, lespedeza, trefoil, vetch, pasture/rangeland, lawn/turf, and non-crop.

This product may be used to formulate products for any additional use(s) not listed on the MP label if the formulator, user group, or grower has complied with U.S. EPA submission requirements regarding support of such use(s).

Uses for rice and grain sorghum are canceled. Technical and end-use product labels must be revised to delete all references to and use-directions for these canceled use patterns.

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 eye. 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 the 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 by 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.
<p>HOT LINE NUMBER Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-325-1840 for emergency medical treatment information.</p>	

STORAGE AND DISPOSAL
Do not contaminate water, food, or feed by storage and disposal.
PESTICIDE STORAGE: Always use original container to store pesticides in a cool, dry secured warehouse or storage building. Do not store near seeds, fertilizers, insecticides or fungicides. Containers should be opened in well-ventilated areas. Keep container tightly sealed when not in use. If container is damaged or if pesticide has leaked, clean up all spilled material. Place in a closed, labeled container.
PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinseate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste Representative at the nearest EPA Regional Office for guidance.
CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into formulation equipment, then offer for recycling if available or dispose of empty bag in a sanitary landfill or by incineration or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH

REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

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TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR ARISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

(RV122011)

EPA Reg. No. 70596-1

EPA Est. No. 35935-NLD-1

NET CONTENTS: 55 Lbs. (25 Kg)

Made in the Netherlands

Factory:
Nufarm bv
Welplaatweg 12
3197 KS Botlek Rotterdam
The Netherlands

Manufactured For:
NUFARM BV
4020 Aerial Center Pkwy,
Ste 101
Morrisville NC 27560

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