

83558-22

12-31-2008

1/4



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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

DEC 31 2008

Ms. Jane Rothwell  
Registration Specialist  
Celsius Property, BV c/o Makhteshim Agan of North America, Inc.  
4515 Falls of Neuse Road., Suite 300  
Raleigh, NC 27609

RE: Notification to update Warranty Statement, Change of Co. Ownership and Primary Brand  
Name: Oryzalin Technical  
EPA Registration Number: 83558-22 (formerly 72167-7)  
Date of Submission: October 14, 2008

Dear Ms. Rothwell:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated October 14, 2008, for the product Oryzalin Technical. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Joyce Edwards of my staff at 703-308-5479.

Sincerely,

A handwritten signature in black ink, appearing to be "Linda", is written above the typed name.

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



United States  
Environmental Protection Agency  
Washington, DC 20460

☐ Registration  
☐ Amendment  
☒ Other

OPP Identifier Number

## Application for Pesticide - Section I

1. Company/Product Number 83558-2 <u>1</u>	2. EPA Product Manager Linda Arrington	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Nations Ag II Oryzalin Technical	PM# Registration Support Branch	
5. Name and Address of Applicant (Include ZIP Code) Celsius Property, BV c/o Makhteshim Agan of No. 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: EPA Reg. No. <u>NOTIFICATION</u> Product Name <u>DEC. 31 2008</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: UPDATED WARRANTY STATEMENT, CHANGE OF CO. OWNERSHIP, AND PRIMARY BRAND NAME (Oryzalin Technical.). This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40CFR 152.46, and 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 USC Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, 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 type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input 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 type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input 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 Jane Rothwell		Title Registration Specialist		Telephone No. (Include Area Code) 919-331-4400	
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 (Stamped)
2. Signature 		3. Title Registration Specialist			
4. Typed Name Jane Rothwell		5. Date 10-14-08			



October 14, 2008

Document Processing Desk (NOTIF)  
Registration Division (7504P)  
Office of Pesticide Programs  
U.S. Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Ave, NW  
Washington DC 20460

Re: Nations Ag II Oryzalin Technical; EPA Reg. No. 83558-2<sup>7</sup> (formerly EPA No. 72167-7)  
Notification of Primary Brand Name Change, Updated EPA No. Due to a Change in Company Ownership  
and Warranty Statement

To Whom It May Concern:

Makhteshim Agan of North America, Inc., as agent for Celsius Property, BV (Neuhasen a RHF Branch) is notifying the Agency of a primary brand name change for the product referenced above. The product will be marketed under the name: Oryzalin Technical. This product was transferred from Nations AG II, LLC (co. no. 72167) to Celsius Property, BV (Neuhasen a RHF Branch)(co. no. 83558) on 8-25-08. This labeling reflects the new EPA number (83558-2).

The Warranty Statement has also been updated in accordance with EPA's guidance document dated 10-17-06 (allowed per PRN 98-10 §II (J)).

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40CFR 152.46, and 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 USC Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, 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.

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

- Application for Pesticide Registration (EPA form 8570-1)
- One copy of labeling

Should you have any questions, please contact me at 901-861-4400 or by e mail at [janer@manainc.com](mailto:janer@manainc.com).

Sincerely,

Jane Rothwell  
Enclosures

# ORYZALIN TECHNICAL

## For Manufacturing Use Only.

### ACTIVE INGREDIENT:

Oryzalin: 3,5-dinitro-N<sup>4</sup>, N<sup>4</sup>-dipropylsulfanilamide .....95.6%

INERT INGREDIENTS: .....4.4%

TOTAL .....100.0%

EPA Reg. No. 83558-22

EPA Est. No. 074502-CHN-001

Each formulator is responsible for obtaining EPA registration for his end-use product.

### KEEP OUT OF REACH OF CHILDREN CAUTION

First Aid	
If in eyes:	<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>
If on skin or clothing:	<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>
If inhaled:	<ul style="list-style-type: none"><li>• Move person to fresh air.</li><li>• If person is not breathing, call 911 or an 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>
If swallowed:	<ul style="list-style-type: none"><li>• Call 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 the poison control center or doctor.</li><li>• Do not give anything by mouth to an unconscious person.</li></ul>
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	

### PRECAUTIONARY STATEMENTS

#### HAZARDS TO HUMANS AND DOMESTIC ANIMALS:

**CAUTION!** Causes Moderate Eye Irritation. Harmful if Absorbed Through the Skin. Prolonged or Frequently Repeated Skin Contact May Cause Allergic Reactions in Some Individuals. Wash Thoroughly With Soap and Water After Handling.

**Avoid Contact With Skin, Eyes, and Clothing.**

### ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with 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 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 be used only for the formulation of end-use herbicide products for the following uses: 1) Crops including avocado, berries/small fruits, citrus, fig, kiwi, olive, pomegranate, pome fruit, stone fruit, nuts, and vineyards; 2) Ornamentals; 3) Turf; and 4) Non-cropland.

Formulators using this product are responsible for obtaining EPA registration of their products.

### STORAGE AND DISPOSAL

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

**PESTICIDE STORAGE:** Store in original container in a dry area. Do not store in a manner where cross-contamination with other pesticides, fertilizers, food or feed could occur. If spilled during storage or handling, contain material and dispose of in accordance with the Pesticide Disposal Instructions listed below.

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

**CONTAINER DISPOSAL:** Completely empty liner by shaking and tapping sides and bottom to dislodge clinging particles. Empty residue into manufacturing equipment. Then dispose of liner in an approved landfill or by incineration if allowed by state and local authorities. If drum is contaminated and cannot be reused, dispose of in the same manner.

### 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, BV (Neuhasen 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, BV (Neuhasen 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, BV (Neuhasen 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, BV (Neuhasen 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, BV (Neuhasen a RHF Branch)'s election, the replacement of product.

CELSIUS PROPERTY, BV  
(NEUHASEN A RHF BRANCH)  
4515 FALLS OF NEUSE RD, SUITE 300  
RALEIGH, NC 27609

**Net Contents:**

**NOTIFICATION**

EPA 011002/Tran 082508/Rev A

**DEC. 31 2008**

4/4