



United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 71711-6	2. EPA Product Manager Joanne Miller	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) ETC Technical A751	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Nichino America, Inc. 4550 New Linden Hill Road, Suite 501 Wilmington, DE 19808 <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"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION MAR - 5 2004
<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.)
 To list crops product is registered on for section 3 manufacturing label
 Attachments: one copy of labeling with changes highlighted; three (3) copies of labeling identified as 021204; "Certification Statement" Letter M.A. Maks to J. Miller, dated Feb. 17, 2004

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		<input checked="" type="checkbox"/> Metal	
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
				<input type="checkbox"/> Plastic	
				<input type="checkbox"/> Glass	
				<input type="checkbox"/> Paper	
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container 40 kg bulk for manufacturing end use		5. Location of Label Directions <input type="checkbox"/> on attached label	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		<input 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 Marie A. Maks	Title Manager, Regulatory Affairs	Telephone No. (Include Area Code) (302) 636-9001
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 <i>Marie A. Maks</i>	3. Title Manager, Regulatory Affairs	
4. Typed Name Marie A. Maks	5. Date Feb. 17, 2004	

Certification Statement

**NOTIFICATION OF MINOR REVISION CHANGE
PER PR NOTICE 94-1**

**Nichino America, Inc. ET-751 Technical
(EPA Reg. No. 71711-6)**

“This notification is consistent with the provisions of PR Notice 94-1 and EPA regulations at 40 CFR 152.46, and 40CFR 156.10 (i) (1) (c) (iii) 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 the EPA. I further understand that if this notification is not consistent with the terms of PR Notice 94-1 and 40 CFR 152.46, 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.”

Marie A. Maks

Marie A. Maks

Manager, Reg. Affairs

Title

Feb. 17, 2004

Date

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For Manufacturing or Formulating Use Only

NOTIFICATION
MAR - 5 2004

Use Pattern: Corn, Cotton, Soybeans, Potatoes, Noncrop

Active Ingredients:

Pyraflufen ethyl (Ethyl 2-chloro-5-(4-chloro-5-difluoromethoxy-1-methylpyrazol-3-yl)-4-fluorophenoxyacetate	97.9%
Other Ingredients:	<u>2.1%</u>
Total:	100.0%

EPA Reg. No. 71711-6

EPA Est. No. 67017-JPN-2

KEEP OUT OF THE REACH OF CHILDREN CAUTION

FIRST AID	
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.
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 swallowed	<ul style="list-style-type: none"> • Call 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.
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 1-800-348-5832 for emergency medical treatment information. In case of fire or spills, information may be obtained by calling 1-800-424-9300.	

For product information use internet website www.nichino.net

Net Contents:

Active Ingredient Made in Japan
Nichino America, Inc.
 4550 New Linden Hill Road, Suite 501
 Wilmington, DE 19808
www.nichino.net

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**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION**

Harmful if absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling.

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 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. Do not contaminate water when disposing of equipment washwaters.

DIRECTIONS FOR USE

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

Only for formulation into a herbicide for:

- (1) The following uses: corn, cotton, potatoes, soybeans, and noncrop terrestrial weed control.
- (2) Any additional uses not listed on this label if the formulator, user group, or grower has complied with U.S.EPA data submission requirements regarding the support of such use(s).

STORAGE AND DISPOSAL

Storage: Store in original container and keep closed. Store in a cool, dry place.

Pesticide Disposal: Do not contaminate water, food or feed by storage or disposal. Wastes 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 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 drum is contaminated and cannot be reused, dispose of in the manner required for its liner.

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IMPORTANT: READ BEFORE USE

By using this product, user or buyer accepts the following conditions, warranty, disclaimer of warranties, and limitations of liability.

CONDITIONS: The directions for use of this product are believed to be accurate and should be followed carefully. However, because of extreme weather and soil conditions, use methods and other factors beyond the control of Nichino America, Inc. (NAI), it is impossible for NAI to eliminate all risks associated with the use of this product. As a result, crop injury or ineffectiveness is always possible. All such risks are assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: THERE ARE NO WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, WHICH EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of NAI is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. NAI disclaims any liability whatsoever for incidental or consequential damages, including, but not limited to, liability arising out of breach of contract, express or implied warranty (including warranties of merchantability and fitness for a particular purpose), tort, negligence, strict liability, or otherwise.

LIMITATIONS OF LIABILITY: THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT THE ELECTION OF NICHINO AMERICA, THE REPLACEMENT OF PRODUCT.

021204

Nichino America, Inc.
4550 New Linden Hill Rd., Suite 501
Wilmington, DE 19808

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Hand-Delivered to EPA Mailroom February 18, 2004

February 17, 2004

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504-C)
Registration Division-H7505C
U.S. Environmental Agency
Room 266 A, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202

Attention: Ms. Joanne Miller, Product Manager 23

RE: Submission of Amended Section 3 ET-751 Technical Label in Conjunction with
Notification PR Notice 94-1
Nichino America, Inc.
Moncut® 70-DF Fungicide (EPA Reg No. 71711-14)

Dear Ms. Waller:

Nichino America, Inc. (NAI) herein submits an application for a notification to the ET-751 Technical label per PR Notice 94-1 for manufacturing use products. We have added to the label specific crops the EPA has issued tolerances for, that is cotton, potatoes, corn, and soybeans, and non-crops.

Attached are the following documents to facilitate this notification:

- Five (5) copies of labeling, identified as 021204
- One (1) copy of label with changes highlighted
- Completed EPA Application form, 8570-1
- "Notification of Minor Revision Change Per PR Notice 94-1"

If you have any questions, you are welcome to call me at (302) 636-9001 or email at mmaks@nichino.net. Thank you.

Sincerely,



Marie A. Maks
Manager, Regulatory Affairs