

83520-6

7/30/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Jane M. Miller
Agent for Axss USA, LLC
C/o Biologic, Inc.
115 Obtuse Hill
Brookfield, CT 06804

JUL 30 2009

SUBJECT: Application for Pesticide Notification – Label Changes per PR Notice 2007-4
Glyphosate 62% Manufacturing Concentrate
EPA Reg. No. 83520-6
Application Dated May 27, 2009

Dear Ms. Miller:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 2007-4 and finds that the action requested falls within the scope of PRN 2007-4. The label submitted with the application has been 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 call me directly at 703-305-6249, or Terri Stowe of my staff at 703-305-6117.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

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

2097



United States
Environmental Protection Agency
Washington, DC 20460

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

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 83520-6	2. EPA Product Manager J. Tompkins	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Glyphosate 62% Manufacturing Concentrate	PM# 25	
5. Name and Address of Applicant (Include ZIP Code) Axss USA, LLC 1100 Platte Falls Road Platte City, MO 64079 <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 _____	

NOTIFICATION

JUL 30 2009

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input checked="" 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 of label change per per PR Notice 2007-4. This notification is consistent with the provisions of PR Notice 98-10 and the 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 may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

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		<input type="checkbox"/> Metal	
* Certification must be submitted				<input checked="" type="checkbox"/> Plastic	
If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container	<input type="checkbox"/> Glass	
				<input type="checkbox"/> Paper	
				<input checked="" type="checkbox"/> Other (Specify) _____	Steel
3. Location of Net Contents Information <input type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container 55, 256 gals, & 4,300 lbs.		5. Location of Label Directions <input checked="" type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input checked="" 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 Jane M. Miller	Title Agent	Telephone No. (Include Area Code) (203) 740-1260
2. Signature 		6. Date Application Received (Stamped)
3. Title Agent		
4. Typed Name Jane M. Miller	5. Date May 27, 2009	

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 of both under applicable law.

3087



May 27, 2009

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
US Environmental Protection Agency
One Potomac Yard
2777 S. Crystal Drive
Room S-4900, 4th Floor
Arlington, VA 22202

Attention: Mr. Jim Tompkins (PM #25)

RE: "Glyphosate 62% Manufacturing Concentrate"; EPA Reg. No. 83520-6
Notification to revise Storage and Disposal Statement

Dear Mr. Tompkins:

On behalf of Axss USA, LLC, Inc. please find enclosed the following:

"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 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA."

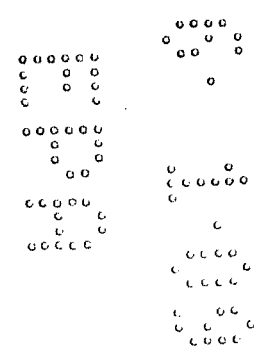
The following documents are enclosed to process this Notification:

1. Application for Pesticide Notification (8570-1)
2. One (1) copy of the draft label with the additional language underlined.

Should you have any questions, or wish to reach me, please feel free to contact our office at 203-740-1200.

Sincerely,

Jane Miller
Agent to Axss USA, LLC



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Glyphosate 62% MANUFACTURING CONCENTRATE

ACTIVE INGREDIENT:

Glyphosate, N-(phosphonomethyl)glycine, in the form of its isopropylamine salt 62.0%

OTHER INGREDIENTS: 38.0%

TOTAL 100.0%

Contains 769 grams per liter or 6.42 pounds per U.S. gallon of the active ingredient glyphosate, in the form of its isopropylamine salt. Equivalent to 570 grams per liter or 4.75 pounds per U.S. gallon of the acid, glyphosate.

EPA Reg. No. 83520-6

EPA Est. No.

KEEP OUT OF REACH OF CHILDREN CAUTION

PRECAUTIONARY STATEMENTS

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.

PHYSICAL OR CHEMICAL HAZARDS

Solutions of this product should be mixed, stored and applied only in stainless steel, aluminum, fiberglass, plastic and plastic-lined containers.

DO NOT MIX, STORE OR APPLY THIS PRODUCT OR SOLUTIONS OF THIS PRODUCT IN GALVANIZED STEEL OR UNLINED STEEL (EXCEPT STAINLESS STEEL) CONTAINERS OR TANKS. This product or solutions of this product react with such containers and tanks to produce hydrogen gas which may form a highly combustible gas mixture. This gas mixture could flash or explode, causing serious personal injury, if ignited by open flame, spark, welder's torch, lighted cigarette or other ignition source.

In case of: SPILL or LEAK, soak up and remove to a landfill.

**FOR CHEMICAL SPILL, LEAK FIRE, OR EXPOSURE
CALL CHEMTREC (800) 424-9300**

Manufactured by:
Axss USA, LLC
1100 Platte Falls Road
Platte City, MO 64079

NET CONTENTS: _____ GALS _____ LBS.

5087

STORAGE AND DISPOSAL

Do not contaminate water, foodstuffs, feed or seed by storage or disposal.

PESTICIDE STORAGE: Store above 32°F (0°C) to keep from crystallizing. Crystals will settle to the bottom. If allowed to crystallize, warm to 68°F (20°C) and mix well or recirculate to redissolve before using. [For Bulk Pesticide Storage: Ground water contamination may be reduced by diking and flooring of permanent liquid bulk storage sites with an impermeable material].

PESTICIDE DISPOSAL: Wastes resulting from the use of this product that cannot be used or chemically reprocessed should be disposed of in a landfill approved for pesticide disposal or in accordance with applicable Federal, state or local procedures.

