

82070-2

05-27-2010

1/15



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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Mr. Robert G. Butz, Ph.D.
Agent for USA AG Chemicals, Inc
C/O Carter Ledyard & Milburn LLP
701 8th Street, N.W., Suite 410
Washington, DC 2001-3893

MAY 27 2010

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4 and 98-10
Storage and disposal update and other 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 May 4, 2010 for:

EPA Registration 82070-2 Mepit™

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 be "Linda Arrington".

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

Please read instructions on reverse before completing form

Form Approved, OMB No. 2070-0060, Approval expires 5-31-98

	United States	<input type="checkbox"/> Registration	OPP Identifier Number
	Environmental Protection Agency	<input type="checkbox"/> Amendment	
	Washington, DC 20460	<input checked="" type="checkbox"/> Other	

Application for Pesticide – Section I

1. Company/Product Number 82070-2	2. EPA Product Manager Tony Kish	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) USA AG Chemicals, Inc. / Mepit™	PM # 22	
5. Name and Address of Applicant (Include ZIP Code) USA AG Chemicals, Inc. P.O. Box 19059 Natchez, MS 39122 <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	

Section – II

<input type="checkbox"/> Amendment – Explain below	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION MAY 27 2010
<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 of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 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.

Label Code: ESL20070613 Notif 20100429, 6600102.1

Section III

1. Material This Product Will be Packaged in:				2. Type of Container	
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	*Certification must be submitted	<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.		<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 2.5 gal., 30 gal		5. Location of label directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Label accompanying product	
6. Manner in Which Label is Affixed to Product			<input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled	<input type="checkbox"/> Other _____	

Section IV

1. Contact Person (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Robert G. Butz	Title Authorized Agent, Staff Scientist Carter Ledyard & Milburn LLP	Telephone No. (Include Area Code) 202-623-5710
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 Authorized Agent, Staff Scientist Carter Ledyard & Milburn LLP		
4. Typed Name Robert G. Butz		5. Date May 4, 2010

CARTER LEDYARD & MILBURN LLP
Counselors at Law

Robert G. Butz Ph.D.
Staff Scientist

Direct Dial: 202-623-5710
E-mail: butz@clm.com

701 8th Street, N.W., Suite 410
Washington, DC 20001-3893

Tel (202) 898-1515
Fax (202) 898-1521

2 Wall Street
New York, NY 10005-2072
(212) 732-3200

570 Lexington Avenue
New York, NY 10022-6856
(212) 371-2720

May 17, 2010

VIA EMAIL

Mr. Banza Djapao
Office of Pesticide Programs (7504 P)
U.S. Environmental Protection Agency
Room S-4900
One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

Re: Notification of Revised Label for Mepit™, EPA Reg. No. 82070-2

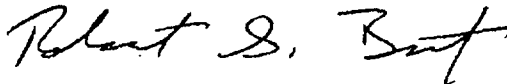
Dear Banza:

On behalf of USA AG Chemicals, Inc., I am providing the certification you requested for this action for Mepit™, EPA Reg. No. 82070-2.

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 any false statement 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.

If you have any questions, please contact me at 202-623-5710.

Signed,



Robert G. Butz, Ph.D.
Authorized Agent for USA AG Chemicals, Inc.

RGB:jmg

Label Code: ESL20070613 Notif 20100429, 6600102.1

6610055.1

15/4

CARTER LEDYARD & MILBURN LLP
Counselors at Law

Robert G. Butz Ph.D.
Staff Scientist

701 8th Street, N.W., Suite 410
Washington, DC 20001-3893

2 Wall Street
New York, NY 10005-2072
(212) 732-3200

Direct Dial: 202-623-5710
E-mail: butz@clm.com

Tel (202) 898-1515
Fax (202) 898-1521

570 Lexington Avenue
New York, NY 10022-6856
(212) 371-2720

May 4, 2010

VIA COURIER

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504 P)
U.S. Environmental Protection Agency
Room S-4900
One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

Attn: Tony Kish (PM 22)

Re: Notification of Revised Label for Mepit™, EPA Reg. No. 82070-2

Dear Tony:

On behalf of USA AG Chemicals, Inc., I am notifying the Agency of a revised label for Mepit™, EPA Reg. No. 82070-2. The container disposal instructions on the label have been revised per PR Notice 2007-4, revised.

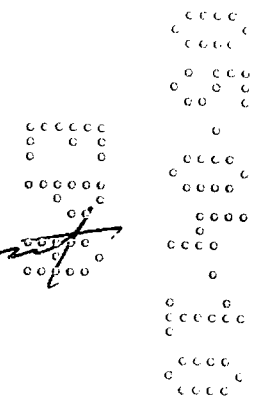
Attached please find:

- Application Form with notification statement set forth in PR Notice 2007-4 (EPA Form 8570-1); and
- One copy of the master label with changes clearly marked.

