

71512-8

4/9/2010

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Michael A. Peplowski
ISK Biosciences Corporation
7470 Auburn Road, Ste. A
Concord, OH 44077

4/11 3:40

Subject: Notification(s) for Label Revisions under PRN 2007-4
1. Updated net contents

Dear Mr. Peplowski:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 2007-4 dated March 4, 2010 for:

EPA Registration 71512-8 Technical Fluazinam Fungicide

The Registration Division (RD) has conducted a review of the request(s) for applicability under PRN 2007-4 and finds that the label changes requested fall within the scope of PRN 2007-4. 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 identify 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

2095

Please read instructions on reverse before completing form.

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

 Environmental Protection Agency United States 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 ISK Biosciences Corporation / 71512-8	2. EPA Product Manager Kish (22)	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product Name TECHNICAL FLUAZINAM FUNGICIDE	PM# 22	
5. Name and Address of Applicant (Include ZIP Code) ISK BIOSCIENCES CORPORATION 7470 Auburn Road, Suite A Concord, OH 44077 <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 _____

Section - II

<input type="checkbox"/> Amendment - Explain below. <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other - Explain below.
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NOTIFICATION
APR 9 - 2010

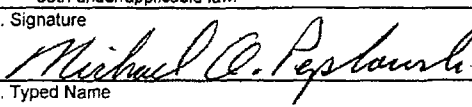
Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification of container disposal statement and net content changes per PR Notice 2007-4 and PR Notice 98-10. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 156.46, 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 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 terms of PR Notice 98-10 and 40 CFR 156.46, 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. Not subject to PRIA fees. e-mail peplowskim@iskbc.com; fax 440-357-4661

Section - III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input checked="" type="checkbox"/> Yes* <input type="checkbox"/> No	Unit Packaging <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input checked="" type="checkbox"/> Yes* <input type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input checked="" type="checkbox"/> Other (Specify) PE-lined fiber drum
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Unit Packaging wgt. No. per container
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 50, 100 kg	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"/> Paper glued <input type="checkbox"/> Stenciled <input checked="" type="checkbox"/> Other _____			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Michael A. Peplowski	Title Manager, Product Registrations	Telephone No. (Include Area Code) (440) 357-4653
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 <div style="text-align: center; border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">(Stamped)</div>
2. Signature 	3. Title Manager, Product Registrations	
4. Typed Name Michael A. Peplowski	5. Date April 5, 2010	

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March 4, 2010

Mr. Tony Kish (PM-22)
Document Processing Desk (NOTIF)
Office of Pesticide Programs
U.S. Environmental Protection Agency
One Potomac Yard
Room S-4900 (Mail Stop: 7504P)
2777 S. Crystal Drive
Arlington, VA 22202-4501

(Sent via Fed Ex)

Dear Mr. Kish:

**Transmittal Letter – Response to PR-Notice 2007-4 - Notification
Submission of Labels with Changed Container Disposal Statements**

- **Technical Fluazinam Fungicide, EPA Reg. No. 71512-8**
- **Omega 500F, EPA Reg. No. 71512-1**

Enclosed, please find the following for the above two products:

- EPA Form 8570-1 for each of the above listed products as per PR-Notice 2007-4
- One copy of each label “red-lined” to show changes for each appropriate sized container
- One copy of each label as the final printed labeling for each appropriate sized container

All requested changes to the labels as per PR-Notice 2007-04 have been made. Chapter 13 of the label review manual (October 2008) was also used for guidance. In cases where a product may be packaged in different sizes that would affect the container statement, multiple labels have been included in this submission.

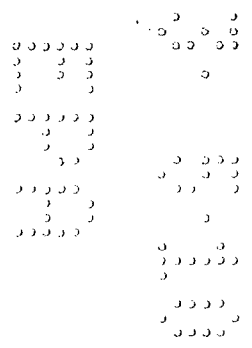
Should you require any further information, please feel free to contact me at (440) 357-4653, or by email at peplowski@iskbc.com.

Thank you for your attention to this submission.