CONTAINER DISPOSAL: Non-refillable containers. Do not reuse or refill this container. Offer for recycling, if available. Triple rinse or pressure rinse container (or equivalent) promptly after emptying.

Non-refillable container less than or equal to 5 gallons: Triple rinse as follows: Empty the remaining contents into formulation equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into formulation 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.

Non-refillable container greater than 5 gallons: Triple rinse as follows: Empty the remaining contents into formulation equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 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 back and forth several times. Empty the rinsate into formulation equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

Pressure rinse as follows (all sizes): Empty the remaining contents into formulation equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over formulation equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

Refillable container (250 gallon & bulk): Refill this container with pesticide only. Do not reuse this container for any other purpose. Empty containers retain vapor and product residue. Observe all labeled safeguards until container is cleaned, reconditioned or destroyed. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller.

To clean the container before final disposal, empty the remaining contents from the container into formulation equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with pump for 2 minutes. Pour or pump rinsate into formulation equipment or rinsate collection system. Repeat this rinsing process two more times.

~~Triple rinse emptied bulk container. Then offer for recycling or reconditioning, or dispose of in a manner approved by local authorities.~~

DIRECTIONS FOR USE

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

This product may be reformulated or repackaged only into a herbicide for use on:

Fallow ground, pastures, sods, rangelands and noncrop areas including: aquatic and wetland sites, rights of way, industrial, recreational and public areas, eucalyptus and hybrid poplar production, farmsteads, forestry site preparation and release programs, site preparation or directed sprays to the floor of ornamental

nurseries and Christmas tree farms, rights of way (ROW), Conservation Reserve Program (CRP), turfgrasses and grasses for seed production.

Residential Sites

Tree and Vine Crops: general weed control, middles (between rows of trees), strips (in row of trees), selective equipment (except kiwi), perennial grass suppression.

Row Crops: corn, cotton, peanuts, sorghum, soybeans, sugarcane, barley, buckwheat, millet, oats, rice, rye, teosinte, triticale, wheat, and wild rice.

Citrus Fruits: calamondin, chironja, citron, grapefruit, kumquat, lemon, lime, mandarin orange, orange, pummelo, tangelo, tangerine and tangors.

Tree Nuts: almond, beechnut, Brazil nut, butternut, cashew, chestnut, chinquapin, filbert (hazelnut), hickory nut, macadamia nut, pecan, pistachio, walnut.

Vine Crops: grapes and kiwi fruit.

Herbs: peppermint and spearmint.

Pome Fruits: apple, crabapple, loquat, mayhaw, pear and quince.

Stone Fruits: apricots, cherry, nectarine, peach, plum and prune.

Small Fruits and Berries: blackberry, blueberry, boysenberry, cranberry, currant, dewberry, elderberry, gooseberry, huckleberry, loganberry, olallieberry, raspberry and youngberry.

Fruiting Vegetables: eggplant, groundcherry, pepino, pepper (all), tomatillo and tomato.

Cucurbit Vegetables: cantaloupe, casaba melon, chayote, Chinese waxgourd, citron melon, cucumber, crenshaw melon, gherkin, edible gourds, honeydew melon, honey ball melon, mango melon, melons (all), muskmelon, Persian melon, pumpkin, squash, watermelon.

Root and Tuber Vegetables : artichoke (Jerusalem), beet greens, beets (garden, sugar), carrots, celeriac, chicory, ginseng, horseradish, oriental radish, parsnips, potatoes, radish, rutabagas, salsify, shallot, sweet potato, turnips and yams.

Bulb Vegetables: garlic, leek, and onions.

Leafy Vegetables: amaranth, arrugula, cardoon, celtuce, chervil, chrysanthemum, corn salad, cress, dandelion, dock (sorrel), endive, fennel (Florence), lettuce (head and leaf), parsley, purslane, rape greens, rhubarb and spinach (all).

Brassica Leafy Vegetables: broccoli (all), Brussels sprouts, cabbage (all), cabbage (Chinese), cauliflower, cavalo broccolo, celery, celery (Chinese), chard (Swiss), collards, endive, kale, kohlrabi, mizuna, mustard greens, mustard spinach.

Legume Vegetables: beans (all), lentils, chickpeas, peas (all), groundcherry, guar, pepino.

Other Crops: asparagus, canola, litchi nut, mint (peppermint, spearmint), olives, okra, sunflower and watercress.

Forage Crops: alfalfa, clover, forage grasses, forage legumes.

Tropical Crops: acerola, atemoya, avocado, banana (plantains), breadfruit, canistel, carambola, cherimoya, cocoa beans, coconut, coffee, dates, durian, figs, genip, guava, jaboticaba, jackfruit, longan, lychee, mango, mangosteen, papaya, passion fruit, persimmons, pineapple, pomegranate, rambutan, sapodilla, sapote (black, mamey, white), soursop, sugarapple, tamarind and tea.

CONDITIONS OF SALE AND WARRANTY

The **DIRECTIONS FOR USE** of this product reflect the opinion of experts based on field use and tests. The directions are believed to be reliable and should be followed carefully. However, it is impossible to eliminate all risks inherently associated with use of this product. To the extent consistent with applicable law, all such risks shall be assumed by the Buyer.

AXSS USA, LLC warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the Directions for Use subject to the inherent risks, referred to above. **TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, AXSS USA, LLC MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS FOR ANY PARTICULAR PURPOSE OR OF MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY. 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.**

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