



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

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

Mr. Robert G. Butz Agent for USA AG Chemicals, Inc C/O Carter Ledyard & Milburn LLP 701 8<sup>th</sup> Street, N.W., Suite 410 Washington, DC 2001-3893

MAY 18 2010

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4 and 98-10 Storage and disposal update and other changes

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 and 98-10 dated May 4, 2010 for:

## EPA Registration 83772-1 AgSaver TM Mepiquat Chloride Technical

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and 98-10, and finds that the label change(s) requested falls within the scope of PRN 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 identifying 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 Banza Djapao of my staff at 703-305-7269.

Sincerely,

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



Please read instructions on reverse before completing form	Fo	rm A			0-0060, Approval expires 5-31-98			
United States				Regis	tration	OPP Identifier Numbe	er	
Environmental Protection Agency				dment				
Washington, DC 20460		•	X	Other				
Application for Pesticide – Section I								
Company/Product Number 83772-1		EPA Product Manager     Tony Kish			3. Pr	3. Proposed Classification		
4. Company/Product (Name)		PM#				X None Restricted		
AgSaver <sup>™</sup> Mepiquat ChlorideTechnical		22				LJ		
5. Name and Address of Applicant (Include ZIP Code)		6. Expedited Review. In accordance with FIFRA Section 3(c)(3)						
AgSaver <sup>™</sup> LLC P.O. Box 131		(b)(i), my product is similar or identical in composition and labeling to:						
McGehee, Arkansas 71654	EPA Reg No.							
Check if this is a new address	Product Name							
Section – II								
Amendment – Explain below Final printed labels in response to								
	Agency letter dated							
Resubmission in response to Agency letter dated	"Me Too" A	pplic	ation	NOTI	FICATION			
X Notification – Explain below		Other – Exp	plain	below	MAY	′ 1 8 2010		
Explanation: Use additional page(s) if necessary. (For Section I and Section II.)								
Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the 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								
EPA's regulations at 40 CFH §§ 156.10, 156.140, 156.144, Confidential Statement of Formula for this product. I underst								
EPA. I further understand that if the amended label is not co	nsistent with th	ne requirements of 4	O CF	FR §§ 15	6.10, 156 <i>.</i> 14	40, 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.								
Label Code: ESL20070330 Notif20100429, 6576791.1								
Section III								
Material This Product Will be Packaged in:     Child-Resistant Packaging Unit Packaging Water Soluble Packaging 2. Type of Container						ype of Container		
Yes Yes	ا ا	Yater Soluble Fackaging Yes			Metal			
X No X No	x	X No			X	Plastic		
	o. per If "\	/es"	- T 1	No. per		Glass Paper		
Continuation must	•	kage wgt	- 1	container	.	Other (Specify)		
	t Contents Information 4. Size(s) Retail Container 55.1 lbs. (25.0 Kg)				5. Location of label directions  X On Label			
					On Lab	el accompanying product		
6. Manner in Which Label is Affixed to Product	Lithograph	_i		Other				
X Paper glued Stenciled								
Section IV								
1. Contact Person (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)								
Name	Title	Agant Staff Sajantia	Telephone No. (Include Area 6 202-623-5710			• ` C C '		
Robert G. Butz	Agent, Staff Scientis ard & Milburn LLP	L	2	UZ-023-57 II	0000			
0 0 0								
Certification    Certify that the statements I have made on this form and all attachments thereto are true, accurate and complete.								
Locknowledge that any knowingly false or mickeding statement may be numishable by fine or imprisonment or C CCCC								
both under applicable law	3. Title				C C C C	co cocc		
2. Signature	Authorized Agent, Staff Sci		t		0,00			
		ard & Milburn LLP				C		
4. Typed Name	5. Date							

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## CARTER LEDYARD & MILBURN LLP

Counselors at Law

Robert G. Butz Ph.D.
Staff Scientist

Direct Dial: 202-623-5710 E-mail: butz@clm.com 701 8th Street, N.W., Suite 410 Washington, DC 20001-3893

Tel (202) 898-1515 Fax (202) 898-1521 2 Wall Street New York, NY 10005-2072 (212) 732-3200

570 Lexington Avenue New York, NY 10022-6856 (212) 371-2720

May 4, 2010

#### **VIA COURIER**

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504 P)
U.S. Environmental Protection Agency
Room S-4900
One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202-4501

Attn: Tony Kish (PM 22)

Re: Notification of Revised Label for AgSaver<sup>™</sup> Mepiquat Chloride Technical, EPA Reg. No.

83772-1

Dear Tony:

On behalf of AgSaver, LLC, I am notifying the Agency of a revised label for AgSaver<sup>™</sup> Mepiquat Chloride Technical, EPA Reg. No. 83772-1. The container disposal instructions on the label have been revised per PR Notice 2007-4, revised.