Sincerely,

ISK BIOSCIENCES CORPORATION

Michael A. Peplowski
Manager, Product Registrations
Enclosures



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 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	<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 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.	
NOTE TO PHYSICIAN	
Probable mucosal damage may contraindicate the use of gastric lavage.	
HOT LINE NUMBER	
For 24-Hour Medical Emergency Assistance Call 1-888-484-7546.	
For Chemical Emergency, Spill, Leak, Fire or Accident, Call CHEMTREC 1-800-424-9300.	



TECHNICAL FLUAZINAM FUNGICIDE

ACTIVE INGREDIENT: Fluazinam* 96.8%
 OTHER INGREDIENTS: 3.2%
 Total..... 100.0%

*3-chloro-N-[3-chloro-2,6-dinitro-4-trifluoromethylphenyl]-5-trifluoromethyl-2-pyridinamine (CA)

NOTIFICATION
 APR 9 - 2010

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.)

See side panel for additional precautionary statements.

Read entire label carefully and use only as directed.

ISK Biosciences Corporation
 7470 Auburn Road, Suite A
 Concord, Ohio 44077

EPA Reg. No. 71512-8
 EPA Est. No. 83736-KOR-001

Made in Korea

Net Contents: 100 KG

4045

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS DANGER

Causes irreversible eye damage. May be fatal if inhaled. Harmful if swallowed or absorbed through skin. Causes skin irritation. Do not get in eyes or on clothing. Wear protective eyewear (goggles, face shield, or safety glasses). Do not breathe dust. Wear a mask or pesticide respirator jointly approved by the Mine Safety and Health Administration and the National Institute for Occupational Safety and Health. Avoid contact with skin. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse. Do not take internally.

User Safety Recommendations

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove contaminated clothing and wash clothing before reuse.

ENVIRONMENTAL HAZARDS

This product is toxic to fish, aquatic invertebrates, and marine/estuarine organisms. 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.

STORAGE AND DISPOSAL

DO NOT contaminate water, food or feed by storage or disposal. Open dumping is prohibited.

STORAGE: Store in original container, in a secured, dry place separate from other pesticides, fertilizer, food and feed.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate 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 liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into formulation equipment. Then offer for recycling if available or dispose of liner in a sanitary landfill, or by incineration or, if allowed by state and local authorities, by burning. If burned, stay out of smoke. If drum is contaminated and cannot be reused, dispose of it in the manner required for its liner.

DIRECTIONS FOR USE

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

THIS PRODUCT IS FOR MANUFACTURING USE ONLY. It is only to be used in the formulation of US EPA registered end-use products, registered for use on the following approved labeled crops: edible-podded legume vegetables (Crop Subgroup 6A, except peas), succulent beans (Crop Subgroup 6B, except peas), dry beans (Crop Subgroup 6C, except peas and soybeans); brassica (cole) leafy vegetables (Crop Group 5), including turnip greens; bushberry (Crop Subgroup 13-07B); ginseng; peanuts; and potatoes.

WARRANTY AND LIMITATION OF DAMAGES

Seller warrants to those persons lawfully acquiring title to this product that at the time of first sale of this product by Seller that this product conformed to its chemical description and was reasonably fit for the purposes stated on the label when used in accordance with Seller's directions under normal conditions of use, and Buyers and users of this product assume the risk of any use contrary to such directions. **EXCEPT AS PROVIDED ELSEWHERE IN WRITING CONTAINING AN EXPRESS REFERENCE TO THIS WARRANTY AND LIMITATION OF DAMAGES, SELLER MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OR GUARANTY, INCLUDING ANY OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR OF MERCHANTABILITY, AND NO AGENT OF SELLER IS AUTHORIZED TO DO SO.** In no event shall Seller's liability for any breach of warranty or guaranty exceed the purchase price of the product as to which a claim is made. Buyers and users of this product are responsible for all loss or damage from use or handling of this product which results from conditions beyond the control of Seller, including, but not limited to, incompatibility with other products unless otherwise expressly provided in Directions for Use of this product, weather conditions, cultural practices, moisture conditions or other environmental conditions outside of the ranges that are generally recognized as being conducive to good agricultural and/or horticultural practices.

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