



10/16/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

October 16, 2009

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

Subject: Notification for Labeling Revision Per PR Notice 07-04
Product Name: Technical 3-Idolebutyric Acid
EPA Reg. No: 83028-2
Your Submission Dated September 15, 2009

Dear Mr. Millar:

The Biopesticides and Pollution Prevention Division is in receipt of your application for Notification under Pesticide Registration Notice (PRN) 07-4 dated above. A screen of the labeling revision request has been conducted for its applicability under PRN 07-04, and it has been determined that the action request falls within the scope of PRN 07-04. Our records have been duly noted, and the printed label submitted with this application has been stamped "Notification, received and reviewed" and will be placed in our records as current and updated. Should you have any questions regarding this action, you may contact Gina Casciano at (703) 605-0513 or via email at casciano.gina@epa.gov.

Sincerely,

Linda Hollis

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



NCA Biotech, INC.

2/5

September 15, 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

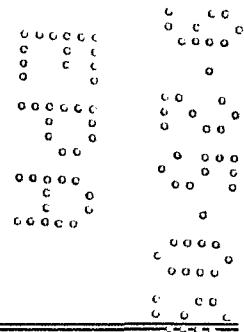
Subject: Technical 3-Idolebutyric Acid, EPA Reg. No. 83028-2 Container Disposal per PRN 2007-4, Notification under PRN 98-10

Dear Ms. Hollis:

On August 5 we submitted an amendment to the container disposal language required per PR Notice 2007-4. At that time we mistakenly removed previously approved container disposal language. The label is being resubmitted restoring this language. Changes are highlighted in red for your convenience. Please advise us when the label is approved. If you have any questions, please contact me. Thank you.

Sincerely,

Rusty Millar
Mgr. Regulatory Affairs



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.	

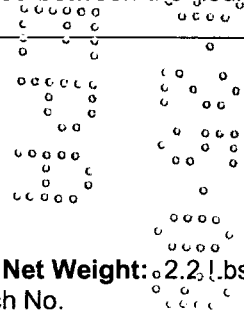
NOTIFICATION

Date Reviewed: 10/16/09

Reviewed By: G. Casciano

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

Net Weight: 2.2 lbs.
Batch No.



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: Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill or, by other procedures approved by state and local authorities.

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 TO MAKE, ANY OTHER WARRANTIES, EXPRESS OR IMPLIED, AND IT EXPRESSLY EXCLUDES AND DISCLAIMS ALL IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

THIS WARRANTY DOES NOT EXTEND TO, AND THE BUYER SHALL BE SOLELY RESPONSIBLE FOR, ANY AND ALL LOSS OF DAMAGE WHICH RESULTS FROM THE USE OF THIS PRODUCT IN ANY MANNER WHICH IS INCONSISTENT WITH THE LABEL DIRECTIONS, WARNINGS, OR CAUTIONS.

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DISCLAIMER AND INDEMNITY FOR FORMULATORS' USES

The manufacturer expressly disclaims all liability for claims and actions (whether based on contract, tort, strict liability, or breach of warranty) arising out of, resulting from or connected with a formulation containing this product when used for any purpose other than those uses set forth under item (1) under the Directions for Use heading. The manufacturer has not developed scientific data to support, nor has it explicitly or implicitly approved, any uses other than those listed under item (1) under the Directions for Use heading above.

Any formulator or buyer who uses this product in formulations for any other than those stated in item (1) under the Directions for Use heading above, assumes all liability for claims and actions arising out of, connected with or resulting from such use and agrees by so using this product to indemnify and hold harmless the manufacturer from such claims and actions.

This disclaimer and indemnity is in addition to, not in lieu of, the below disclaimer and limitations.
Revised 8-5-09

