

83520-27

08/02/2013


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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Michael Kellogg  
Tacoma Ag, LLC  
c/o Pyxis Regulatory Consulting, Inc.  
4110 136<sup>th</sup> St. NW  
Gig Harbor, WA 98332

 AUG 02 2013

Subject: Label Notification adding Refillable Container Language per PR Notice 2007-4  
Sodium Bentazon 55.9% MUP  
EPA Reg. No. 83520-27  
Application Dated February 28, 2013

Dear Mr. Kellogg,

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4, dated February 28, 2013, for the subject product. The label notification adding refillable container language has been accepted, and will be added to Agency files for your product.

If you have any questions, please feel free to contact me at 703-305-1243 or [montague.kathryn@epa.gov](mailto:montague.kathryn@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Kathryn V. Montague".

Kathryn V. Montague  
Product Manager 23  
Herbicides Branch  
Registration Division (7505P)  
Office of Pesticide Programs

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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 83520-27	2. EPA Product Manager K. Montague	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Tacoma Ag, LLC / Sodium Bentazon 55.9% MUP	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Tacoma Ag, LLC c/o Pyxis Regulatory Consulting, Inc. 4110 136th St. NW Gig Harbor, WA 98332 <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: <b>NOTIFICATION</b> EPA Reg. No. _____ Product Name <b>AUG 02 2013</b>	

**Section - II**

<input type="checkbox"/> Amendment - Explain below.	<input 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.)

Submission of a label notification adding refillable plastic container handling language per PRN 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 of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I 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 checked="" type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
					Other (Specify) _____
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 265 gallons		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 _____		

**Section - IV**

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Michael Kellogg	Title Agent	Telephone No: (Include Area Code) (253) 853-7369
<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 or both under applicable law.		Date Application Received (Stamped)
2. Signature 	3. Title Agent	
4. Typed Name Michael Kellogg	5. Date 2/28/13	

PYXIS REGULATORY CONSULTING, INC.

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4110 136<sup>th</sup> St. NW  
Gig Harbor, WA 98332

Phone: 253-853-7369  
Fax: 253-853-5516  
www.PyxisRC.com

February 28, 2013

COURIER DELIVERY

Kathryn Montague (PM 23)  
Document Processing Desk (NOTIF)  
Office of Pesticide Programs (7504P)  
U.S. Environmental Protection Agency  
Room S-4900, One Potomac Yard  
2777 S. Crystal Drive  
Arlington, VA 22202-4501

RE: Tacoma Ag, LLC - Sodium Bentazon 55.9% MUP (EPA Reg. No. 83520-27)  
Submission of a Label Notification adding Refillable Container language per PRN 2007-4

Dear Ms. Montague,

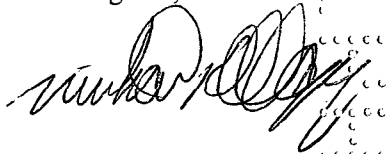
On behalf of Tacoma Ag, LLC, please find the enclosed label notification adding refillable plastic container handling language to the Sodium Bentazon 55.9% MUP (EPA Reg. No. 83520-27) label per PRN 2007-4.

In support of this label notification submission, we submit the following:

1. Completed Application for Registration (EPA Form 8570-1)
2. One (1) copy of the Sodium Bentazon 55.9% MUP label with changes tracked
3. One (1) copy of the Sodium Bentazon 55.9% MUP label with changes incorporated
4. Certification with Respect to Label Integrity
5. One (1) copy of the Sodium Bentazon 55.9% MUP label on CD
6. Letter of Authorization

Please contact me by telephone (253-853-7369) or e-mail (Mike@PyxisRC.com) if you have any questions or need any additional information.

Best regards,



Michael Kellogg

Enclosures

cc: K. Howard, Tacoma Ag, LLC

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NOTIFICATION

AUG 02 2013

# Sodium Bentazon 55.9% MUP

FOR FORMULATION USE ONLY

ACTIVE INGREDIENT	% BY WT
Sodium salt of bentazon*	
[Sodium 3-(1-methylethyl)-1H-2,1,3-benzothiadiazin-4 (3H)-one 2,2-dioxide]	55.9%
OTHER INGREDIENTS:	44.1%
TOTAL	100.0%

\*Equivalent to 51.2% bentazon

## KEEP OUT OF REACH OF CHILDREN DANGER—PELIGRO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.  
(If you do not understand the label, find someone to explain it to you in detail.)