If you have any questions, please contact me at 202-623-5710.

Sincerely,

Robert G. Butz, Ph.D.



RGB:jmg

Label Code: ESL20070613 Notif20100429, 6600102.1

5
15

Bracketed statements may be removed on final printed label

Mepit™

Plant Growth Regulator
For Use on Cotton

Active Ingredients*

	<u>By Weight</u>
Mepiquat chloride: N,N-dimethylpiperidinium chloride4.2%
Inert Ingredients:	95.8%
TOTAL	100.0%

*Equivalent of 0.35 pounds per gallon

KEEP OUT OF REACH OF CHILDREN

NOTIFICATION

MAY 27 2010

CAUTION

FIRST AID	
If in eyes:	<ul style="list-style-type: none"> ▪ Hold eye open and rinse slowly and gently with water for 15 to 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 swallowed:	<ul style="list-style-type: none"> ▪ 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 clothing:	<ul style="list-style-type: none"> ▪ Take off contaminated clothing. ▪ Rinse skin immediately with plenty of water for 15 to 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.. In case of large scale spillage involving this product, call CHEMTREC at 1-800-424-9300	

Manufactured by:
USA AG Chemicals
P.O. Box 19059
Natchez, MS 39122

EPA Reg. No. 82070-2

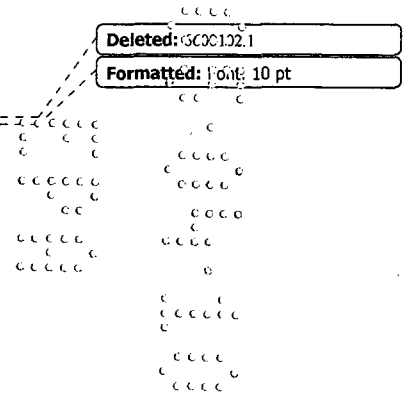
EPA Est. No.

Net Contents: [2.5 gallons] [30 gallons]
[Batch code will appear on container]

6600102.1

Deleted: G000102.1

Formatted: font 10 pt



[Bracketed statements may be removed on final printed label]

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard. Do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of **12 hours**.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is:

- Coveralls
- Chemical-resistant gloves made of any waterproof material (such as nitrile, butyl, neoprene and/or barrier laminate)
- Shoes plus socks

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Do not store below 32°F or above 100°F. Store in a dry place away from heat or open flame.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. Waste resulting from this product may be disposed of on site or at an approved waste disposal facility. Improper disposal of excess pesticide, spray mix, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact the State Agency responsible for pesticide regulation or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL:

[Rigid, nonrefillable containers, equal to or less than 5 gallons:] Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. 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 ¼ 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. Offer for recycling, if available, or dispose of empty container in a sanitary landfill or by other procedures approved by State and Local Authorities. [AND/OR]

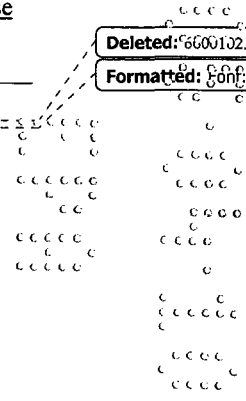
[Rigid nonrefillable containers, greater than 5 gallons:] Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ 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. Offer for recycling, if available, or dispose of empty container in a sanitary landfill or by other procedures approved by State and Local Authorities.

Formatted: Left, Border: Bottom: (Single solid line, Auto, 0.5 pt Line width)

Formatted: Font: 12 pt, Not Bold, Font color: Auto

Deleted: 6600102.1

Formatted: Font: 10 pt



9
15

[Bracketed statements may be removed on final printed label]

fertility stress. In the absence of these stresses, up to five low-rate multiple applications can be made each season. After the first application (at matchhead square in the absence of stress), the rate and timing of subsequent applications will depend on vegetative vigor. Under good growing conditions, additional treatments should be made at 7 to 14 day intervals. However, if new growth at any time is excessive, higher rates of *Mepit*TM be used. If significant loss of squares or young bolls has occurred earlier due to insect pressure or other stresses, but now these stresses have been alleviated, the need for *Mepit*TM is increased since excess vegetative growth is likely due to the poor fruit load.

Late Season Cutout Application

Late application of *Mepit*TM (approximately during the fourth to sixth week of blooming) can provide certain benefits to cotton. However, it should not and does not substitute for early season use—the time of the greatest benefit from the use of *Mepit*TM.