### Attached please find:

- Application Form with notification statement set forth in PR Notice 2007-4 (EPA Form 8570-1); and
- One copy of the master label with changes clearly marked.

If you have any questions, please contact me at 202-623-5710.

Sincerely,

Robert G. Butz, Ph.D.

RGB:jmg Label Code: ESL20070330 Notif20100429, 6576791.1

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## CARTER LEDYARD & MILBURN LLP

Counselors at Law

Robert G. Butz Ph.D. Staff Scientist

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Tel (202) 898-1515 Fax (202) 898-1521 2 Wall Street New York, NY 10005-2072 (212) 732-3200

570 Lexington Avenue New York, NY 10022-6856 (212) 371-2720

May 17, 2010

#### VIA EMAIL

Mr. Banza Djapao Office of Pesticide Programs (7504 P) U.S. Environmental Protection Agency Room S-4900 One Potomac Yard 2777 S. Crystal Drive Arlington, VA 22202-4501

Re: Notification of Revised Label for AgSaver<sup>™</sup> Mepiquat Chloride Technical, EPA Reg. No.

83772-1

Dear Banza,

On behalf of AgSaver, LLC, I am providing the certification you requested for this action for AgSaver<sup>™</sup> Mepiquat Chloride Technical, EPA Reg. No. 83772-1.

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 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.

If you have any questions, please contact me at 202-623-5710.

Sincerely,

Robert G. Butz, Ph.D.

Authorized Agent for AgSaver, LLC

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RGB: jmg

Label Code: Label Code: ESL20070330 Notif20100429, 6576791.1

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[Bracketed statements may be removed on final printed label]

# AGSAVER<sup>TM</sup> MEPIQUAT CHLORIDE TECHNICAL (For Formulation Purposes Only)

**Active Ingredient:** 

IF IN EYES

Inert Ingredients: 0.85% TOTAL..... 100.00%

EPA Reg. No. 83772-1 EPA Est. No. \_

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

#### KEEP OUT OF REACH OF CHILDREN

NOTIFICATION MAY 1 8 2010

#### WARNING/AVISO

FIRST AID: IF SWALLOWED Call a poison control center or doctor immediately for treatment Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to by a poison control center or Do not give anything by mouth to an unconscious person. IF ON SKIN OR Take off contaminated clothing. **CLOTHING** Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice. IF INHALED Move person to fresh air.

> poison control center or doctor for further treatment advice. Hold eye open and rinse slowly and gently for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eyes.

If person is not breathing, call 911 or ambulance; then give artificial respiration, preferably mouth-to-mouth, if possible. Call a

Call a poison control center or doctor for treatment advice.

For MEDICAL Emergencies involving this product, call 1-800-308-5391. Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

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#### PRECAUTIONARY STATEMENTS:

#### HAZARDS TO HUMANS: WARNING/AVISO:

May be fatal if swallowed. Harmful if absorbed through the skin or inhaled. Avoid contact with skin, eyes or clothing. Avoid breathing dust. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using toilet. 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 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 Environmental Protection Agency.

#### **DIRECTIONS FOR USE:**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

For Formulation Purposes Only: This product is intended for use only by formulators in preparing end-use plant growth regulator products for: 1) use on cotton and grapes; 2) uses for which the U.S. EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and 3) uses for experimental purposes that are in compliance with U.S. EPA requirements for their formulated products.

#### STORAGE AND DISPOSAL:

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

**PESTICIDE STORAGE:** Store in original container only, in a cool, dry area. Keep container tightly closed when not in use. Avoid cross contamination with other pesticides.

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. Improper disposal of excess pesticide 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 DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ 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

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MASTER LABEL

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[Bracketed statements may be removed on final printed label]

equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Offer for recycling, if available, or dispose of empty container in a sanitary landfill or by other procedures approved by State and Local Authorities.

**Deleted:** Completely empty container into formulation equipment. Then

**Deleted:** incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

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[Bracketed statements may be removed on final printed label]

#### CONDITIONS OF SALE AND LIMITATION OF WARRANTY

Seller warrants that this product conforms with its specifications and is reasonably fit for the purposes stated on the label when used in accordance with its directions under normal conditions of use. To the extent permitted by applicable law buyer assumes the risk of any use contrary to such directions. Seller makes no other express or implied warranty of fitness or merchantability and no agent or reseller is authorized to do so except by Seller in writing with a specific reference to this warranty. To the extent consistent with applicable law, in no event shall Seller's liability for any breach of warranty exceed the purchase price of the material on which claim is made.

#### Manufactured for:

AgSaver<sup>TM</sup>, LLC P.O. Box 131 McGehee, AR 71654

Net weight: 55.1 pounds (25.0 Kilograms)

[Batch Code to appear on label]

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