

83558-28

09/29/2009

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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

SEP 29 2009

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 September 1, 2009 for:

EPA Registration 83558-28
EPA Registration 83558-29

Triclopyr TEA MC
Triclopyr Technical (Acid)

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 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 Nicole Williams of my staff at 703-308-5551.

Sincerely,

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



United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

OK

Application for Pesticide - Section I

1. Company/Product Number 83558-28	2. EPA Product Manager Linda Arrington	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Triclopyr TEA MC	PM# 25 Registration Support Branch	
5. Name and Address of Applicant (Include ZIP Code) Celsius Property BV, 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 _____	

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.

NOTIFICATION

SEP 29 2009

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

Notification per PRN 98-10: This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and 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 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:

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 checked="" 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 checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container 5 gals or less; greater than 5 gals	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
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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.

2. Signature 	3. Title Regulatory Specialist	6. Date Application Received (Stamped)
4. Typed Name Christie Hitchcock	5. Date 09-01-09	



September 1, 2009

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

Re: Triclopyr TEA MC; EPA Reg. No. 83558-28
Notification per PRN 98-10 and 2007-4

To Whom It May Concern:

On behalf of Celsius Property BV, Amsterdam (NL), Neuhausen a. Rhf Branch, 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))
- Updated 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:

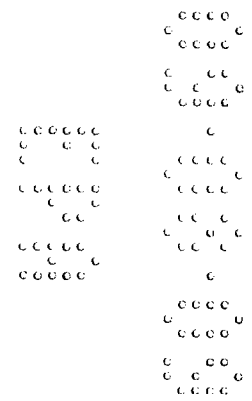
- Application for Pesticide Registration (EPA Form 8570-1)
- One copy of final printed labeling

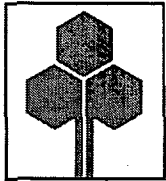
Please contact me at 919-256-9342 or by email at chitchcock@manainc.com if you have any questions regarding this submission or would like a copy of the annotated label showing the changes for your files.

Sincerely,

Christie Hitchcock
Christie Hitchcock
Regulatory Specialist

Enclosures





Makhteshim Ayan of
North America, Inc.

M A N A

September 1, 2009

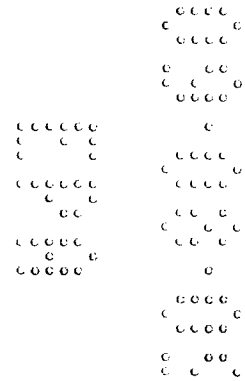
Re: Triclopyr TEA MC; EPA Reg. No. 83558-28
Page Two attachment to 8570-1 form

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.

Christie Hitchcock

Christie Hitchcock
Regulatory Specialist
Regulatory Affairs, MANA
on behalf of Celsius Property BV, Amsterdam (NL)

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



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TRICLOPYR TEA MC

FOR MANUFACTURING USE ONLY

ACTIVE INGREDIENT:	% BY WT
Triclopyr (3,5,6-trichloro-2-pyridinyl)Oxyacetic acid, triethylamine salt.....	44.4%
INERT INGREDIENTS.....	55.6%
TOTAL	100.0%

Contains 3 pounds of triclopyr acid equivalent per gallon (31.8%)

KEEP OUT OF REACH OF CHILDREN
DANGER/PELIGRO

NOTIFICATION

SEP 29 2009

Manufactured for:

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

EPA Reg. No 83558-28

EPA Est. No: XXXXXXXXXX

NET CONTENTS: _____ GALS

FIRST AID	
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.
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 SWALLOWED:	<ul style="list-style-type: none"> • Call a poison control center or doctor for further 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.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-250-9291 for emergency medical treatment information.	
NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.	

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
DANGER/PELIGRO

Corrosive. Causes irreversible eye damage. Harmful if absorbed through skin. Do not get in eyes or on clothing. Wear protective eyewear (goggles, face shield, or safety glasses). Avoid contact with skin. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. 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 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. This product may be used to formulate products for specific use(s) not listed on this label if the formulator, user group, or grower has complied with U.S. EPA submission requirements regarding the support of such use(s).

For Formulation into a Herbicide for the Following Use(s):

Aquatic Food Crop and Nonfood:

- Non-irrigation canals
- Ditches, Non-irrigation ditch banks
- Lakes, ponds, reservoirs
- Rice
- Rights-of-Way
- Wildlife habitat areas
- Marshes and Wetland Sites

Forestry

Terrestrial Food and Non-Food:

- Christmas tree plantations
- Industrial areas
- Rangeland and pastures
- Rights-of-Way, fence rows
- Sites associated with wetlands
- Turf

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited.

PESTICIDE STORAGE: Store above 28°F or agitate before use.

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 (five gallons or less): Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then, offer for recycling or reconditioning, or puncture and dispose in a sanitary landfill, or by other procedures approved by state and local authorities.

Nonrefillable Container (greater than five gallons): Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Then, offer for recycling or reconditioning, or puncture and dispose in a sanitary landfill, or by other procedures approved by state and local authorities.

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.

Triclopyr TEA MC (83558-28)(notif to EPA 09-01-09)rev1
83558-00028.20090901a.TriclopyrTeaMC_notif.pdf