74468-5

12 29 2010



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

> OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

Jane Miller Biologic Inc. 115 Obtuse Hill Brookfield, Connecticut 06804

DEC 2 9 2010

Subject: EPA Reg. 74468-5 / Prodiamine Technical Notification

Dear Ms. Miller:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 10-20-10 for the product EPA Reg. 74468-5 / Prodiamine Technical. 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 label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions please call Erik Kraft at 703-308-9358 or email at <u>Kraft.Erik@epa.gov</u> or Kathryn Montague at 703-305-1243 or <u>Montague.Kathryn@epa.gov</u>.

Sincerely,

Alryn V. Mont

Kathryn Montague Team Leader Herbicide Branch, Team 23 Registration Division (7504P)

	Environmenta	United States I Protectior ington, DC 2046			Registrat Amendri Other		0. Approval expires 2-28- OPP Identifier Number
	·	Application	n for Pesticide - S	ection I			
. Company/Product Numb 74468-5	Product Number		2. EPA Product M K. Montague	-		oposed Classification	
4. Company/Product (Name) Prodiamine Technical			РМ# 23				
5. Name and Address of Applicant (Include ZIP Code) Proactive, LLC c/o Biologic, Inc. 115 Obtuse Hill Road Brookfield, CT 06804 Check if this is a new address			6. Expedited Reveiw. 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 Nam Section - II	e			
Amendment - Expla Resubmission in res	Agency "Me To	✓ Final printed labels in repsonse to Agency letter dated "Me Too" Application. Other - Explain below.					
Explanation: Use addition Notification of label change				o in PR Not	ice 2007-4 ar	nd the rea	
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October 20, 2010

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Document Processing Desk (NOTIF) Office of Pesticide Programs (7504P) US Environmental Protection Agency One Potomac Yard 2777 S. Crystal Drive Room S-4900, 4th Floor Arlington, VA 22202

Attention: Ms. Kathryn Montague (PM #23)

Re: "Prodiamine Technical; EPA Reg. No. 74468-5 Notification to update Storage and Disposal Statement

Dear Ms. Montague:

On behalf of Proactive, LLC we are submitting this Application for Pesticide Notification to add container disposal language to the Storage and Disposal section of the label. The following documents are enclosed to process this Notification:

- 1. Application for Pesticide Notification (8570-1)
- 2. One (1) copy of revised labeling with the additional instructions underlined.

Should you have any questions, or wish to reach me, please feel free to contact our office at 203-740-1200.

Sincerely,

M. MJ

Jane Miller Agent to Proactive, LLC

DEC 2 9 2010

Prodiamine Technical

For the Manufacture of Non-Food Use Herbicides Only

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 on Skin or	Take off contaminated clothing. Rinse skin immediately with plenty of water			
Clothing:	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 minutes.			
	Remove contact lenses, if present, after the first 5 minutes, then continue			
	rinsing eye. Call a poison control center for treatment advice.			
If Inhaled:	Move person to fresh air. If person is not breathing, call 911 or an ambulance,			
	then give artificial respiration, preferably mouth-to-mouth, is possible. Call a			
	poison control center or doctor for further treatment advice.			
Have the product container or label with you when calling a poison control center or doctor, or				
going for treatme	ent.			

EPA Reg. No. 74468-5

EPA Est. No. 85748-IND-002 84574-CHN-001

Net Weight: 1,000 lbs.

Manufactured by: ProActive, LLC P.O. Box 5068 Brookfield, CT 06804

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PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

Causes moderate eye irritation. Harmful if swallowed, inhaled or absorbed through the skin. Avoid breathing dust. Avoid contact with skin, eyes, or clothing. Wear protective eyewear.

ENVIRONMENTAL HAZARDS

This product has a low solubility in water. At the limit of solubility, this product is not toxic to fish. However, at concentrations above the level of water solubility, it may be 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 Environmental Protection Agency.

DIRECTIONS FOR USE

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

This product is to be used ONLY FOR FORMULATION INTO HERBICIDES for the following use(s):

- 1. Established turfgrasses, lawns and sod nurseries;
- 2. Landscape ornamentals in nurseries or in established plantings;
- 3. Established perennials and wildflower plantings;
- 4. Plants grown for cut foliage production;
- 5. Conifer and hardwood tree seedling nurseries;
- 6. Christmas tree farms;
- 7. Managed transportation and utility rights-or-way, including rail and equipment yards, and public utility facilities (substations, tank farms, pumping stations, parking/storage areas, ungrazed fencerows).

This product is a technical active ingredient intended to be used only in the manufacture of registered non-crop end-use products. Each formulator is responsible for obtaining the EPA registration for their formula(s).

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in original container away from fertilizer, feed, or food stuffs and separate from other pesticides.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of at an approved waste disposal facility.

Container Disposal: Non-refillable containers. Do not reuse or refill this container. <u>Paper or</u> **Plastic Bags** – Completely empty bag into formulation equipment. Then offer for recycling, if available, or dispose of empty bag in a sanitary landfill or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

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Notification to revise Storage & Disposal Statements 10262010

<u>Metal, Plastic or Fiber Drums with Liner -</u> Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residues into formulation equipment. Dispose of empty liner in a sanitary landfill or at an incineration facility if allowed by state and local authorities. Then offer drum for recycling, if available, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local authorities.

CONDITIONS OF SALE AND LIMITATION OF WARRANTY

PROACTIVE, LLC warrants that this product conforms to the chemical description and is reasonably fit for the purposes stated on the label when used in accordance with the directions under normal conditions of use. This warranty does not extend to the use of the product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or PROACTIVE, and Buyer and User assume the risk of any such use. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, PROACTIVE, LLC MAKES NO WARRANTIES OR MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE NOR ANY OTHER EXPRESSED OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

In no case, to the extent consistent with applicable law, shall PROACTIVE, LLC be liable for incidental, consequential, or special damages resulting from the use or handling of this product. The exclusive remedy of any Buyer or User of this product and any and all losses, injuries, or damages resulting from or in any way arising from the use, handling, or application of this product, whether in contract, warranty, tort negligence, strict liability, or otherwise, shall not exceed the purchase price of this product. Buyer assumes all risks of use, storage, or handling of this material not in strict accordance with directions given herewith.

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