

83558-33

09/18/2009

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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

SEP 18 2009

Subject: Notification(s) for Label Revisions under PRN 2007-1, 2007-4, and 98-10

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

Dear Ms. Hitchcock:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 2007-1, 2007-4, and 98-10 dated July 7, 2009 for:

EPA Registration 83558-33

Tebuthiuron Technical

The Registration Division (RD) has conducted a review of the request(s) for applicability under PRN 2007-1, 2007-4, and 98-10 and finds that the label changes requested fall within the scope of PRN 2007-1, 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

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

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 83558-33	2. EPA Product Manager Linda Arrington	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Tebuthiuron Technical	PM# <u>25</u> 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 18 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:				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		If "Yes" Unit Packaging wgt.	No. per container	<input checked="" type="checkbox"/> Plastic	
		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 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
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 Regulatory Specialist	
4. Typed Name Christie Hitchcock	5. Date 07-07-09	



July 7, 2009

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

Re: Tebuthiuron Technical; EPA Reg. No. 83558-33
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))
- 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:

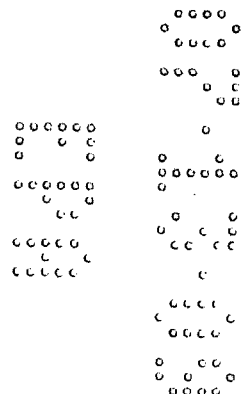
- Application for Pesticide Registration (EPA Form 8570-1)
- One copy of final printed labeling

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





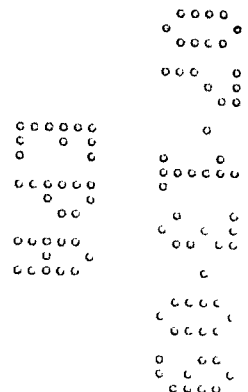
**Makhteshim Agan of
North America, Inc.**

July 7, 2009

Re: Tebuthiuron Technical; EPA Reg. No. 83558-33
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



5/7

Tebuthiuron Technical

ACTIVE INGREDIENT:

Tebuthiuron

N-[5-(1,1-dimethylethyl)-1,3,4-thiadiazol-2-yl]-N,N'-dimethylurea 99%

OTHER INGREDIENTS: 1%

TOTAL: 100%

KEEP OUT OF REACH OF CHILDREN

WARNING

NOTIFICATION

SEP 18 2009

Manufactured for:
Celsius Property, BV, 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 83558-33

EPA Est. No: _____

Net Weight: _____ LBS

FIRST AID	
If swallowed:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for 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.
If inhaled:	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. • Call a poison control center or doctor for further treatment advice.
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 Prosar at 1-877-250-9291 for emergency medical treatment information.	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Warning. May be fatal if swallowed. Harmful if inhaled. Avoid breathing dust or spray mist. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Remove and wash contaminated clothing before reuse. Long-sleeved shirt, long pants, shoes and socks, and waterproof gloves must be worn when handling this product.

ENVIRONMENTAL HAZARDS

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, ocean or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NDPES) permit and the permitting of authority has been notified in writing prior to discharge. Do not discharge effluent containing this product in sewer systems without previously notifying the sewage treatment plant authority. For guidance contact your State Water Board of 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.

For manufacturing use only into herbicides for the following uses:

- Non-cropland
- Permanent pastures,
- Rights-of-way
- Rangeland
- Uses for which EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration.
- Uses for experimental purposes that are in compliance with EPA registration for the formulated products.

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

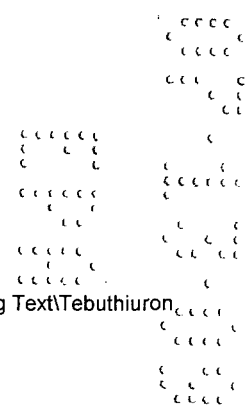
STORAGE AND DISPOSAL

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

Pesticide Storage: Store in original container. Store in a cool, dry place.

Pesticide Disposal: Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

Container Handling: Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into processing equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by state and local authorities. Offer the drum for recycling, if available.



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) 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 B.V., Amsterdam (NL) 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 B.V., Amsterdam (NL) 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 B.V., Amsterdam (NL) 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 B.V., Amsterdam (NL) Neuhasen a. Rhf Branch's election, the replacement of product.

Tebuthiuron Technical (83558-33)(notif to EPA 07-07-09)

