

# C 10/19/2009

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

October 19, 2009

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

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

> RE: Product Name: Kinetin Technical EPA Reg. No: 72639-4 Application for Label Notification Dated September 16, 2009 to add the previously approved container disposal language

Dear Mr. Millar:

The Biopesticides and Pollution Prevention Division is in receipt of your application for Notification under Pesticide Registration (PR) Notice 98-10 dated above. A preliminary screen of this request has been conducted for its applicability under PR Notice 98-10 and it has been determined that the action(s) requested falls within the scope of PR Notice 98-10. Our records have been duly noted, and the label submitted with this application has been stamped "Notification, received and reviewed" and will be placed accordingly in our records.

If you have any questions concerning this action, please feel free to contact Ms. Menyon Adams at (703) 347-8496 or email at <u>adams.menyon@epa.gov.</u>

Sincerely,

# Linda Hollis

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

# LT BIOSYN, Inc. LT BIOSYN, INC.

September 16, 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: 10/19/07 Reviewed By: \_\_\_\_\_\_MKA

Subject: Kinetin Technical, EPA Reg. No. 72639-4, 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,

Kurty Millar

Rusty Millar Mgr. Regulatory Affairs

3406 Pomona Blvd, Pomona, CA 91768 Tel.: 909.348.5133 Fax: 909.348.5135 Email: info@ltbiosyn.com www.ltbiosyn.com 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. 1 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.

Kurty Milla

Rusty Millar Mgr Regulatory Affairs LT Biosyn, Inc.

Septenher 8, 2009 Date .

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# LT BioSyn, Inc. KINETIN TECHNICAL

# A PLANT GROWTH REGULATOR FOR MANUFACTURING, REFORMULATING OR COMPOUNDING USE ONLY

# FORMULATORS USING THIS PRODUCT ARE RESPONSIBLE FOR OBTAINING EPA REGISTRATION FOR THEIR FORMULATED PRODUCTS

ACTIVE INGREDIENT:		
Cytokinin, as Kinetin		
OTHER INGREDIENTS:		1.5%
	TOTAL	

EPA Reg. No. 72639-4

EPA Est. No. 72639-CHN-1

# **KEEP OUT OF REACH OF CHILDREN**

# CAUTION

FIRST AID		
If on skin or clothing:	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: • Hold eye open and rinse slowly and gently with water for 15-20 minu		
	• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.	
· **	Call a poison control center or doctor for treatment advice.	

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For general product information, call LT BioSyn, Inc. at (626)-930-9135 between the hours of 9 a.m. -4 p.m. Pacific Time.

# 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 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 for: LT BioSyn, Inc. 3406 Pomona Blvd Pomona, CA 91768 (NET WEIGHT (2.2 Lbs: (1 kg;) Batch No:

## **DIRECTIONS FOR USE**

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

Instructions For Formulation: This product is for reformulating into products intended as plant growth regulators on ornamental plants and food crops and only for those uses which are duly registered with the USEPA. Formulators using this product are responsible for obtaining their own registrations.

#### STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

**PESTICIDE STORAGE:** Keep containers tightly closed when not in use.

**PESTICIDE DISPOSAL:** Wastes 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 container. Offer for recycling, if available. 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.

## 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 for those uses set forth in the Directions for Use above. The manufacturer has not developed scientific data to support, nor has it explicitly or implicitly approved, any uses other than those described in the Directions for Use.

Any formulator or buyer who uses this product in formulations for any other than those stated 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 the Directions for Use when it is used in accordance with such Directions; and that the statements on this label 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 conditions. 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 OR DAMAGE WHICH RESULTS FROM THE USE OF THIS PRODUCT IN ANY MANNER WHICH IS INCONSISTENT WITH THE LABEL DIRECTIONS.

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

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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

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NOTIFICATION Date Reviewed: 10/19/09 Reviewed By: \_\_\_\_\_\_\_

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