09/29/2009



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

> OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCE

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

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Subject: Notification(s) for Label Revisions under PRN 2007-4 and 98-10

- 1. Updated warranty statement
- 2. Added emergency responder phone number
- 3. Updated address

Dear Ms. Hitchcock:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 2007-4 and 98-10 dated August 20, 2009 for:

EPA Registration 83558-27 Ethephon 71.3% SL

The Registration Division (RD) has conducted a review of the request(s) for applicability under 2007-4 and 98-10 and finds that the label changes requested fall within the scope of 2007-4 and 98-10. 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 identify the batch of the pesticide distributed and sold be placed on <u>nonrefillable</u> 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 Nicole Williams of my staff at 703-308-5551.

Sincerely,

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

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Ple te read ^t instructions on reverse before complet <u>prm.</u> United States Environmental Protecti Washington, DC 20	on Agency	Pproved. (<u>No. 20</u> Registrat Amendm ✓ Other	
Applicati	on for Pesticide - Sec	ction I	
1. Company/Product Number 83558-27	2. EPA Product Ma Linda Arrington	nager	3. Proposed Classification
4. Company/Product (Name) Ethephon 71.3% SL	PM# Registration Su	pport 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 2 	(b)(i), my product to: EPA Reg. No	is similar or identic	ce with FIFRA Section 3(c)(3) al in composition and labeling
	Product Name		<u>t.</u>
Amendment - Explain below. Resubmission in response to Agency letter dated Notification - Explain below.	Agency le "Me Too"	ed labels in repsonse tter dated Application. plain below.	¹⁰ NOTIFICATION SEP 2 9 2009
Explanation: Use additional page(s) if necessary. (For section Notification per PRN 98-10: This notification is consistent with the have been made to the labeling or the confidential statement of for false statements to EPA. I further understand that if this notification in violation of FIFRA and I may be subject to enforcement action a	provisions of PR Notice 98-10 an rmula of this product. I understand n is not consistent with the terms of	that it is a violation of of PR Notice 98-10 and	18 U.S.C. Sec. 1001 to willfully make
1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging Yes ✓ No Certification must be submitted Ves ✓ No If "Yes" Unit Packaging Yes ✓ No No. per Unit Packaging	Water Soluble Packaging Yes No If "Yes" No. per Package wgt contained	er	Metal Plastic Glass Paper Other (Specify)
3. Location of Net Contents Information 4. Size(s) Re	etail Container	5. Location of Labe	Directions
6. Manner in Which Label is Affixed to Product [] Lithog	or less; greater than 5 gals graph r glued ailed	er Self-Adhesive	
· · · · · · · · · · · · · · · · · · ·	Section - IV	· · · · · ·	· · ·
1. Contact Point (Complete items directly below for identification	· · · · · · · · · · · · · · · · · · ·	, if necessary, to proc	cess this application.)
Name Christie Hitchcock	Title Regulatory Specialist	1	elephone No. (Include Area Code) 919-256-9342
Certifica I certify that the statements I have made on this form and I acknowledge that any knowlinglly false or misleading sta both under applicable law.	d all attachments thereto are tru		or E (Stamped)
2. Signature Christie Hitchwook	3. Title Regulatory Specialist	ί	
4. Typed Name Christie Hitchcock	5. Date 08-20-09	1	

EPA Form 8570-1 (Rev. 3-94) Previous editions are obsolete.

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Yellow - Applicant Copy



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Makhteshim Agan of North America, Inc.

August 20, 2009:

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Re: Ethephon 72.3% SL; EPA Reg. No. 83558-27 Page Two attachment to 8570-1 form

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.

