



The Chemical Company

Crop Protection

September 28, 2011

Mr. Bill Taylor
Oklahoma Department of Agriculture, Food & Forestry
Plant Industry & Consumer Services, Pesticide Division
2800 North Lincoln Boulevard
Oklahoma City, OK 73105

RECEIVED

SEP 30 2011

CONSUMER PROTECTION SERVICES
OK DEPT. OF AGRICULTURE

Re: Headline AMP™ fungicide, EPA Reg. No. 7969-291
Product Return and Replacement

Dear Mr. Taylor:

Late this season, BASF received reports of Headline AMP fungicide separating into two phases. We issued agitation instructions in-season and in some cases asked customers to set aside certain product pending further analysis. However, after investigating the reports further, we realized that the best long-term solution would be to replace existing inventory. Therefore, effective immediately BASF is implementing a return and replacement program at distributor and retail locations for 2 x 2.5 gallon, mini-bulk, and bulk containers of Headline AMP.

We anticipate replacing the returned product with an alternate formulation of Headline AMP, once that alternate formulation has been approved by US EPA. The only difference between the currently approved formulation and the alternate formulation involves the biocide package, which will be more robust to prevent development of microbes thereby maintaining the integrity of the suspension. There will be no impact on the active ingredients, the EPA registration number will remain the same, and our current state registration for Headline AMP will be valid for the alternate formulation.

Our goal is to replace existing inventory with the alternate formulation so it is available for the 2012 season. Details of the product return and replacement program are provided in the attachment. Please contact me at 919-547-2258 or judy.fersch@basf.com if you need additional information.

Sincerely,
BASF Corporation

Judy Fersch
State Registration Manager

JF/cv
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Product Return and Replacement Program Headline AMP[™] fungicide

Product returns:

- **Packaged goods:** Retailers will be asked to return 2 x 2.5 gallon containers of Headline AMP to distributors by November 1, 2011. BASF will work directly with distributors to pick up all packaged Headline AMP containers returned by retailers.
- **Mini-bulk (shuttle):** Retailers will be asked to combine all mini-bulk/shuttle volumes into the fewest containers possible by November 1, 2011. BASF contract employees will verify the product quantity and number of shuttles to be picked up, both those containing product and those which are empty. BASF will then schedule inventory pick-up and cleaning of empty shuttles directly with retailers.
- **Bulk:** BASF headquarters will work directly with customers to empty bulk containers for return of residual product and to clean the tank according to BASF instructions.

Product replacement:

- **Packaged goods:** BASF will work directly with customers to replace packaged goods.
- **Mini-bulk (shuttle):** Customers will have a choice of receiving:
 - a) the equivalent amount of Headline AMP in a 2 x 2.5 gallon package.
 - b) the equivalent amount of Headline AMP in bulk, if over 500 gallons.
 - c) full shuttle + any partial shuttle volumes in 2 x 2.5 gallon packages.

BASF contract employees will gather this information.

- **Bulk:** BASF headquarters will work directly with customers to replace Headline AMP in bulk.

We expect the return and replacement process to be completed by second quarter 2012.

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