Late season application can lead to one or more of the following:

- Reduction in late season vegetative growth or regrowth after cutout or defoliation
- More complete and manageable cutout
- Better defoliation
- Earlier maturity
- Reduction in trash
- Lower ginning costs

Some of these effects may favorably influence the yield potential and fiber quality. A late season application of *Mepit*TM should be applied only if fields are not drought or nutrient stressed; that is, those fields likely to experience additional vegetative growth or regrowth. However, fields that are very rank and extremely vigorous due to a combination of poor boll load and excellent growing conditions may not respond as much as desired to late season applications at the suggested rates.

Timing for Late Season Applications

1. On fields where cotton cuts out and then starts regrowth: Apply when regrowth begins, as evidenced by new leaves in the terminal and stem elongation. This application time is often, but not always, 5 to 6 weeks after the first bloom.
2. On fields where cotton never completely cuts out: Apply NAWF when there are 4 to 6 nodes above the white flower (NAWF). Measure NAWF by counting the number of mainstem nodes from the first position white bloom (the one closest to the mainstem) to the terminal. Count the node with the first position white bloom as zero and the last node in the terminal, which is counted, should have leaf at least the size of a quarter. Generally, the NAWF first reaches 4 to 6 nodes during the fourth to sixth week of bloom. During this time, the NAWF should be decreasing about one node every 5 to 6 days—if its rate of decrease is less, the plant is not cutting out soon enough (the crop is too vigorous). If the fifth week of bloom arrives and NAWF is still above 5 to 6, apply *Mepit*TM.

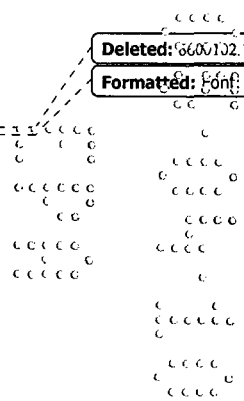
Use Rate for Late Season Application

Apply 8 to 24 fluid ounces of *Mepit*TM per acre. Use the lower rate on cotton with only moderate additional growth potential, and the higher rate on fields likely to continue vigorous growth.

6600102.1

Deleted: 6600102.1

Formatted: Font: 10 pt



[Bracketed statements may be removed on final printed label]

Spray Volume

Ground Application

Water as Diluent: Use a minimum of 2 gallons of spray solution per acre in all states except California. In California, use a minimum of 5 gallons per acre.

Air Application

Water as Diluent: Use a minimum of 2 gallons of water per acre in all states except California. In California, use a minimum of 5 gallons per acre.

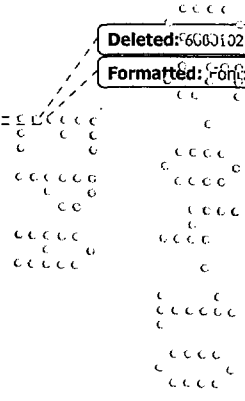
Oil as Diluent: Use a minimum of 1 quart of oil per acre. When using oil as a diluent, the oil concentrate must contain either a petroleum or vegetable oil base and must meet all of the following criteria:

- Be nonphytotoxic
- Contain only EPA-exempt ingredients
- Provide good mixing quality in the jar test
- Be successful in local experience

The exact composition of suitable products will vary, however, vegetable and petroleum oil concentrates should contain emulsifiers to provide good mixing quality. If the oil does not contain an emulsifier, one must be added during mixing at a volume equal to 3% of the final volume of the mixing tank. Do not apply *Mepit*TM without using emulsifiers. Highly refined vegetable oils have proven more satisfactory than unrefined vegetable oils. For additional information, see Compatibility Test for Mix Components.

