

72639-1

10/5/2009

1/5



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

October 5, 2009

Rusty Millar
Manager, Regulatory Affairs
LT Biosyn, Inc.
3406 Pomona Blvd
Pomona, CA 91768

Subject: Notification to Add Container Disposal Language Per PR Notice 2007-4
Product Name: Technical 3-Indolebuteric Acid
EPA Reg. No: 72639-1
Your Submission Dated September 22, 2009

Dear Mr. Millar:

The Biopesticides and Pollution Prevention Division is in receipt of your application for Notification under Pesticide Registration Notice (PRN) 2007-4 dated above. A screen of this request has been conducted for its applicability under PRN 2007-4, and it has been determined that the action requested falls within the scope of this Notice. Our records have been duly noted, and the printed label submitted with this application has been stamped "Notification, received and reviewed" and will be placed in our records as current and updated. Should you have any questions regarding this action, you may contact Gina Casciano at (703) 605-0513 or via email at casciano.gina@epa.gov.

Sincerely,

Linda Hollis

Linda A. Hollis, Chief
Biochemical Pesticides Branch
Biopesticides and Pollution
Prevention Division (7511P)



LT BIOSYN, INC.

2/3

September 22, 2009

Ms. Linda Hollis, Chief PM 91
BPPD (7511P), Room S4900
US Environmental Protection Agency
One Potomac Yard
2777 S Crystal Drive
Arlington, VA 22202

NOTIFICATION

Date Reviewed: 10/5/09
Reviewed By: G. Casciano

Subject: Technical 3-Indolebuteric Acid, EPA Reg. No. 72639-1, Container Disposal per PRN 2007-4, Notification under PRN 98-10

Dear Ms. Hollis:

On August 5 we submitted an amendment to the container disposal language required per PRN 07-04. At that time we mistakenly removed previously approved container disposal language. The label is being resubmitted restoring this language. Changes are highlighted in red for your convenience. Please advise us when the label is approved. If you have any questions, please contact me. Thank you.

Sincerely,

A handwritten signature in cursive script that reads 'Rusty Millar'.

Rusty Millar
Mgr. Regulatory Affairs

Notification of label change per PRN 2007-4. This notification is consistent with the guidance in PRN 2007-4 and the requirements of EPA's regulations at 40 CFR SS 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 SS 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.



Rusty Millar
Mgr Regulatory Affairs
LT Biosyn, Inc.

Date September 8, 2009

4/3

NOTIFICATION

Date Reviewed: 10/5/09

Reviewed By: G. Casciano

LT BioSyn, Inc.

TECHNICAL 3-INDOLEBUTYRIC ACID

FOR MANUFACTURING PURPOSES ONLY

FORMULATORS WHO USE THIS PRODUCT ARE RESPONSIBLE FOR OBTAINING EPA REGISTRATION FOR THEIR FORMULATED PRODUCTS

ACTIVE INGREDIENT:

Indole-3-Butyric Acid 98.0%

OTHER INGREDIENTS: 2.0%

TOTAL 100.0%

EPA Reg. No. 72639-1

EPA Est. No. 72639-CHN-1

KEEP OUT OF REACH OF CHILDREN

WARNING

STATEMENT OF PRACTICAL TREATMENT

IF SWALLOWED: Drink promptly a large quantity of milk, eggwhites, gelatin solution, or if these are not available, drink large quantities of water. Avoid alcohol.

IF IN EYES: Hold eyelids open and flush with a steady, gentle stream of water for 15 minutes. Get medical attention.

IF INHALED: Remove victim to fresh air. If not breathing, give artificial respiration, preferably mouth-to-mouth. Get medical attention.

IF ON SKIN: Wash with plenty of soap and water. Get medical attention.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING

May be fatal if swallowed. May be fatal if absorbed through skin. May be fatal if inhaled. Do not breathe dust. Do not get in eyes, on skin, or on clothing. Causes substantial but temporary eye injury. Causes skin irritation. Do not get in eyes or on clothing. Wear protective eyewear goggles. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Wear protective clothing and gloves. Remove contaminated clothing and wash clothing before reuse. Wear a mask or pesticide respirator jointly approved by the Mine Safety and Health Administration and the National Institute for Occupational Safety and Health.

ENVIRONMENTAL HAZARDS

Keep out of lakes, streams, or ponds. Do not contaminate water by the cleaning of equipment or disposal of wastes. 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.

