

74054-4

1/29/2010

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

JAN 29 2010

Ms. Christie Hitchcock  
Irvita Plant Protection N.V.  
C/O Makhteshim Agan of North America, Inc  
4515 Falls of Neuse Rd, Ste 300  
Raleigh, NC 27609

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4 and 98-10  
Storage & Disposal and General Label Changes

Dear Registrant,

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 and 98-10 dated December 29, 2009 for:

**EPA Registration 74054-4 Tebuconazole Technical**

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and 98-10, and finds that the label change(s) requested falls within the scope of PRN-2007-4 and 98-10. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Banza Djapao of my staff at 703-305-7269.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington  
Notifications & Minor Formulations Team Leader  
Registration Division (7505P)  
Office of Pesticide Programs



United States  
Environmental Protection Agency  
Washington, DC 20460

☐ Registration  
☐ Amendment  
☒ Other

OPP Identifier Number

## Application for Pesticide - Section I

1. Company/Product Number 74054-4	2. EPA Product Manager Linda Arrington	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Tebuconazole Technical	PM# 21 Registration Support Branch	
5. Name and Address of Applicant (Include ZIP Code) Irvita Plant Protection N.V. c/o Makhteshim Agan of North America, Inc. 4515 Falls of Neuse Rd, Ste 300, Raleigh, NC 27609 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(ii), 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 _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application. <b>NOTIFICATION</b>
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below. <b>JAN 29 2010</b>

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification per PRN 98-10: 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 false statements to 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.  
SEE PAGE TWO ATTACHED FOR PRN 2007-4 EXPLANATION

## 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	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input checked="" type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 55 lbs or less; greater than 55 lbs		5. Location of Label Directions <input checked="" type="checkbox"/> on label	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		<input checked="" type="checkbox"/> Other Self-Adhesive			

## Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)					
Name Christie Hitchcock		Title Regulatory Specialist		Telephone No. (Include Area Code) 919-236-9342	
<b>Certification</b> 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>Christie Hitchcock</i>		3. Title Regulatory Specialist			
4. Typed Name Christie Hitchcock		5. Date 12-29-09			



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December 29, 2009

Document Processing Desk (NOTIF)  
Registration Division (7504P)  
OPP, USEPA  
Ariel Rios Building  
1200 Pennsylvania Ave, NW  
Washington, DC 20460

Re: Tebuconazole Technical, EPA Reg. No. 74054-4  
Notification per PRNs 98-10 and 2007-4

To Whom It May Concern:

On behalf of Irvita Plant Protection, N.V., Makhteshim Agan of North America, Inc. is notifying the Agency of several updates for the above mentioned label as allowed in PR Notices 98-10 and 2007-4. The changes are summarized below:

- Added "Manufactured for" in front of the company name (allowed per PRN 98-10 §II(N)(2))
- Updated address on product-specific labeling (allowed per PRN 98-10 §IV(D))(note; official EPA records have already been updated; we're just correcting this label)
- Updated container disposal instructions per PRN 2007-4

In support of this submission, the following documents are attached:

- Application for Pesticide Registration (EPA Form 8570-1)
- One copy of final printed labeling

Please contact me at 919-256-9342 or by email at [chitchcock@manainc.com](mailto:chitchcock@manainc.com) if you have any questions regarding this submission or would like a copy of the annotated label showing the changes for your files.

Sincerely,

Christie Hitchcock  
Regulatory Specialist

Enclosures

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# TEBUCONAZOLE TECHNICAL FUNGICIDE

FOR USE IN THE MANUFACTURE OF FUNGICIDES

<b>ACTIVE INGREDIENT:</b>	<b>% BY WT.</b>
Tebuconazole: alpha-[2-(4-chlorophenyl)ethyl]-alpha-(1,1-dimethylethyl)-1H-1,2,4-triazole-1-ethanol .....	98.0%
<b>OTHER INGREDIENTS:</b> .....	2.0%
<b>TOTAL</b>	<b>100.0%</b>

## KEEP OUT OF REACH OF CHILDREN WARNING

## NOTIFICATION

**Manufactured for:**  
Irvita Plant Protection, N.V.  
c/o Makhteshim Agan of North America, Inc.  
4515 Falls of Neuse Road, Suite 300  
Raleigh, NC 27609

**JAN 29 2010**

EPA Reg. No. 74054-4

EPA Est. No. [REDACTED]

