

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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

Mr. Michael Kellogg Tacoma Ag, LLC C/O Pyxis Regulatory Consulting, Inc 4110 136th St. NW Gig Harbor, WA 98332

MAR 1 0 2014

Subject:

Product Name: Tebuconazole Technical

EPA Reg. No. 83520-30 Submission date: 1/30/14

Notification for Label Changes per PRN 2007-4: Update storage and disposal

Decision Number 487851

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4. The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the action(s) 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.

If you have questions concerning this letter, please call Banza Djapao at 703-305-7269 or via email at djapao.banza@epa.gov, or you may call me at 703-305-5410.

Sincerely.

Hope Johnson

Product Manager 21

Fungicide Branch

Registration Division (7504P)

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AB No. 2070-0060. Approval expires 2-28 Please read instructions on reverse before compleu. Form Approved. **OPP Identifier Number United States** Registration **Environmental Protection Agency Amendment** Washington, DC 20460 Other Application for Pesticide - Section I 2. EPA Product Manager 1. Company/Product Number 3. Proposed Classification 83520-30 H. Johnson None Restricted 4. Company/Product (Name) PM# 21 Tacoma Ag, LLC/Tebuconazole Technical 5. Name and Address of Applicant (Include ZIP Code) 6. Expedited Reveiw. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling Tacoma Ag, LLC c/o Pyxis Regulatory Consulting Inc. 4110 136th St. NW EPA Reg. No. Gig Harbor, WA 98332 Check if this is a new address **Product Name** Section - II Amendment - Explain below. Final printed labels in repsonse to Agency letter dated Resubmission in response to Agency letter dated ___ "Me Too" Application. Notification - Explain below. Other - Explain below. Explanation: Use additional page(s) if necessary. (For section I and Section II.) Submission of a label notification adding nonrefillable plastic/nylon bag container disposal 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: Unit Packaging 2. Type of Container Child-Resistant Packaging Water Soluble Packaging Metal Yes Plastic Nο Nο No Glass Paper No. per If "Yes" No. per PE lined fiber drum or * Certification must Unit Packaging wgt. Package wgt container Other (Specify) plastic/nylon bag be submitted 3. Location of Net Contents Information 4. Size(s) Retail Container 5. Location of Label Directions On Label 25, 500 kg On Labeling accompanying product Container 6. Manner in Which Label is Affixed to Product Other Lithograph Paper glued Stenciled Section - IV 1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.) Title Telephone No. (Include Area Code) Name Michael Kellogg ⁽(253) 853-7369° Agent 6. Date Application Certification Received I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowlinglly false or misleading statement may be punishable by fine or imprisonment or (Skamped) both under applicable law. 3. Title 2. Signature Agent 4. Typed Name Michael Kellogg

PYXIS REGULATORY CONSULTING, INC.

4110 136th St. NW Gig Harbor, WA 98332

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

January 30, 2014

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COURIER DELIVERY

Kathryn Montague (PM 23) Hepe Johnson (pm 21)
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 – Tebuconazole Technical (EPA Reg. No. 83520-30)
Submission of a Label Notification adding Nonrefillable Plastic/Nylon Bag Container Disposal language per PRN 2007-4

Dear Ms. Johnson,

On behalf of Tacoma Ag, LLC, please find the enclosed label notification adding nonrefillable container disposal language for nylon/plastic bags to the Tebuconazole Technical (EPA Reg. No. 83520-30) 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 Tebuconazole Technical label with changes tracked
- 3. One (1) copy of the Tebuconazole Technical label with changes incorporated
- 4. Certification with Respect to Label Integrity
- 5. One (1) copy of the Tebuconazole Technical 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

TEBUCONAZOLE TECHNICAL

FOR USE IN FORMULATING FUNGICIDES ONLY

ACTIVE INGREDIENT:	
Tebuconazole: α -[2-(4-chlorophenyl)ethyl]- α -(1,1-dimethylethyl)-1 H -1,2,4-triazole-1-	;
ethanol	98.5%
OTHER INGREDIENTS:	
TOTAL:	100.0%

KEEP OUT OF REACH OF CHILDREN CAUTION

	FIRST AID
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 the poison control center or doctor. Do not give anything by mouth to an unconscious person.
IF INHALED:	 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 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. Call a Poison Control Center or doctor for treatment advice.
IF ON SKIN OR CLOTHING:	 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 emergency information concerning this product, call the National Pesticide Information Center (NPIC) at 1-800-858-7378 seven days a week, 6:30 am to 4:30 pm Pacific Time or your poison control center at 1-800-222-1222.

Note to Physician: No specific antidote is available. Treat asymptomatically.

EPA Reg. No. 83520-30

EPA Est. No.

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Manufactured for:

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

Net Weight:

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PRECAUTIONARY STATEMENTS HAZARD TO HUMANS AND DOMESTIC ANIMALS

CAUTION. Harmful if swallowed, absorbed through skin, or inhaled. Causes moderate eye irritation. Avoid-contact-with-eyes, skin or clothing.—Avoid-breathing-dust.—Wear-long-sleeved shirt-and long pants, shoes and socks. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove and wash contaminated clothing before reuse.

ENVIRONMENTAL HAZARDS

This product is toxic to mammals, fish, and aquatic invertebrates. Do not discharge effluent containing this product directly into lakes, streams, ponds, estuaries, oceans or public 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 Environmental Protection Agency.

DIRECTIONS FOR USE

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

This product may only be used to formulate end-use products with the following uses:

- (1) Terrestrial Food/Feed Crops: Asparagus, Banana, Barley (seed treatment and foliar treatment), Beans, Brassica leafy greens subgroup 5 B, Bulb vegetable crop group 3, Cherries, Corn, Cotton, Cucurbit Vegetables crop group 9, Fruiting vegetable crop group 8, Garden Beets, Grapes, Grasses Grown for Seed, Hops, Lychee, Mango, Oats (seed treatment), Okra, Peanuts, Pistachio, Plantains, Pome Fruit crop group 11, Soybeans, Stone Fruit crop group 12, Sunflower, Tree Nuts crop group 14, Turnip, and Wheat (seed and foliar treatment)
- (2) <u>Terrestrial non-food uses</u>: Golf Course Turf, Flowers, Ground Covers, House Plants, Ornamental Trees, Ornamental Shrubs, Roses, Vines
- (3) <u>Wood Protection</u>: For end use products that protect wood from wood rotting fungi and for products that protect millwork (window frames, wood doors, doorframes, etc.), in-ground wood products (pilings, telephone poles, wood building materials), and Sapstain control in fresh cut lumber.
- (4) uses for which US EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and
- (5) uses for experimental purposes that are in compliance with U.S. EPA requirements.

Restrictions: Do not package end use products in metal containers.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in original container tightly closed and in a safe place.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL:

[Lined Fiber Drum]

Liner bag: Nonrefillable container. Do not reuse or refill this container. Completely empty liner into application equipment by shaking and tapping sides and bottom to loosen clinging particles. When completely empty offer liner bag for recycling if available or dispose of liner in a sanitary landfill. Container Disposal – Outer Drum: Nonrefillable container. Do not reuse or refill this container. When completely empty offer for recycling if available or dispose of drum in a sanitary landfill.

[Plastic/Nylon Bags]

Nonrefillable container. Do not reuse or refill this container. Completely empty bag into formulation equipment, then offer for recycling if applicable or dispose of empty bag in a sanitary landfill or by incineration.

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.

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 MERCHANTABILTY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

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. To the extent consistent with applicable law, all such risks shall be assumed by buyer.

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:

- (1) Refund of purchase price paid by buyer or user for product bought, or
- (2) 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.

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