Hetchwork

Christie Hitchcock Regulatory Specialist Regulatory Affairs, MANA



4515 Falls of Neuse Road, Suite 300, Raleigh NC 27609 T: 919.256.9300 ◆ F: 919.256.9308



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August 20, 2009

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

Re: Ethephon 71.3% SL; EPA Reg. No. 83558-27 Notification per PRN 98-10 and 2007-4

To Whom It May Concern:

On behalf of Celsius Property B.V., Amsterdam (NL), Makhteshim Agan of North America, Inc. is notifying the Agency of several updates for the above mentioned label as allowed in PR Notices 98-10 and 2007-4. The changes are summarized below:

- 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 number in First Aid section (allowed per PRN 2001-01 §III(I))
- 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

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

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

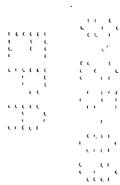
Please contact me at 919-256-9342 or by email at <u>chitchcock@manainc.com</u> if you have any questions regarding this submission or would like a copy of the annotated label showing the changes for your files.

Sincerely,

Hitchook

Christie Hitchcock Regulatory Specialist

Enclosures



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

ETHEPHON 71.3% SL

Technical / Manufacturing-Use Product

ACTIVE	INGREDIENT:	
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Ethephon [(2-chloroethyl) phosphonic acid]	71.3%
INERT INGREDIENTS:	
TOTAL:	100.0%

KEEP OUT OF REACH OF CHILDREN DANGER/PELIGRO

Si usted no entiende la etiqueta, busque a alquien 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.)

Manufactured for:

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

EPA Reg. No. 83558-27

EPA Est. No.

NET CONTENTS: _____ GALLONS

	FIRST AID
IF IN EYES:	 Hold eye open and rinse slowly and gently with water for 15 to 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.
IF SWALLOWED:	 Call a poison control center or doctor immediately for treatment advice. Do not induce vomiting unless told to do so by a poison control center or doctor. Have person sip a glass of water if able to swallow. Do not give anything by mouth to an unconscious person.
IF ON SKIN OR CLOTHING:	 Take off contaminated clothing. Rinse skin immediately with plenty of water for 15 to 20 minutes. Call a poison control center or doctor for treatment advice.
You may also contact NOTE TO PHYSICI	ntainer or label with you when calling a poison control center or doctor or going for treatment. t Prosar at 1-877-250-9291 for emergency medical treatment information. AN: Treat symptomatically. Consider the possibility that overexposure to materials other than this product Probable mucosal damage may contraindicate the use of gastric lavage.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS DANGER

Corrosive. Causes irreversible eye damage and skin burns. Harmful if swallowed or absorbed through skin. Do not get in eyes, on skin, or on clothing. Wear goggles or face shield. Wear protective clothing and rubber gloves. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

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 sever 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. Read entire label before using this product.

Ethephon 71% SL must be stored and used in ventilated areas only.

NOTIFICATION

SEP 2 9 2009

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Only For Formulation into an End-Use Plant Growth Regulator for:

- (1) The Following Uses: Terrestrial food uses on: apples, barley, blackberries, cantaloupes, cherries (sweet and tart), coffee beans, cotton, cucumbers (hybrid seed production), grapes, peppers, pineapples, pumpkins (hybrid seed production), squash (hybrid seed production), sugarcane, tomatoes, walnuts and wheat. Terrestrial non-food uses on: grasses grown for seed production, ornamentals, tobacco (flue-cured), and mistletoe.
- (2) Uses for which USEPA has Accepted the Required Data and/or Citations of Data that the Formulator has Submitted in Support of Registration.
- (3) Uses for Experimental Purposes that are in Compliance with USEPA Requirements.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a cool, dry place away from food, feed, and other pesticides. **IF SPILLED:** If container is broken or contents have spilled, follow all precautions indicated above and clean up immediately. Before cleaning up, put on full-length trousers, long-sleeved shirt, protective gloves and goggles or face shield. Soak up spill with absorbent media such as sand, earth, or other suitable material and dispose of waste at an approved waste disposal facility.

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 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 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 by incineration or, if allowed by state and local authorities, by burning. If container is burned, stay out of smoke.

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.

Ethephon 71.3% SL (83558-27)(notif to EPA 08-20-09)