

83772-1

5/18/2010

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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 8th 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™ 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 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 Banza Djapao of my staff at 703-305-7269.

Sincerely,

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

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Please read instructions on reverse before completing form

Form Approved, OMB No. 2070-0060, Approval expires 5-31-98

	United States	<input type="checkbox"/> Registration	OPP Identifier Number
	Environmental Protection Agency	<input type="checkbox"/> Amendment	
	Washington, DC 20460	<input checked="" type="checkbox"/> Other	

Application for Pesticide – Section I

1. Company/Product Number 83772-1	2. EPA Product Manager Tony Kish	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) AgSaver™ Mepiquat Chloride Technical	PM # 22	
5. Name and Address of Applicant (Include ZIP Code) AgSaver™ LLC P.O. Box 131 McGehee, Arkansas 71654 <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 _____	NOTIFICATION MAY 18 2010
<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	

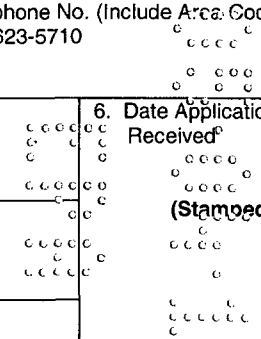
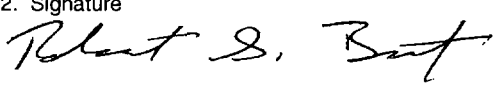
Explanation: Use additional page(s) if necessary. (For Section I and Section II.) Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the 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 statement 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.

Label Code: ESL20070330 Notif20100429, 6576791.1

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 type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
*Certification must be submitted		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 55.1 lbs. (25.0 Kg)		5. Location of label directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Label accompanying product	
6. Manner in Which Label is Affixed to Product		<input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled	<input type="checkbox"/> Other _____		

Section IV

1. Contact Person (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Robert G. Butz	Title Authorized Agent, Staff Scientist Carter Ledyard & Milburn LLP	Telephone No. (Include Area Code) 202-623-5710
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 Authorized Agent, Staff Scientist Carter Ledyard & Milburn LLP	
4. Typed Name Robert G. Butz	5. Date May 4, 2010	

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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
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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™ Mepiquat Chloride Technical, EPA Reg. No. 83772-1

Dear Tony:

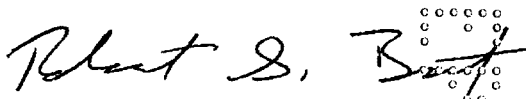
On behalf of AgSaver, LLC, I am notifying the Agency of a revised label for AgSaver™ Mepiquat Chloride Technical, EPA Reg. No. 83772-1. The container disposal instructions on the label have been revised per PR Notice 2007-4, revised.

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.

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CARTER LEDYARD & MILBURN LLP
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New York, NY 10022-6856
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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™ Mepiquat Chloride Technical, EPA Reg. No. 83772-1

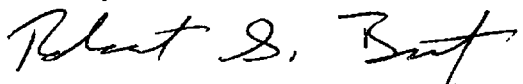
Dear Banza,

On behalf of AgSaver, LLC, I am providing the certification you requested for this action for AgSaver™ 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

RGB:jmg
Label Code: Label Code: ESL20070330 Notif20100429, 6576791.1

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[Bracketed statements may be removed on final printed label]

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 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

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