

83558-31

7.17.2009

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCE

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

JUL 17 2009

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

1. Updated address
2. Added emergency responder phone numbers

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 June 18, 2009 for:

**EPA Registration 83558-31**

**Trinexapac-ethyl Technical**

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,

A handwritten signature in black ink, appearing to be "Linda Arrington".

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

OK

## Application for Pesticide - Section I

1. Company/Product Number 83558-31	2. EPA Product Manager Linda Arrington	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Trinexapac-Ethyl Technical	PM# 23 Registration Support Branch	
5. Name and Address of Applicant (Include ZIP Code) Celsius Property B.V., c/o MANA 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>JUL 17 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 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:				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	
* Certification must be submitted				<input checked="" type="checkbox"/> Plastic	
If "Yes" Unit Packaging wgt. No. per container		If "Yes" Package wgt. No. per container		<input type="checkbox"/> Glass	
				<input type="checkbox"/> Paper	
				<input type="checkbox"/> Other (Specify) _____	
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	
<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 		3. Title Regulatory Specialist	
4. Typed Name Christie Hitchcock		5. Date 06-18-09	

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June 18, 2009

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

Re: Trinexapac-ethyl Technical; EPA Reg. No. 83558-31  
Notification per PRN 98-10 and 2007-4

To Whom It May Concern:

We are 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:

- Corrected 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:

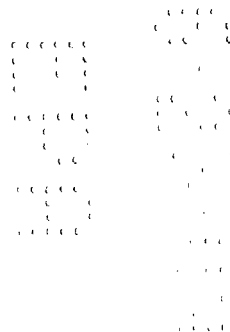
- Application for Pesticide Registration (EPA Form 8570-1)
- One copy of final printed labeling

Please contact me at 919-256-9342 or by email at [chitchcock@manainc.com](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





**Makhteshim Agan of  
North America, Inc.**

June 18, 2009

Re: Trinexapac-ethyl Technical; EPA Reg. No. 83558-31  
Page Two attachment to 8570-1 form

Notification of label change relative to PR Notice 2007-1. This notification is consistent with the guidance in PR Notice 2007-1 and the requirements of EPA's regulations at 40 CFR 156.10 and 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 any false statement to EPA. I further understand that if this notification is not consistent with the guidance of PR Notice 2007-1 and the requirements of 40 CFR 156.10 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."

Christie Hitchcock  
Regulatory Specialist  
Regulatory Affairs, MANA

JUL 17 2009

**Trinexapac-Ethyl Technical****For formulation into end-use turfgrass growth regulators****ACTIVE INGREDIENT:**

Trinexapac-Ethyl\* ..... 97.0%

**OTHER INGREDIENTS** ..... 3.0%**TOTAL** ..... 100.0%

\*CAS No. 95266-40-3

**KEEP OUT OF REACH OF CHILDREN  
CAUTION**

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

EPA Reg. No 83558-31

EPA Est. No: [REDACTED]

Net Contents: \_\_\_\_\_ Gallons

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 swallowed:	<ul style="list-style-type: none"><li>• Call a poison control center or doctor for further treatment advice.</li><li>• Do not induce vomiting unless told to do so by the poison control center or doctor.</li><li>• Do not give any liquid to the person.</li><li>• Do not give anything by mouth to an unconscious person.</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 by mouth-to-mouth if possible.</li><li>• Call a poison control center or doctor for further treatment advice.</li></ul>
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.	

**PRECAUTIONARY STATEMENTS  
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

**CAUTION:** Causes eye irritation. Do not get in eyes. Harmful if swallowed, inhaled, or absorbed through skin. Avoid contact with skin or clothing. Avoid breathing vapor or spray/mist. Wash thoroughly with soap and water after handling and before eating, drinking, or using tobacco. Remove contaminated clothing and wash 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. Only for formulation into turf growth regulators intended for use in managing growth of warm- and cool-season turfgrasses.

1. Turf growth regulators for use in managing growth of warm- and cool-season turfgrasses (not for grasses grown for seed).
2. Uses for which USEPA has accepted the required data and/or citation of data that the formulator has submitted in support of registration.
3. Uses for experimental purposes that are in compliance with USEPA requirements.

Each formulator is responsible for obtaining EPA registration for their end-use product(s).

## STORAGE AND DISPOSAL

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

**Pesticide Storage:** Store in original container.

**Pesticide Disposal:** Pesticide wastes are toxic. If these wastes cannot be disposed of by use of according to label instructions, they must be disposed of according to federal, state, and local procedures. 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. **Liner:** Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into manufacturing equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by state and local authorities.

**Drum: 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.

## LIMITATIONS 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. All such risks shall be assumed by the user or buyer.

**DISCLAIMER OF WARRANTIES:** To the extent consistent with applicable law, Celsius Property BV 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 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 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's election, the replacement of product.

Trinexapac-Ethyl Technical (83558-31)(notif to EPA 06-18-09)