Manufactured by: LT BioSyn, Inc. 3406 Pomona Blvd. Pomona, CA 91768 909-348-5133 Tel 909-348-5135 Fax

NET CONTENTS 2.2 Lbs. (1Kg)

BATCH #

5/5

DIRECTIONS FOR USE

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

STORAGE AND DISPOSAL

STORAGE: Do not store with foodstuff. 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: Non refillable container. Do not reuse or refill this container. Completely empty bag into manufacturing equipment. Then 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.

FOR MANUFACTURING USE ONLY

Only for Formulation into a Plant Growth Regulator for (1) The Following Uses: Ornamental herbaceous plants, ornamental woody shrubs and vines, ornamental and/or shade trees, barley, beans, broccoli, Brussels sprouts, cabbage, cauliflower, citrus fruits, corn (field, sweet), cotton, cucumbers, lettuce, melons, mustard cabbage, mustard (leafy/stem crop), oats, onions, green onions, peanuts, peas, peppers, potatoes, rice, rye, sorghum, soybeans, spinach, squash, strawberries, sugar beets, sugarcane, tomato, turnip, wheat, golf course turf, ornamental lawns and turf. **(2) Uses for Which USEPA has Accepted or Waived the Required Data and/or Citations of Data that the Formulator has Submitted in Support of Registration; and (3) Uses for Experimental Purposes that are in Compliance with USEPA Requirements.**

DISCLAIMER AND INDEMNITY FOR FORMULATORS' USES

The manufacturer expressly disclaims all liability for claims and actions (whether based on contract, tort, strict liability, or breach of warranty) arising out of, resulting from or connected with a formulation containing this product when used for any purpose other than those uses set forth in (1) above. The manufacturer has not developed scientific data to support, nor has it explicitly or implicitly approved, any uses other than those in (1) above.

Any formulator or buyer who uses this product in formulations for any other than those stated in (1) above assumes all liability for claims and actions arising out of, connected with or resulting from such use and agrees by so using this product to indemnify and hold harmless the manufacturer from such claims and actions.

This disclaimer and indemnity is in addition to, not in lieu of, the below disclaimer and limitations.

LIMITED WARRANTY AND DISCLAIMER

The manufacturer warrants that this product conforms to the chemical description on the label; that this product is reasonably fit for the purposes set forth in item (1) of the Directions for Use when it is used in accordance with such Directions; and that the statements under item (1) of the Directions, the warnings and other statements on this label, other than the suggested uses under items (2) and (3) of the Directions, are based upon responsible experts' evaluation of reasonable tests of effectiveness, of toxicity to laboratory animals and to plants, and of residues on food crops and upon reports of field experience. Tests have not been made on all varieties or in all states or under all condition. THE MANUFACTURER NEITHER MAKES NOR INTENDS, NOR DOES IT AUTHORIZE ANY AGENT OR REPRESENTATIVE TO MAKE, ANY OTHER WARRANTIES, EXPRESS OR IMPLIED, AND IT EXPRESSLY EXCLUDES AND DISCLAIMS ALL IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

THIS WARRANTY DOES NOT EXTEND TO, AND THE BUYER SHALL BE SOLELY RESPONSIBLE FOR, ANY AND ALL LOSS OF DAMAGE WHICH RESULTS FROM THE USE OF THIS PRODUCT IN ANY MANNER WHICH IS INCONSISTENT WITH THE LABEL DIRECTIONS, WARNINGS, OR CAUTIONS.

BUYER'S EXCLUSIVE REMEDY AND MANUFACTURER'S OR SELLER'S EXCLUSIVE LIABILITY FOR ANY AND ALL CLAIMS, LOSSES, DAMAGES OR INJURIES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER OR NOT BASED IN CONTRACT, NEGLIGENCE, STRICT LIABILITY IN TORT OR OTHERWISE SHALL BE LIMITED, AT THE MANUFACTURER'S OPTION TO REPLACEMENT OF, OR THE REPAYMENT OF THE PURCHASE PRICE FOR, THE QUANTITY OF PRODUCT WITH RESPECT TO WHICH DAMAGES ARE CLAIMED. IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INDIRECT OR INCONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

NOTICE TO BUYER

Purchase of this material does not confer any rights under patents governing this product or the use thereof in countries outside of the United States. Seller's guarantee shall be limited to the terms set out on the label and subject thereto, the buyer assumes the risk to persons or property arising from the use or handling of this product on that condition.

Revised 08-05-09