

83520-17

10/30/2009

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Jane Miller  
Agent to Axss USA, LLC  
6600 West 20<sup>th</sup> St., Ste. 26  
Greeley, CO 80634

OCT 30 2009

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Ms. Miller:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 2007-4 dated October 12, 2009 for:

**EPA Registration 83520-8**  
**EPA Registration 83520-1**  
**EPA Registration 83520-17**  
**EPA Registration 83520-9**

**Dicamba Acid Technical**  
**Mepiquat Chloride Technical**  
**Glyphosate Acid Technical**  
**2,4-D Acid Technical**

The Registration Division (RD) has conducted a review of this request for applicability under PR Notices 2007-4 and finds that the label changes requested falls within the scope of PR Notices 2007-4. The label has been date-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 contact me directly at 703-305-6249 or Nicole Williams of my staff at 703-308-5551.

Sincerely,

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

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



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 83520-17	2. EPA Product Manager J. Tompkins	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Glyphosate Acid Technical	PM# 25	
5. Name and Address of Applicant (Include ZIP Code) Axss USA, LLC 6600 West 20th St., Suite 26 Greeley, CO 80634 <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 type="checkbox"/> Amendment - Explain below.	<input checked="" type="checkbox"/> Final printed labels in response to Agency letter dated _____	<b>NOTIFICATION</b>  OCT 30 2009
<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 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.

### 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	<input type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
		If "Yes" Package wgt.	No. per container	<input checked="" type="checkbox"/> Other (Specify) polyethylene bag	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 800 kg.		5. Location of Label Directions <input checked="" type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph 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) 740-1200	
<b>Certification</b> 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 both under applicable law.					6. Date Application Received (Stamped)
2. Signature 		3. Title Agent			
4. Typed Name Jane M. Miller		5. Date October 12, 2009			

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October 12, 2009

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

Attention: Mr. Jim Tompkins (PM #25)

RE: "Glyphosate Acid Technical"; EPA Reg. No. 83520-17  
Notification to revise Storage and Disposal Statement

Dear Mr. Tompkins:

On behalf of Axss USA, LLC 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."

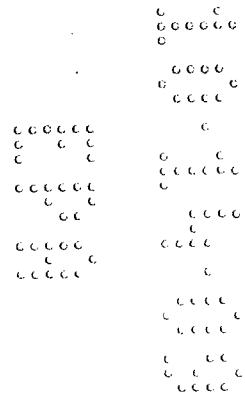
The following documents are enclosed to process this Notification:

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

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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**NOTIFICATION**

**OCT 30 2009**

# GLYPHOSATE ACID TECHNICAL

FOR MANUFACTURING USE ONLY

**Active Ingredient:**

Glyphosate: N-(phosphonomethyl)glycine.....	96.5%
Other Ingredients:.....	3.5%
Total	100.0%

KEEP OUT OF REACH OF CHILDREN

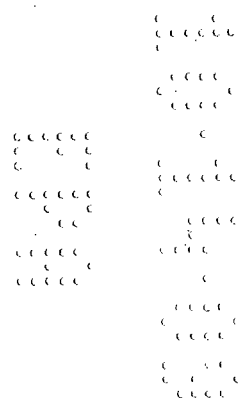
## CAUTION

<b>FIRST AID</b>	
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.
If Swallowed:	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 a poison control center or doctor. Do not give anything by mouth to an unconscious person.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-222-1222 for emergency medical treatment information.	
Note to Physician: Probable mucosal damage may contraindicate the use of gastric lavage.	

Manufactured by:  
 AXSS USA, LLC  
 6600 West 20<sup>th</sup> St., Suite 26  
 Greeley, CO 80634

EPA Reg. No. 83520-17  
 EPA Est. No. 83227-CHN-001  
                   82782-CHN-001  
                   73244-CHN-001

Net Weight: 1,764 lbs. (800 kg)



**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 Pollution Discharge Elimination System (NPDES) permit and the permitting authority has been notified prior to the discharge. Do not discharge effluent containing this product into sewer systems without previously notifying the sewage treatment plant authority. For guidance, contact your State Water Board or the Regional Office of the EPA.

The active ingredient in this product is a non-selective broad spectrum herbicide. Do not handle or use in a manner that can result in accidental contact with desirable vegetation.

**DIRECTIONS FOR USE**

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

Read entire label before using this product.

**For formulation into end-use herbicide products intended for the following uses:**

- 1. **Fallow ground, sod, pastures, rangelands, and noncrop areas including:** aquatic and wetland sites, rights of way, industrial, recreational and public areas, farmsteads, forestry site preparation and release programs, eucalyptus and hybrid poplar production, site preparation or directed sprays to the floor of ornamental nurseries and Christmas tree farms, rights of way (ROW), Conservation Reserve Program (CPR), turfgrasses and grasses for seed production.

**Residential Sites**

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

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

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

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

**Vine Crops:** grapes and kiwi fruit.

**Herbs:** peppermint and spearmint

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

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

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

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

**Cucurbit Vegetables:** including 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, and watermelon.

**Root and Tuber Vegetables:** including 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:** including garlic, leek and onions.

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

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

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

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

**Tropical Crops:** acerola, astemoya, avocado, banana (plantains), breadfruit, canistel, carambola, cherimoya, cocoa beans, coconut, coffee, dates, durian, figs, genip, guava, jaboricaba, jackfruit, longan, lychee, mango, mangosteen, papaya, passion fruit,

persimmons, pineapple, pomegranate, rambutan, sapodilla, sapote (black, mamey, white), soursop, sugar apple, tamarind, and tea.

- 2. **Uses for which the US EPA has accepted 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 US EPA requirements.**

**STORAGE AND DISPOSAL**

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

**PESTICIDE STORAGE:** Store in original container only. Do not store near heat or open flame. In case of spill or leak, sweep up and dispose of waste.

**PESTICIDE DISPOSAL:** Open dumping is prohibited. Wastes 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. Completely empty bag into formulation equipment. Then offer for recycling if available, or dispose of empty bag in a sanitary landfill or by incineration or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

~~Emptied container retains product residue. Observe all labeled safeguards until container is cleaned, reconditioned or destroyed. Completely empty bag into formulation equipment. Dispose of empty bag in a sanitary landfill or by incineration.~~

~~[Optional instructions for bulk packaging~~

~~**BULK CONTAINER DISPOSAL:** Triple rinse emptied bulk container. Triple rinse as follows: Empty the remaining contents into formulation equipment. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Empty one rinsate into mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. The offer for recycling or reconditioning, or dispose of in a manner approved by local authorities.]~~

**IMPORTANT: READ BEFORE USE**

Read the entire Directions for Use and Conditions of Warranties and Limitations of Liability before using this product. If the terms are not acceptable, return the unopened product at once.

By using this product, User or Buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

**CONDITIONS:** The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials or the manner of use or application, all of which are beyond the control of AXSS USA, LLC or Seller. All such risks shall be assumed by the User or Buyer.

**DISCLAIMER OF WARRANTIES:** To the extent consistent with applicable law, AXSS USA, LLC makes no other warranties, express or implied, of merchantability or of fitness for a particular purpose or otherwise, that extend beyond the statements made on this label. No agent

