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

September 8, 2009

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Rusty Millar
Manager Regulatory Affairs
NCA Biotech, Inc.
3406 Pomona Blvd.
Pomona, CA 91768

RE: Product Name: Technical 3-Indolebutyric Acid
EPA Reg. No: 83028-2
Application for Label Notification dated August 5, 2009 to Update Storage and Disposal per
PR Notice 2007-4

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.

Questions concerning this action should be directed to Ms. Diana Hudson at (703) 308-8713 or email at hudson.diana@epa.gov.

Sincerely,

Linda Hollis

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

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060



United States
Environmental Protection Agency
Washington, DC 20460

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

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number NCA Biotech 83028- <u>2</u>	2. EPA Product Manager Linda Hollis	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) NCA Biotech, Technical 3-Indolebutyric Acid	PM# 91	
5. Name and Address of Applicant (Include ZIP Code) NCA Biotech, 3406 Pomona Blvd, Pomona, CA 91768 <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 checked="" 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

Updated Container Disposal Statement per PRN 2007-4

Date Reviewed: 9-8-09

Reviewed By: D. Hudson

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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input 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. 2.2 lbs	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 2.2 lbs		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" 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 Rusty Millar	Title Mgr.	Telephone No. (Include Area Code) 909.343.5133		
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 <i>Rusty Millar</i>		3. Title Mgr.		
4. Typed Name Rusty Millar		5. Date August 5, 2009		

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. I 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.

Rusty Millar

Rusty Millar
Mgr Regulatory Affairs
LT Biosyn, Inc.

Date September 8, 2009



NCA Biotech, INC.

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August 5, 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

Subject: Technical 3-Indolebutyric Acid, EPA Reg. No. 83028-2 Container Disposal per PRN 2007-4

Dear Ms. Hollis:

This submission pertains to the amendments to the container disposal language required per PR Notice 2007-4. Per this notice an application form and four copies of the label are included with this submission. Changes are highlighted in red for your convenience. Please return a stamped copy of the label for our files. If you have any questions, please contact me. Thank you.

Sincerely,

Rusty Millar
Mgr. Regulatory Affairs

3406 POMONA BLVD · POMONA · CA 91768

Tel.: 909.348.5133 · Fax: 909.348.5135

Email: info@ncabiotech.com

Date Reviewed: 9-8-09

Reviewed By: D. Hudson

TECHNICAL 3-INDOLEBUTYRIC ACID

PLANT GROWTH REGULATOR
FOR MANUFACTURING PURPOSES ONLY

FORMULATORS WHO USE THIS PRODUCT ARE RESPONSIBLE
FOR OBTAINING EPA REGISTRATION FOR THEIR FORMULATED PRODUCTS

ACTIVE INGREDIENT:

Indole-3-Butyric Acid..... 98.0%

OTHER INGREDIENTS: 2.0%

TOTAL:..... 100.0%

EPA Reg. No. 83028-2

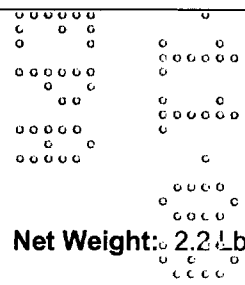
EPA Est. No. 72639-CHN-1

KEEP OUT OF REACH OF CHILDREN WARNING

FIRST AID	
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 the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If in eyes:	<ul style="list-style-type: none"> • 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:	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
If on skin or clothing:	<ul style="list-style-type: none"> • 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.
HOT LINE NUMBER	
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 NCA Biotech, Inc. at (909) 348-5133 between the hours of 9 a.m. – 4 p.m. Pacific Time.	

Manufactured for:
NCA Biotech, Inc.
3406 Pomona Blvd.
Pomona, CA 91768

Net Weight: 2.2 Lbs.



PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING. May be fatal if swallowed, absorbed through skin, or inhaled. Causes substantial but temporary eye injury. Causes skin irritation. Do not get in eyes, on skin, or on clothing. Do not breathe dust. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Wear the appropriate PPE:

Coveralls (over long-sleeved shirt and long pants)

- Chemical-resistant footwear
- Chemical-resistant gloves
- Goggles
- Dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C), or a NIOSH approved respirator with any N, R, P or HE filter.

Remove and wash contaminated clothing before reuse.

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. Do not contaminate water when disposing of equipment washwaters or rinsate.

DIRECTIONS FOR USE

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

FOR MANUFACTURING USE ONLY

Only for Formulation into a Plant Growth Regulator for (1) The Following Uses: Ornamental herbaceous plants, ornamental woody shrubs and vines, ornamental and/or shade trees, barley, beans, broccoli, Brussels sprouts, cabbage, cauliflower, citrus fruits, corn (field, sweet), cotton, cucumbers, lettuce, melons, mustard cabbage, mustard (leafy/stem crop), oats, onions, green onions, peanuts, peas, peppers, potatoes, rice, rye, sorghum, soybeans, spinach, squash, strawberries, sugar beets, sugarcane, tomato, turnip, wheat, golf course turf, ornamental lawns and turf. **(2) Uses for Which USEPA has Accepted or Waived 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.**

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Do not store with foodstuff.

PESTICIDE DISPOSAL: Waste resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL: Offer for recycling, if available.

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 item (1) of the Directions for Use. When it is used in accordance with such Directions; and that the statements under item (1) of the Directions, the warnings and other statements on this label, other than the suggested uses under items (2) and (3) of the Directions, 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 condition. THE MANUFACTURER NEITHER MAKES NOR INTENDS, NOR DOES IT AUTHORIZE ANY AGENT OR REPRESENTATIVE

