

83028-5

09-08-2009

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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: 6-Benzylaminopurine Technical
EPA Reg. No: 83028-5
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 casciano.gina@epa.gov.

Sincerely,

Linda Hollis

Linda A. 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

Print Form



United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☒ Amendment
☐ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number NCA Biotech 83028-5	2. EPA Product Manager Linda Hollis	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) NCA Biotech 6-Benzylaminopurine Technical	PM# 91	NOTIFICATION 6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: Date Reviewed: <u>9/18/09</u> EPA Reg. No. <u> </u> Reviewed By: <u>GMC</u> Product Name <u> </u>
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		

Section - II

<input checked="" type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated <u> </u>
<input type="checkbox"/> Resubmission in response to Agency letter dated <u> </u>	<input type="checkbox"/> "Me Too" Application.
<input type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Updated label for Container Disposal statement per PRN 2007-4

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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input checked="" type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) <u> </u>	
* Certification must be submitted		If "Yes" Unit Packaging wgt. 2.2 lbs	No. per container 1	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 <u> </u>			

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) 909.348.5133
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 	3. Title Mgr	
4. Typed Name Rusty Millar	5. Date 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: 6-Benzylaminopurine Technical, EPA Reg. No. 83028-5 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,

A handwritten signature in black ink that reads "Rusty Millar". The signature is written in a cursive, flowing style.

Rusty Millar
Mgr. Regulatory Affairs

3406 POMONA BLVD· POMONA· CA 91768

Tel.: 909.348.5133· Fax: 909.348.5135

Email: info@ncabiotech.com

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6-BENZYLAMINOPURINE 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:

6-Benzylaminopurine (6-BA)..... 99.0%

OTHER INGREDIENTS: 1.0%

TOTAL 100.0%

EPA Reg. No. 83028-5

EPA Est. No. 72639-CHN-1

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID	
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 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 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, California 91768, USA

Net Weight: 2.2 lbs

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Causes eye irritation. Avoid contact with eyes and clothing. Harmful if inhaled. Avoid breathing spray dust. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash 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 Regional Office of the EPA. Do not contaminate water when disposing of equipment washwaters.

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.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage and 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 those uses set forth above. The manufacturer has not developed scientific data to support, nor has it explicitly or implicitly approved, any uses other than those above.

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 Directions, and other 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 OF 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

Product of the United States
Manufactured by
[illegible]
[illegible]
[illegible]