

72790-2

10/05/2011

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

Dataplex S.A. de C.V.
c/o Amy Plato Roberts
Technology Sciences group Inc
712 Fifth St, Suite A
Davis, CA 95616

OCT 05 2011

Subject: Application for Pesticide Notification (PRN 98-10)
Spud Guard 2 EC
EPA Registration No. 72790-2
Decision No. 455239
Submission Date: 9/13/11

Dear Ms Roberts:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10.

The Agency acknowledges the update of the warranty statement.

The label submitted with the application has been stamped "Notification" and will be placed in our records. If you have questions concerning this letter, please contact Dominic Schuler at (703) 347-0260 or via email at schuler.dominic@epa.gov.

Sincerely,

Tony Kish
Product Manager 22
Fungicide Branch
Registration Division (7504P)



United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 72790-2	2. EPA Product Manager Tony Kish	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) SPUD GUARD 2 EC	PM# 22	
5. Name and Address of Applicant (Include ZIP Code) Dataplex S.A. de C.V. Boulevard Pynsa No. 3, Ciudad Industrial Merliot Antiguo Cuzcatlan, La Libertad, El Salvador <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 <u>NOTIFICATION</u> <u>OCT 05 2011</u>	

Section - II

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

NOTIFICATION to update the warranty statement. See attached cover letter dated September 13, 2011 for details. This notification is consistent with the guidance in PR Notice 98-10 and the requirements of EPA's regulations at 40 CFR 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 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.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	Other (Specify) _____	
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/> on container label	
6. Manner in Which Label is Affixed to Product			<input 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 Amy Plato Roberts / aroberts@tsgusa.com	Title Regulatory Consultant	Telephone No. (Include Area Code) (530) 757-1432
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 Regulatory Consultant	
4. Typed Name Amy Plato Roberts / aroberts@tsgusa.com	5. Date September 13, 2011	

Technology Sciences Group Inc.

712 Fifth St., Suite A
Davis, CA 95616
Direct in CA: (530) 757-1432
Direct in DC: (202) 828-8964
Fax: (530) 757-1299
E-Mail: aroberts@tsgusa.com

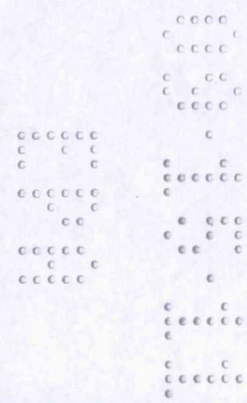


Amy Plato Roberts
Senior Regulatory Consultant

Tony Kish, PM 22
Fungicide Branch
Registration Division (7505P)
Office of Pesticide Programs, EPA
One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202

August 13, 2011

RE: SPUD GUARD 2 EC; 72790-2
Label notification to update warranty statement



Dear Mr. Kish:

Enclosed you will find the following in support of a label notification, per PRN 98-10, to update the warranty statement on the above referenced product:

- 1) Notification form;
- 2) One (1) copy of the label with all changes noted in red.

This label notification involves a simple update to the warranty statement on page 3 of the product label. If you have any questions or comments, please do not hesitate to let me know.

Sincerely,

Amy Plato Roberts
Regulatory Consultant for Dataplex, S.A. de C.V.
Direct dial: (530) 757-1432; E-mail: aroberts@tsgusa.com

SPUD GUARD 2 EC

(Alternate Brand Name: "SPUD GUARD EC")

ACTIVE INGREDIENT: Chlorpropham* (Isopropyl N-(3-chlorophenyl) carbamate)24.65%
OTHER INGREDIENTS:75.35%
TOTAL100.00%

*Contains 2 pounds active ingredient per gallon.

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
If swallowed:	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 a poison control center or doctor. Do not give anything by mouth to an unconscious person.
If in eyes:	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:	Move victim to fresh air. If not breathing, call 911 then give artificial respiration, preferably mouth to mouth. Call a poison control center or doctor for treatment advice.
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.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact (CHEMTREC, 1-800-424-9300) (PERS 1-800-633-8253) for emergency medical treatment, spill, leak or fire information.	