FIRST AID	
<b>If in eyes:</b>	<ul style="list-style-type: none"><li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li><li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li><li>• Call a poison control center or doctor for treatment advice.</li></ul>
<b>If on skin or clothing:</b>	<ul style="list-style-type: none"><li>• Take off contaminated clothing.</li><li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li><li>• Call a poison control center or doctor for treatment advice.</li></ul>
<b>If swallowed:</b>	<ul style="list-style-type: none"><li>• Call a poison control center or doctor immediately for treatment advice.</li><li>• Have person sip a glass of water if able to swallow.</li><li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li><li>• Do not give anything by mouth to an unconscious person.</li></ul>
<b>NOTE TO PHYSICIAN:</b> Probable mucosal damage may contraindicate the use of gastric lavage.	
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact CHEMTREC at 1-800-424-9300 for emergency medical information.	

EPA Reg. No. 83520-27

EPA Est. No.

**Manufactured For:**

Tacoma Ag, LLC  
P.O. Box 14073  
Durham, NC 27713

NET CONTENTS: Gal. ( Liters)

**PRECAUTIONARY STATEMENTS  
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

**DANGER. CORROSIVE.** Causes irreversible eye damage. **DO NOT** get in eyes or on clothing. Avoid contact with skin. Harmful if swallowed or absorbed through the skin. Avoid contact with eyes or clothing. Wear protective eyewear (goggles, face shield, or safety glasses). Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. Wear protective clothing and waterproof gloves. Remove contaminated clothing and wash before re-use. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

**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.

**Only For Formulation into Herbicide Products Intended For:** use on alfalfa, beans, clover grown for seed (Washington and Oregon only), corn, peanuts, peas, peppers, peppermint, rice (not for use in California), sorghum, soybeans, spearmint, ornamental lawns and turf, ornamentals (not for use in California), non-cropland sites (nurseries, roadsides, rights-of-way); uses for which U.S. EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; uses for experimental purposes that are in compliance with U.S. EPA requirements for their formulated products.

**STORAGE AND DISPOSAL**

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

**PESTICIDE STORAGE:** Store in original container only. Keep container closed when not in use. Do not store near food or feed. In case of spill on floor or paved surfaces, mop up and remove to chemical waste storage area until proper disposal can be made if product cannot be used according to label.

**PESTICIDE DISPOSAL:** Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of federal law. If these wastes cannot be disposed of according to label instructions, contact your State Pesticide or Environmental Protection Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

**CONTAINER HANDLING:**

**[NONREFILLABLE CONTAINERS]**

**Nonrefillable rigid containers (greater than 5 gallons).** Nonrefillable container. Do not reuse or refill this container. Clean container promptly after emptying. Triple rinse or pressure rinse (or equivalent).

**Triple rinse as follows:** Empty the remaining contents into formulating equipment or a mix tank. 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 it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

**Pressure rinse as follows:** Empty the remaining contents into formulating equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over formulating 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.

Once properly rinsed, offer container for recycling, if available. If recycling is not available, dispose of in accordance with federal, state, and local regulations and procedures which may include puncturing the container and disposal in a sanitary landfill. If rinsate cannot be used, follow pesticide disposal instructions.

**[REFILLABLE CONTAINERS]**

**Refillable container.** Refill this container with pesticide only. Do not reuse this container for any other purpose. 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 this container into formulation equipment. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Return to point of sale or offer for recycling if available or reconditioning if appropriate or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures approved by state and local authorities.

**Steps to be taken in case material is released or spilled:** Dike and contain the spill with inert material such as sand, earth, etc. Transfer liquid to containers and solid diking material to separate containers for recovery and disposal.

**Terms and Conditions of Use**

If terms of the following Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies are not acceptable, return unopened package at once to the seller for a full refund of purchase price paid. Otherwise, use by the buyer or any other user constitutes acceptance of the terms under Warranty Disclaimer, Inherent Risks of Use and Limitations of Remedies.

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**Warranty Disclaimer**

Tacoma Ag, LLC warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, TACOMA AG, LLC MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

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**Inherent Risks of Use**

It is impossible to eliminate all risks associated with use of this product. Unintended consequences may result because of such factors as use of the product contrary to label instructions, presence of other materials, or other factors, all of which are beyond the control of Tacoma Ag, LLC or the seller. All such risks shall be assumed by buyer.

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**Limitation of Remedies**

The exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories), shall be limited to, at Tacoma Ag, LLC election, one of the following: Refund of purchase price paid by buyer or user for product bought, or Replacement of amount of product used.

To the extent consistent with applicable law, Tacoma Ag, LLC shall not be liable for losses or damages resulting from handling or use of this product unless Tacoma Ag, LLC is promptly notified of such loss or damage in writing. In no case, to the extent consistent with applicable law, shall Tacoma Ag, LLC be liable for consequential or incidental damages or losses.

The terms of the Warranty Disclaimer above and this Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of Tacoma Ag, LLC or the seller is authorized to vary or exceed the terms of the Warranty Disclaimer or this Limitation of Remedies in any manner.

EPA 20130228