

87655-1

08/31/2011

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ENVIRONMENTAL PROTECTION AGENCY

**Office of Pesticide Programs
Registration Division (7505P)
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460**

Reg. Number: 87655-1	Date of Issuance: MAR 31 2011
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NOTICE OF PESTICIDE:

X Registration
Reregistration
(under FIFRA, as amended)

Term of Issuance:
Conditional

Name of Pesticide Product:
Fomesafen Technical

Name and Address of Registrant (include ZIP Code):

Orion Fomes, LLC
P.O. Box 21720
Mesa, AZ 85277

~~Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.~~

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A) provided that you:

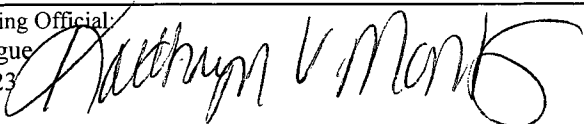
- 1) Submit and/or cite all data required for registration/reregistration review of your product when the Agency requires all registrants of similar products to submit data. If required, failure to submit acceptable data to fulfill these requirements may result in registration cancellation in accordance with FIFRA section 6(e).
- 2) Add the phrase "EPA Reg. No. 87655-1" to the labeling and assure that the EPA Establishment Number and Net Contents are also on the label.
- 3) Generate one-year storage stability (830.6317) and corrosion characteristics (830.6320) data on the product. The observations should be made at 0, 3, 6, 9, and 12 month intervals. The results must be submitted to the Agency in electronic and hard copy format within 15 months of the date on this notice.
- 4) On page 1 under the product name, please correct the typographical error in the Spanish signal word that now reads "DANGER/PELOGRO". Per the Label Review Manual, the signal word must read "DANGER / PELIGRO".
- 5) NOTE: While not required, it may be helpful to product users if the emergency telephone numbers in the First Aid box are identified as such. If you so choose, you may add a header identifying the telephone numbers listed as Emergency Numbers. The header below or similar language is acceptable.

EMERGENCY NUMBERS

"For MEDICAL Emergencies 24 hours a day....."

SEE NEXT PAGE FOR ADDITIONAL COMMENTS

Signature of Approving Official:
Kathryn V. Montague
Product Manager 23
Herbicide Branch
Registration Division (7505P)



Date:
MAR 31 2011

6) Per the Label Review Manual, the following edits addressing a missing sentence in the triple rinse section and adding instructions regarding the ultimate disposition of the container must be added to the label. Add the text below in bold to the product label.

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse empty container.
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 equipment or a mix tank or store rinsate for later use of disposal. Repeat this procedure two more times.

Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold the container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PIS for at least 30 seconds. Drain for 10 seconds after the flow begins to drip. **Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke."**

7) NOTE: While no additional data is being requested at this time, marketing claims made on the pesticide label must be substantiated by data maintained in your files. If data supporting marketing claims made on the product label is not available then those claims must be removed.

8) NOTE: Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

9) Submit one (1) copy of the revised final printed label before the product is released for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records.

draft Orion Fomes Fomesafen label May 25, 2010

FOMESAFEN TECHNICAL

FOR FORMULATING USE ONLY

ACTIVE INGREDIENT

Fomesafen [5-[2-chloro-4-trifluoromethyl)phenoxy]-N-(methylsulfonyl)-2-nitrobenzamide].....98.0%

OTHER INGREDIENTS:.....2.0%

TOTAL.....100.0%

KEEP OUT OF REACH OF CHILDREN

DANGER/PELOGRO

Si usted no entiende la etiqueta, busque al alguien para que se la explique a usted en detalle.
(If you do not understand the label, find someone to explain it to you in detail.)

See Additional Precautionary Statements and Directions for Use on label.

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 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 a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
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 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 by mouth-to-mouth if possible. • Call a poison control center or doctor for further treatment advice.

For MEDICAL Emergencies 24 Hours a Day Call a Poison Control Center at 1-800-222-1222.
For CHEMICAL Emergency Assistance (Spill, Fire or Accident) Call ChemTrec at 1-800-424-9300
Have the product container or label with you when calling a Poison Control Center or doctor or going for treatment.

NOTE TO PHYSICIAN

Probable mucosal damage may contraindicate the use of gastric lavage.

Orion Fomes, LLC
P.O. Box 21720
Mesa, AZ 85277

ACCEPTED
with COMMENTS
In EPA Letter Dated: Tel. 480-218-4289

MAR 31 2011
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.

EPA Reg. No. 87655-x
EPA Est. No. xxxxxxxx
Net Contents: 30 kg

87655-1

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CORROSIVE. CAUSES IRREVERSIBLE EYE DAMAGE. DUE TO CORROSIVE NATURE, MAY BE HARMFUL OR FATAL IF SWALLOWED. HARMFUL IF INHALED OR ABSORBED THROUGH SKIN. Do not get in eyes, on skin or on clothing. Avoid breathing vapor.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Manufacturers and other handlers must wear:

- Coveralls
- Waterproof gloves
- Shoes plus socks
- Protective eyewear

Discard clothing and other absorbent materials that have been heavily contaminated with this technical material. Do not reuse them.

USER SAFETY RECOMMENDATIONS

Users should:

- Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

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.

Formulators using this product are responsible for obtaining EPA registration for their formulated products.

Fomesafen Technical is intended solely for the formulation into herbicide products intended for the following uses:

Terrestrial Food Use: Soybeans

Uses for which the USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration, and uses for experimental purposes that are in compliance with USEPA requirements.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store above 32°F in original container only. Keep container closed when not in use. Do not store near food or feed. In case of spill on floor or paved surfaces, sweep up and remove to chemical waste area.

PESTICIDE DISPOSAL: Pesticide wastes are acutely toxic. Improper disposal of excess pesticide, spray mixture, 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 empty container.

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. Empty the rinsate into the application equipment or a mix tank to store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

Pressure rinse as follows: Empty the remaining contents into application or a mix tank. Hold container upside down over mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ORION FOMES LLC 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 Orion Fomes LLC is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein.

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