Net Contents: _____

(Lot No./Batch No.: _____)

EPA Reg. No.: 72790-2
 EPA Est. No.: XXXXX-XXX-XXX

Made in (El Salvador) (Scotland)

Manufactured for:
 Dataplex, S.A. de C.V.
 Boulevard Pynsa No. 3
 Ciudad Industrial Merliot
 Antiguo Cuscatlan, La Libertad
 El Salvador, Central America

NOTIFICATION

OCT 05 2011

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals – CAUTION: Causes moderate eye irritation. Harmful if swallowed, inhaled or absorbed through skin. Avoid contact with skin, eyes or clothing. Avoid breathing vapor or spray mist. Wash thoroughly with soap and water after handling. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals.

Personal Protective Equipment (PPE): Applicators and other handlers must wear:

- Long sleeved shirt and long pants;
- Shoes plus socks;
- Chemical resistant gloves. Some materials that are chemical resistant to this product are barrier laminate, butyl rubber and nitrile rubber. If you want more options, follow instructions for Category C on an EPA chemical-resistant category selection chart.

Following application, workers (e.g. baggers) must wear chemical resistant gloves while potatoes are wet.

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

User Safety Recommendations:

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

Environmental Hazards: This product is toxic to fish. 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.

DIRECTIONS FOR USE

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

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Avoid storage below freezing temperatures. Prolonged storage may cause crystal formation. Warming contents and agitation will restore material to usable condition, but do not heat above 120°F. Vent caps when using indirect heat such as a warm water bath, and do not use direct heat or flame

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:

(≤5 gallon containers) Nonrefillable container. Do not reuse or refill this container. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

(>5 gallon containers) Nonrefillable container. Do not reuse or refill this container. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and

tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

APPLICATION

This product is used for treating potatoes to inhibit sprouting after storage and washing. This product will prevent wound periderm formation of potatoes, therefore, it should be used only after bruises and cuts have healed (normally a minimum of two weeks).

DO NOT APPLY IN THE FIELD.

IMPORTANT NOTE: Potatoes may deteriorate or otherwise be damaged by bacteria, fungi, insects, old age effects such as internal sprouting, environmental factors (such as humidity, temperature and airflow), and other causes which are unrelated to the application of this product, and which may occur whether or not this product is applied to the potatoes.

DO NOT USE ON SEED POTATOES. This product will inhibit the sprouting of seed potatoes. The inhibition of sprouting at recommended rates is usually effective for up to a year. The time period of effective sprout inhibition may vary depending on many conditions beyond the control of the manufacturer and/or seller, including, but not limited to, timing and method of application, variety and condition of stored crop, and mixtures or treatments with other chemicals. Wash equipment thoroughly with soap and water before using with seed potatoes.

