

83558-16

4/10/2009

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Ms Christie Hitchcock  
Agent for Celsius Property B.V., Amsterdam (NL)  
C/O Makhteshim Agn of North America, Inc  
4515 Falls of Neuse Rd., Suite 300,  
Raleigh, NC 27609

APR 10 2009

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

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated February 24, 2009 for:

**EPA Registration 83558-16    Oxadiazon Technical**

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-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 Banja Djapao of my staff at 703-305-7269.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda", is located below the word "Sincerely,".

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

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United States  
Environmental Protection Agency  
Washington, DC 20460

☐ Registration  
☐ Amendment  
☒ Other

OPP Identifier Number

**Application for Pesticide - Section I**

1. Company/Product Number 83558-16	2. EPA Product Manager Linda Arrington	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Oxadiazon 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., Suite 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: <b>NOTIFICATION</b> EPA Reg. No. _____ APR 10 2009 Product Name _____	

**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 type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

**Explanation:** Use additional page(s) if necessary. (For section I and Section II.)

Change in company ownership. Notification of label change per PR Notice 98-10 and PR Notice 2007-4. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and 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 of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make false statements to EPA. I further understand that if this notification/amended label is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, and 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:					
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	2. Type of Container <input checked="" type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input checked="" type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container
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	
<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.			6. Date Application Received (Stamped)
2. Signature <i>Christie Hitchcock</i>		3. Title Regulatory Specialist	
4. Typed Name Christie Hitchcock		5. Date 02-24-09	



February 24, 2009

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

Re: Oxadiazon Technical, EPA Reg. No. 83558-16 (formerly 73220-7)  
Notification per PRN 98-10 and 2007-4 and updated EPA Reg. No. due to change in Company Ownership

To Whom It May Concern:

Makhteshim Agan of North America, Inc., as agent for Celsius Property, B.V., Amsterdam (NL), is notifying the Agency of several label updates as allowed in PR Notices 98-10 and 2007-4. This product was transferred from FarmSaver.com, LLC (EPA Co. No. 73220-7) to Celsius Property, B.V., Amsterdam, (NL) (EPA Co. No. 83558) on 8-25-08. The changes are summarized below:

- Added "Manufactured for" in front of the company name (allowed per PRN 98-10 §II(N)(2))
- Updated the Warranty Statement that is now consistent with EPA's guidance document dated 10-17-06 (allowed per PRN 98-10 §II(J))
- Added Emergency Responder phone numbers in First Aid and/or Storage & Disposal sections (allowed per PRN 2006-01 §II(E))
- Updated address on product-specific labeling (allowed per PRN 98-10 §IV(D))(note; official EPA records have already been updated; we're just correcting this label)
- Updated container disposal instructions per PRN 2007-4
- Updated EPA Registration Number to reflect change in company ownership

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](mailto:chitchcock@manainc.com) if you have any questions regarding this submission or would like a copy of the annotated label showing the changes for your files.

Sincerely,

Christie Hitchcock  
Regulatory Specialist

Enclosures

# OXADIAZON TECHNICAL

## For Formulation of Herbicides Only

Formulators who use this product are responsible for obtaining EPA registration of their formulated products. Products containing oxadiazon are not for use on home lawns.

ACTIVE INGREDIENT:	% BY WT.
Oxadiazon: 3-[2,4-dichloro-5-(1,1-dimethylethyl)-1,3,4-oxadiazol-2(3H)-one .....	94.0%
INERT INGREDIENTS: .....	6.0%
<b>TOTAL</b>	<b>100.0%</b>

### KEEP OUT OF REACH OF CHILDREN WARNING

### NOTIFICATION

APR 10 2009

Manufactured for:  
Celsius Property B.V., Amsterdam (NL)  
c/o Makhteshim Agan of North America, Inc.  
4515 Falls of Neuse Rd, Suite 300  
Raleigh, NC 27609

EPA Reg. No. 83558-16

EPA Est. No. [REDACTED]

NET CONTENTS: \_\_\_\_\_ LBS. (\_\_\_\_ KG.)

FIRST AID	
<b>IF ON SKIN OR CLOTHING:</b>	<ul style="list-style-type: none"> <li>Take off all 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 INHALED:</b>	<ul style="list-style-type: none"> <li>Move person to fresh air.</li> <li>If person is not breathing, call 911 or ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>
<b>NOTE TO PHYSICIAN:</b>	Oxadiazon is a skin irritant. Probable mucosal damage may contraindicate the use of gastric lavage.
Have the product container with you when calling a physician or poison control center, or going for treatment. You may also contact Prosar at 1-877-250-9291 for emergency medical treatment information.	

### PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

**WARNING.** Causes skin irritation. Harmful if absorbed through skin. Harmful if inhaled. Do not get on skin or on clothing. Avoid contact with eyes. Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.

### 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 into sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

Do not apply this product within 15 feet of bodies of water that may serve as sources of drinking water.

### DIRECTIONS FOR USE

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

For use only by manufacturers in the formulation of herbicides.

Only for formulation into herbicides for the following uses: Turf, ornamentals, nursery trees and landscape plantings. This product may be used to formulate for specific use(s) not listed above if the formulator, user group, or grower has complied with EPA submission requirements regarding support of such use(s). This product may not be formulated into products intended for residential consumer use. All wettable-powder formulations must be packaged in water-soluble packaging.

#### STORAGE AND DISPOSAL

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

**PESTICIDE STORAGE:** Do not contaminate water, food or feed by storage or disposal.

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

**CONTAINER HANDLING:** Nonrefillable container. Do not reuse or refill this container.

Completely empty bag into equipment. Then dispose of empty bag in a sanitary landfill, or, if allowed by government regulations, by burning or incineration. If bag is burned, stay out of smoke. Offer for recycling if available. Consult federal, state or local disposal authorities for approved alternative procedures.

**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). 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) 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) 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) 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)'s election, the replacement of product.

#### NOTIFICATION

APR 10 2009

Oxadiazon Technical (83558-16)(notif to EPA 02-24-09)