

#### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

September 8, 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: Kinetin Technical

EPA Reg. No: 83028-4

Your Submission Dated August 5, 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 preliminary 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 <a href="mailto:casciano.gina@epa.gov">casciano.gina@epa.gov</a>.

Sincerely,

#### Linda Hollis

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

Please read instructions of	n reverse before complet	ing form.		Form Approved	. OMB No. 20	70-0060	RringForm	
<b>⊕EPA</b>	United States Environmental Protection A Washington, DC 20460					tion nent	OPP Identifier Number	
		Application	for Pesticid	e - Section	ı			
1. Company/Product Number NCA Biotech 83028-4			2. EPA Product Manager Linda Hollis			3. Proposed Classification		
4. Company/Product (Name) NCA Biotech Kinetin Technical 83028-4			<b>PM#</b> 91				X None Restricted	
5. Name and Address of Applicant (Include ZIP Code)  NCA Biotech, 3406 Pomona Blvd., Pomona, CA 91768  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 incomposition and labeling to:  EPA Reg. No. Peviewed By:					
	NO 10 11 11 11 10 10 10 10 10 10 10 10 10		Product Name					
X Amendment - Explain Resubmission in relation - Explain	sponse to Agency letter	dated	Section - II	Final printed labo Agency letter da "Me Too" Applic Other - Explain b	ated cation.	to		
Explanation: Use additional page(s) if necessary. (For section I and Section II.)  Updated Container Disposal Statement Per PRN 2007-4								
			Section - II		-			
1. Material This Product V	/ill Be Packaged In:							
Child-Resistant Packaging  Yes*  X No  * Certification must be submitted  Unit Packaging  X Yes  No  If "Yes" Unit Packaging wgt. No. per container 2.2 lbs			Water Soluble Packaging  Yes  No  If "Yes"  Package wgt  No. per  container		2. Type of Container  Metal Plastic Glass Paper Other (Specify)			
3. Location of Net Content	s Information	4. Size(s) Retail 2.2 lbs	l Container	5. L			ns panying product	
6. Manner in Which Label is Affixed to Product  Lithograph Paper glued Stenciled  Other								
			Section - IV	<u> </u>	<del></del>		6666	
1. Contact Point  Complete	e items directly below fo			contacted, if ne	cessary, to pro	cess this	epplication:) o	
Name Rusty Millar			1~~			Telephone 909:348:	00	
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. or I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or ວອງວຽວ (Stamped) both under applicable law.								
2. Signature Rusty Sullar			Mgr				( ( ( ( ( ( ( ( ( ( ( ( ( ( ( ( ( ( (	
4. Typed Name Rusty Millar			<b>Date</b> August 5, 2009					

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# NCA Biotech, INC.

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: Kinetin Technical, EPA Reg. No. 83028-4 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

Kusty Milla

Tel.: 909.348.5133 Fax: 909.348.5135 Email: info@ncabiotech.com

# KINETIN TECHNICAL

## A PLANT GROWTH REGULATOR FOR MANUFACTURING. REFORMULATING OR COMPOUNDING USE ONLY

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

ACTIVE INGREDIENT:	
Cytokinin, as Kinetin	98.5%
OTHER INGREDIENTS:	
	TOTAL 100.0%

EPA Reg. No. 83028-4

EPA Est. No. 72639-CHN-1

## KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID					
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 or doctor for treatment advice.				
	HOT LINE NUMBER				
	oduct container or label with you when calling a poison control center or doctor, or going for or general product information, call NCA Biotech, Inc. at (909)-348-5133 between the hours of 9				

a.m. - 4 p.m. Pacific Time.

#### PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling.

#### **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.

#### **DIRECTIONS FOR USE**

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

Instructions For Formulation: This product is for reformulating into products intended as plant growth regulators on ornamental plants and food crops and only for those uses which are duly registered with the USEPA. Formulators using this product are responsible for obtaining their own registrations.

Manufactured for: NCA Biotech, Inc. 3406 Pomona Blvd. Pomona, CA 91768 Net Weight: 2.2 bs

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#### STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Keep containers tightly closed when not in use.

PESTICIDE DISPOSAL: Wastes 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.

#### **DISCLAIMER AND INDEMNITY FOR FORMULATORS' USES**

To the extent consistent with applicable law, 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 for those uses set forth in the Directions for Use above. The manufacturer has not developed scientific data to support, nor has it explicitly or implicitly approved, any uses other than those described in the Directions for Use.

Any formulator or buyer who uses this product in formulations for any other than those stated 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.

#### 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 the Directions for Use when it is used in accordance with such Directions; and that the statements on this label 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 conditions. 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 OR DAMAGE WHICH RESULTS FROM THE USE OF THIS PRODUCT IN ANY MANNER WHICH IS INCONSISTENT WITH THE LABEL DIRECTIONS.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S EXCLUSIVE REMEDY AND MANUFACTURER'S OR SELLER'S EXCLUSIVE LIABILITY FOR ANY AND ALL CLAIMS, LOSSES, DAMAGES OR INJURIES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER OR NOT BASED IN CONTRACT, NEGLIGENCE, STRICT LIABILITY IN TORT OR OTHERWISE SHALL BE LIMITED, AT THE MANUFACTURER'S OPTION TO REPLACEMENT OF, OR THE REPAYMENT OF THE PURCHASE PRICE FOR, THE QUANTITY OF PRODUCT WITH RESPECT TO WHICH DAMAGES ARE CLAIMED. IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INDIRECT OR INCONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

#### NOTICE TO BUYER

Purchase of this material does not confer any rights under patents governing this product or the use thereof in countries outside of the United States. Seller's guarantee shall be limited to the terms set out on the label and subject thereto, the buyer assumes the risk to persons or property arising from the use or handling of this product on that condition.

Revised 8-5-09