6600102.1

Deleted: 6600102.1
Formatted: font: 10 pt



12
15

Bracketed statements may be removed on final printed label

Table 2. Application Rates and Timing

Geographic Area	Time of Application	Rate per Acre
AL, AR AZ, CA FL, GA LA, MO MS, NC NM, SC TN, VA	First application: Apply <i>Mepit</i> TM to actively growing cotton that is 20 to 30 inches tall, provided cotton is not more than 7 days beyond early bloom stage (5 to 6 blooms per 25 row feet). If cotton is 24 inches tall and has no blooms, apply <i>Mepit</i> TM . Use 8 fluid ounces per acre on cotton where excessive vegetative growth is not likely to be a problem and 16 fluid ounces per acre in areas tending to have excessive vegetative growth.	8-16 fluid ounces
	Second application for control of excessive vegetative growth: If the cotton field has a history of vigorous growth or if conditions after the first application of <i>Mepit</i> TM favor vigorous growth, make a second application 2 to 3 weeks after the first application.	8-16 fluid ounces
	Third application for control of excessive vegetative growth: If the cotton field has a history of vigorous growth or if conditions continue to favor vigorous growth, make a third application of 1 to 2 weeks after the second application.	8-16 fluid ounces
	Late season application: Refer to Late Season Application in section Application Instructions .	8-24 fluid ounces
KS, OK, TX (areas where excessive growth is not a problem)	First Application: Apply <i>Mepit</i> TM to actively growing cotton in the early bloom stage (5 to 6 blooms per 25 row feet). If no blooms are present and the cotton is 20 inches tall and actively growing, apply <i>Mepit</i> TM .	
	Second application: If conditions after the first application <i>Mepit</i> TM favor vigorous growth, make a second application 2 to 3 weeks after the first application.	8 fluid ounces
	Third application: If conditions after the second application of <i>Mepit</i> TM continue to favor vigorous growth, make a third application 1 to 2 weeks after the second application.	8 fluid ounces
	Late season application: Refer to Late Season Application in section Application Instructions .	8 fluid ounces

Spray Drift Management

The interaction of many equipment and weather-related factors determines the potential for spray drift. The applicator is responsible for considering all these factors when making application decisions.

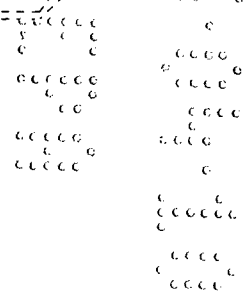
AVOIDING SPRAY DRIFT IS THE RESPONSIBILITY OF THE APPLICATOR.

Importance of Droplet Size

The most effective way to reduce drift potential is to apply large droplets (>150-200 microns). The best drift management strategy is to apply the largest droplets that provide sufficient coverage and control. The presence of sensitive species nearby, the environmental conditions, and pest pressure may affect how an applicator balances drift control and coverage. **APPLYING LARGER DROPLETS REDUCES DRIFT POTENTIAL, BUT WILL NOT PREVENT DRIFT IF APPLICATIONS ARE MADE IMPROPERLY OR UNDER UNFAVORABLE ENVIRONMENTAL CONDITIONS! See Wind, Temperature and Humidity, and Temperature Inversions sections of this label.**

6600102

Deleted: 6600102.1
Formatted: Font: 10 pt



Bracketed statements may be removed on final printed label

Controlling Droplet Size: General Techniques

- **Volume:** Use high flow rate nozzles to apply the highest practical spray volume. Nozzles with higher rated flows produce larger droplets.
- **Pressure:** Use the lower spray pressures recommended for the nozzle. Higher pressure reduces droplet size and does not improve canopy penetration. WHEN HIGHER FLOW RATES ARE NEEDED, USE A HIGHER CAPACITY NOZZLE INSTEAD OF INCREASING PRESSURE.
- **Nozzle Type:** Use a nozzle type that is designed for the intended application. With most nozzle types, narrower spray angles produce larger droplets. Consider using low-drift nozzles.

Controlling Droplet Size: Aircraft

- **Number of Nozzles:** Use the minimum number of nozzles with the highest flow rate that provide uniform coverage.
- **Nozzle Orientation:** Orienting nozzles so that the spray is emitted backwards, parallel to the airstream will produce larger droplets than other orientations.
- **Nozzle Type:** Solid stream nozzles (such as disc and core with swirl plate removed) oriented straight back produce larger droplets than other nozzle types.
- **Boom Length:** The boom length should not exceed 3/4 of the wing or rotor length—longer booms increase drift potential.
- **Application Height**—Application more than 10 ft above the canopy increases the potential for spray drift.

Boom Height

Setting the boom at the lowest labeled height (if specified) which provides uniform coverage reduces the exposure of droplets to evaporation and wind. For ground equipment, the boom should remain level with the crop and have minimal bounce.

Wind

Drift potential increases at wind speeds of less than 3 mph (due to inversion potential) or more than 10 mph. However, many factors, including droplet size and equipment type determine drift potential at any given wind speed. AVOID GUSTY OR WINDLESS CONDITIONS.

Note: Local terrain can influence wind patterns. Every applicator should be familiar with local wind patterns and how they affect spray drift.

Temperature and Humidity

When making applications in hot and dry conditions, set up equipment to produce larger droplets to reduce effects of evaporation.

Temperature Inversions

Drift potential is high during a temperature inversion. Temperature inversions restrict vertical air mixing, which causes small suspended droplets to remain close to the ground and move laterally in a concentrated cloud. Temperature inversions are characterized by increasing temperature with altitude and are common on nights with limited cloud cover and light to no wind. They begin to form as the sun sets and often continue into the morning. Their presence can be indicated by ground

6600102.1

Deleted: 6600102.1
Formatted: Font: 10 pt