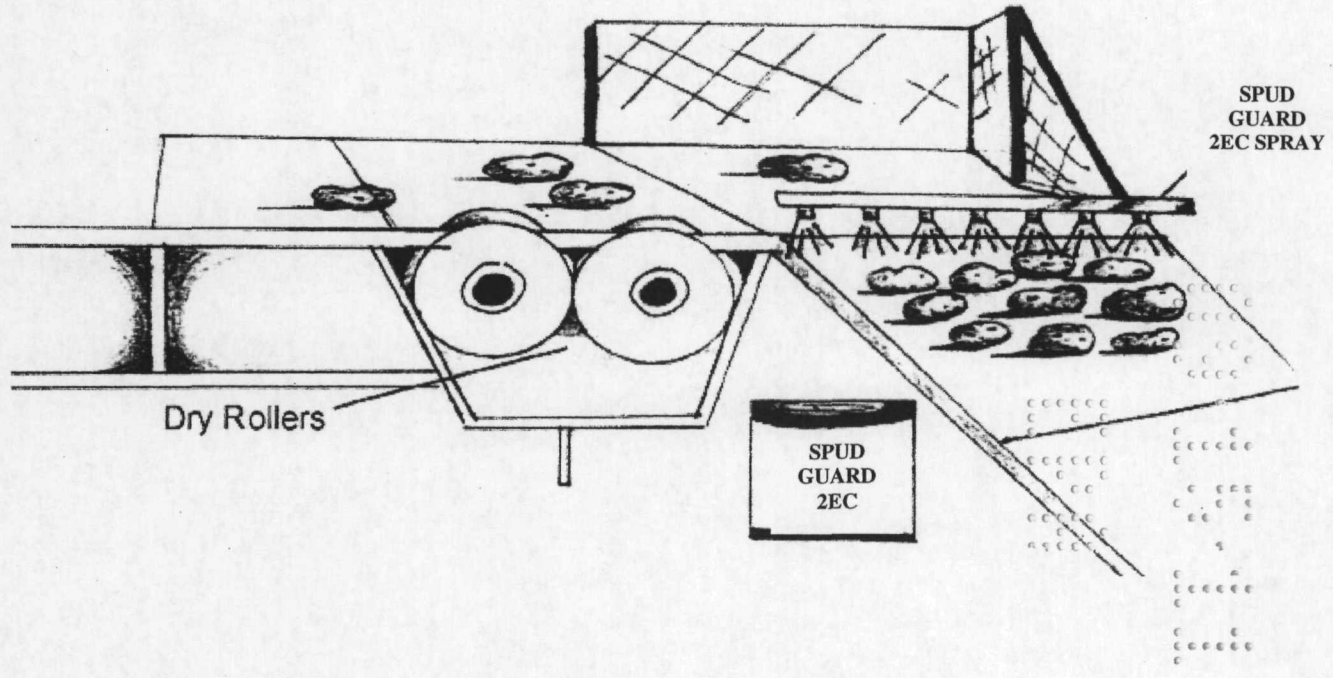
EQUIPMENT: This product is usually applied as a 1% emulsion spray on the drying table or similar station, after the potatoes have been washed. Automatic proportioners or injection systems that apply an equivalent rate of active ingredient may also be used. Equipment should be set to spray evenly across the rolls moving the potatoes. Rolling or tumbling action improves coverage compared to flat conveyor belts. Thorough coverage of the potato by this emulsion will provide the best sprout inhibition.

APPLICATION: One gallon of SPUD GUARD 2 EC will treat 2,000 cwt. of potatoes. To dilute the product, prepare a 1% emulsion by adding 1 gallon of this product to 24 gallons of water. Agitate enough to form a uniform emulsion. For best results, agitate or recirculate emulsion while in use. Apply at a rate of 1 quart of 1% emulsion per 20 bags of potatoes (100 pounds per bag) (20 cwt.). For proportioner/injector applications, use sufficient water for thorough coverage while maintaining the application rate of 1 gallon of SPUD GUARD 2 EC per 2000 cwt. potatoes.

CONDITIONS OF SALE

Dataplex, S.A. de C.V. warrants that the product conforms to its chemical description and is reasonably fit for the purpose stated on the label when used in accordance with directions under normal conditions of use, but neither this warranty nor any other warranty of merchantability of fitness for a particular purpose, express or implied, extends to the use of this product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to manufacturer, and to the extent consistent with applicable law the buyer assumes the risk for any such use. To the extent consistent with applicable law, Dataplex, S.A. de C.V. makes no other warranties, express or implied, warranty of merchantability or the implied warranty of fitness for a particular purpose, that extend beyond the statements made on this label. To the extent consistent with applicable law, Dataplex, S.A. de C.V. disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use of handling of this product. To the extent consistent with applicable law, 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 Dataplex, S.A. de C.V.'s election replacement of the product.

(Illustration)



Optional Label Claims:

- Emulsifiable Concentrate
- Potato Sprout Inhibitor
- One gallon of SPUD GUARD 2 EC will treat 2,000 cwt. of potatoes
- (New) Cold Water Formulation
- Emulsifies immediately in water as cold as 35°F
- Improved emulsification

