

83558-4

06/19/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

JUN 19 2009

Christie Hitchcock
Regulatory Specialist
Makhteshim Agan of North America, Inc.
4515 Falls of Neuse Road, Suite 300
Raleigh, NC 27609

Subject: Label Notification for Pesticide Registration Notice 2007-4 (EPA Registration Number 83558-4)

Dear Ms. Hitchcock,

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated May 11, 2009 for the product Prodiamine Technical (EPA Registration Number 83558-4). The Registration Division (RD) has conducted its review of this request for its applicability under PRN 2007-4 and finds that the label changes requested fall 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 Steve Schaible of my staff at 703-308-9362.

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

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Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0080. Approval expires 2-28-95



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 83558-4	2. EPA Product Manager Linda Arrington	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Prodiamine Technical	PM# 23 Registration Support Branch	
5. Name and Address of Applicant (Include ZIP Code) Celsius Property B.V. Amsterdam (NL) c/o Makhteshim Agan of North America, Inc. 4515 Falls of Neuse Rd, Ste 300, Raleigh, NC 27609 <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 <u>JUN 19 2009</u>	

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.)

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance of PR Notice 2007-4 and 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 statements 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 checked="" 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
				<input checked="" type="checkbox"/> Glass	<input checked="" type="checkbox"/> Paper
				Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 50 lbs or less; greater than 50 lbs		5. Location of Label Directions <input checked="" type="checkbox"/> on label	
6. Manner in Which Label is Affixed to Product		<input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		<input checked="" type="checkbox"/> Other Self-adhesive	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Christie Hitchcock	Title Regulatory Specialist	Telephone No. (Include Area Code) 919-256-9342
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 (Stamper)
2. Signature <i>Christie Hitchcock</i>	3. Title Regulatory Specialist	
4. Typed Name Christie Hitchcock	5. Date 05-11-09	

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May 11, 2009

Document Processing Desk (NOTIF)
Registration Division (7504P)
OPP, USEPA
Ariel Rios Building
1200 Pennsylvania Ave, NW
Washington, DC 20460

Re: Prodiamine Technical, EPA Reg. No. 83558-4
Notification per PRN ~~98-46~~ 2007-4

To Whom It May Concern:

As agent of Celsius Property, B.V. Amsterdam (NL), Neuhausen a. Rhf Branch, Makhteshim Agan of North America, Inc. (MANA) is notifying the Agency of the updated container handling instructions per PRN 2007-4 for the above mentioned label.

In support of this submission, the following documents are attached:

- Application for Pesticide Registration (EPA Form 8570-1)
- One copy of final printed labeling

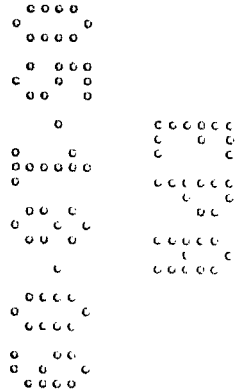
Please contact me at 919-256-9342 or by email at chitchcock@manainc.com if you have any questions regarding this submission.

Sincerely,

Christie Hitchcock
Regulatory Specialist

Enclosures

4515 Falls of Neuse Road, Suite 300, Raleigh NC 27609
T: 919.256.9305 ♦ F: 919.256.9308



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PRODIAMINE TECHNICAL

FOR MANUFACTURING USE ONLY

For the Manufacture of Non-Food Use Herbicides Only

ACTIVE INGREDIENT:	% BY WT.
Prodiamine: 2,4-dinitro-N ³ ,N ³ -dipropyl-6-(trifluoromethyl)-1,3-benzenediamine*	97.0%
RELATED COMPOUNDS:	3.0%
TOTAL	100.0%

CAS No. 29091-21-2

KEEP OUT OF REACH OF CHILDREN

CAUTION

See additional precautionary statements on this label.

Manufactured for:

Celsius Property B.V., Amsterdam (NL), Neuhausen a Rhf. Branch
c/o Makhteshim Agan of North America, Inc.
4515 Falls of Neuse Road, Suite 300
Raleigh, NC 27609

EPA Reg. No. 83558-4

EPA Est. No. XXXXXXXXXX

NET CONTENTS: XXXX lb. (XXXX kg.)

FIRST AID	
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 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.
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 mouth-to-mouth, if possible. Call a poison control center or doctor for treatment advice.
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.
<p>Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact Prozar at 1-877-250-9291 for emergency medical treatment information.</p>	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION! Harmful if swallowed, inhaled, or absorbed through the skin. Avoid breathing dust. Avoid contact with skin, eyes, or clothing.

ENVIRONMENTAL HAZARDS

This product has a low solubility in water. At the limit of solubility, this product is not toxic to fish. However, at concentrations above the level of water solubility, it may be toxic to fish.

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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 a herbicide for the following use(s): Established turf grasses; lawns and sod nurseries; container, field grown, and landscape ornamentals; established perennials and wildflower plantings; plants grown for cut foliage production; conifer and hardwood seedling nurseries; Christmas tree farms; managed transportation and utility rights-of-way (including rail & equipment yards); and public utility facilities (substations, tankfarms, pumping stations, parking/storage areas, ungrazed fencerows).

Prodiamine Technical is a technical product intended to be used only in the manufacture of registered noncrop end-use products. Each formulator is responsible for obtaining the EPA registration of his formulated product(s).

The following information may be helpful in handling and manufacturing end-use products.

For specific information relating to composition, toxicity, methods of formulation, and the product's effectiveness, please contact your Celsius Property, BV representative.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in original container away from fertilizer, feed, or food stuffs and separated from other pesticides.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of at an approved waste disposal facility.

CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available or reconditioning, or puncture and dispose of in a sanitary landfill, or at an incineration facility, or if allowed by state and local authorities by burning. If burned, stay out of smoke.

FOR 24-HOUR EMERGENCY ASSISTANCE (SPILL, LEAK, OR FIRE), CALL INFOTRAC AT 1-800-535-5053.

LIMITATION OF WARRANTY AND LIABILITY

Read the entire directions for use, conditions of warranties and limitations of liability before using this product. If terms are not acceptable, return the unopened product container 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 Celsius Property B.V., Amsterdam (NL), Neuhausen a. Rhf Branch. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: To the extent consistent with applicable law, Celsius Property B.V., Amsterdam (NL) Neuhausen a. Rhf Branch 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 of Celsius Property B.V., Amsterdam (NL) Neuhausen a. Rhf Branch is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. To the extent consistent with applicable law, Celsius Property B.V., Amsterdam (NL) Neuhausen a. Rhf Branch disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

LIMITATIONS OF LIABILITY: To the extent consistent with applicable law, the exclusive remedy of the user or buyer for any and all losses, injuries or damages resulting from the use or handling of this product, whether in contract, warranty, tort, negligence, strict liability or otherwise, shall not exceed the purchase price paid or at Celsius Property B.V., Amsterdam (NL) Neuhausen a. Rhf Branch's election, the replacement of product.

Prodiamine Technical (83558-4)(notif to EPA 05-11-09)