

71711-25

4/17/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Marie A. Marks
Product Registration
Nichino America Inc.
4550 New Linden Hill Road, Suite 501
Wilmington, DE 19808

APR 17 2009

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request General Label Change (Removal of Citation of Weeds)
EPA Reg. No. 71711-25
Application Dated March 16, 2009

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 03/16/09 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. 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 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

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

2015

	United States	Registration Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
	Environmental Protection Agency		
	Washington, DC 20460		

Application for Pesticide - Section I

1. Company/Product Number 71711-25	2. EPA Product Manager Joanne Miller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) ET 2SC Herbicide/Defoliant (ABN: Edict)	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

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Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter
<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.

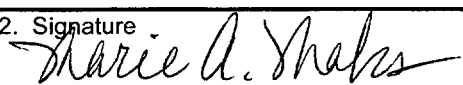
Explanation: To submit a revised section 3 federal label per Notification 98-10

Attachments: "Certification Statement", 2 copies of label, identified as 031609; one copy of label highlighted; letter M.A. Maks to Notification, dated March 11, 2009

Section - III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" No. per container Unit Packaging wgt.	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" No. per container Package wgt.	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) HDPE lined bags
* Certification must be submitted			
3. Location of Net Contents Information <input type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container 1 gallon; 1 quart	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 checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		<input type="checkbox"/> Other ___ adhesive backed label _____	

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 Senior Manager, Regulatory Affairs	Telephone No. (Include Area Code) (302) 636-9001 Extension 203	
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 Senior Manager, Regulatory Affairs		
4. Typed Name Marie A. Maks	5. Date March 16, 2009		

Certification Statement

**NOTIFICATION WITH EDITED RECOMMENDATIONS
PER PR NOTICE 98-10**

Nichino America, Inc. Edict® 2SC IVM Herbicide
(EPA Reg. No. 71711-25)

“This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, 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 the EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 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.”

Haric A. Marks

Marie A. Maks

Marie A. Maks
Senior Manager, Reg Affairs
Title

Title

March 11, 2009

Date _____

4045

Sent Via FEDEX

March 16, 2009

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
2777 S. Crystal Drive
Arlington, VA 22202

RE: Submission of a Notification Per PR Notice 98-10 Section II Labeling
Notifications N. Other Revisions
Nichino America, Inc. ET@ 2 SC Herbicide/Defoliant
(Alternate Brand Name: Edict®)
(EPA Reg No. 71711-25)

To Whom It May Concern:

Nichino America, Inc. requests the EPA to review the application via notification per PR 98-10 Section N. Other Revisions for a revised label with the following changes: removal of citation to size of weeds controlled.

Attached are the following:

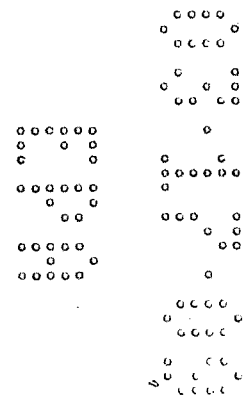
- Two (2) copies of labeling, identified as Rev: 31609; an additional copy with changes highlighted
- "Certification Statement"
- EPA Application Form

If you have any questions, you are welcome to call me at (302) 636-9001, extension 203 or email me at mmaks@nichino.net. Thank you.

Sincerely,



Marie A. Maks
Senior Manager, Regulatory Affairs
Nichino America, Inc.



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SUPPLEMENTAL LABEL

NICHINO AMERICA, INC.

Edict® 2SC IVM Herbicide

(EPA Reg. No. 71711-25)

Crop: Pasture and Rangeland

Use: Edict 2SC IVM Herbicide in Tankmixes for Control of Broadleaf Weeds

DIRECTIONS FOR USE

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

This labeling and the EPA approved container label must be in the possession of the user at the time of application.

New crops appear on this supplemental labeling that do not appear on the Section 3 container label. NOTICE: Before using this product, read the First Aid, Precautionary Statements, Conditions of Sale and Warranty, and complete Directions for Use found on the container labeling. All applicable directions, restrictions, and precautions on the EPA registered label are to be followed.

PASTURE AND RANGELAND

EDICT 2SC IVM Herbicide may be used to control undesirable broadleaf weeds in improved pastures and rangeland. Thorough, uniform spray coverage is essential for good control. Use a minimum of 5 gallons water per acre by air or 10 gallons water per acre by ground. **EDICT 2SC IVM Herbicide** may be applied as an early postemergence treatment for control of broadleaf weeds, or in tank mixtures with other labeled herbicides such as phenoxy-based products for broad spectrum weed control (see below).

Addition of a spray tank adjuvant such as, but not limited to, nonionic surfactants, methylated seed oils, or crop oil concentrates, at a concentration of 0.5% to 1.0%, is recommended for optimum control.

Read and follow all label directions for each tankmix product. Always use in accordance with the most restrictive of label precautions and limitations.

Crop	Pest	Rate/Acre	Use Restrictions and Comments
Pasture and Rangeland	Broadleaf weeds	1.0 to 3.5 fl oz/A with up to 1% crop oil or other adjuvant	<ul style="list-style-type: none">• Allow a minimum of 14 days between applications.• Do not make more than 2 applications per season.• Treated areas may be replanted immediately with any crop listed on this label. Do not plant any other rotational food crops for 30 days after the last application of EDICT 2SC IVM Herbicide.• Livestock may graze treated areas as soon as sprays have dried.• Do not apply more than 7.0 fl oz/A per season for this use.

© 2009 Nichino America, Inc. EDICT® is a trademark of Nichino America, Inc.

Rev: 031609

NOTIFICATION

APR 17 2009

NICHINO AMERICA, INC.
4550 New Linden Hill Road, Suite 501
Wilmington, DE 19808
(302) 636-4001