**NET CONTENTS:** [REDACTED] **LBS**

FIRST AID	
<b>IF IN EYES:</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>IF ON SKIN OR CLOTHING:</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>IF INHALED:</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>
<b>IF SWALLOWED:</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for further treatment advice.</li> <li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
<p><b>Have the product container or label with you when calling a poison control center or doctor or going for treatment.</b> You may also contact PROSAR at 1-877-250-9291 for emergency medical treatment information.</p> <p><b>Note to Physician:</b> No specific antidote is available. Treat symptomatically.</p>	

## PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS WARNING

May be fatal if inhaled. Harmful if swallowed. Causes eye irritation. Do not breathe dust and avoid contact with eyes or clothing. Wear a mask or pesticide respirator jointly approved by the Mine Safety and Health Administration and the National Institute for Occupational Safety and Health. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

## ENVIRONMENTAL HAZARDS

This pesticide is toxic to mammals, fish and aquatic invertebrates. 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 the 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.

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## DIRECTIONS FOR USE

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

Formulators using this product are responsible for obtaining EPA registration for their formulated product.

Only for formulation into a fungicide for the following uses:

1. **TERRESTRIAL FOOD CROPS:** asparagus; bananas; barley (seed and foliar treatment); bean (succulent and dry seed); beet, garden (roots and tops); brassica leafy greens subgroup 5B; bulb vegetable crop group 3-07A and 3-07B; cherries; corn; cotton; grapes; grasses grown for seed; hops; lychee; mango; oats (seed treatment); okra; peanuts; pecans; pome fruit crop group 11; soybeans; stone fruit crop group 12; sunflower; turnip (root and top); vegetable, cucurbit crop group 9; and wheat (seed and foliar treatment)

**TERRESTRIAL NONFOOD CROPS:** Roses, Flowers, Ornamental Trees and Shrubs, Groundcovers, Vines, Houseplants

**MILLWORK:** Window frames, wood doors, door frames, etc.

**WOOD STAINS (Preservative Incorporation):** Wood siding, lumber, plywood, particleboard, wood decks, wood furniture (outdoor)

**IN-GROUND CONTACT USES:** Wood products for in-ground uses (pilings, telephone poles, wood building materials, etc.)

**SAPSTAIN CONTROL:** Fresh cut lumber

**INDUSTRIAL PRESERVATIVE USES:** Plastics, glues and adhesives, metalworking fluids

2. Uses for which USEPA has accepted 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.

**RESTRICTIONS:** Do not package Tebuconazole Technical in metal containers.

## STORAGE AND DISPOSAL

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

**PESTICIDE STORAGE:** Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Store in original container and out of the reach of children, preferably in a locked storage area.

Handle and open container in a manner as to prevent spillage. If the container is leaking or material spilled for any reason or cause, carefully sweep material into a pile. Refer to Precautionary Statement on label for hazards associated with the handling of this material. Do not walk through spilled material. Dispose of pesticide as directed below. In spill or leak incidents, keep unauthorized people away.

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. Improper disposal of excess pesticide 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 HANDLING: Nonrefillable Container (flexible-bag-all weights):** Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available, or dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

**Nonrefillable Container (rigid-fifty lbs. or less):** Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. 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. Do not use container in connection with food, feed, or drinking water. Completely empty container into the processing equipment. Then dispose of empty container in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

**Nonrefillable Container (rigid-greater than fifty lbs.):** Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Clean container promptly after emptying. 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. Do not use container in connection with food, feed, or drinking water. Completely empty container into the processing equipment. Then dispose of empty container in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

**Refillable Container:** Refillable container. Refill this container with tebuconazole only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

#### **LIMITATION OF WARRANTY AND LIABILITY**

Read the entire directions for use, conditions of warranties and limitations of liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following **CONDITIONS, DISCLAIMER OF WARRANTIES and LIMITATIONS OF LIABILITY.**

**CONDITIONS:** The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Irvita Plant Protection N.V. All such risks shall be assumed by the user or buyer.

**DISCLAIMER OF WARRANTIES:** To the extent consistent with applicable law, Irvita Plant Protection N.V. makes no other warranties, express or implied, of merchantability or of fitness for a particular purpose or otherwise, that extend beyond the statements made on this label. No agent of Irvita Plant Protection N.V. is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. To the extent consistent with applicable law, Irvita Plant Protection N.V. disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

**LIMITATIONS OF LIABILITY:** 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 Irvita Plant Protection N.V.'s election, the replacement of product.

Tebuconazole Technical (74054-4)(EPA app 2-24-09)(notif to EPA 12-29-09) annotated