

228-637

12/22/2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

Danielle A. Larochelle
Registration Manager
Nufarm Americas, Inc.
501 Cascade Pointe Lane, Suite 103
Cary, NC 27513

Subject: Nufarm Tebuconazole 3.6 F Fungicide
EPA Reg. No. 228-637
Your amendment dated October 22, 2010
EPA Decision Number 441771

DEC 22 2010

Dear Ms Larochelle:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act as amended is acceptable provided the following changes are made:

1. Move the **FIRST AID** box to above the **PRECAUTIONARY STATEMENTS**
2. Add the following paragraphs to the section **ENVIRONMENTAL HAZARDS**:

"Ground Water Advisory: Tebuconazole is known to leach through soil into groundwater under certain conditions as a result of label use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in ground-water contamination.

Surface Water Advisory: This product may contaminate water through drift of spray in wind. This product has a high potential for runoff for several months or more after application. Poorly draining soils and soils with shallow water tables are more prone to runoff that contains this product. A level, well maintained vegetative buffer strip between areas to which this product is applied and surface water features such as ponds, streams, and springs will reduce the potential for contamination of water from rainfall-runoff. Runoff of this product will be reduced by avoiding applications when rainfall is forecasted within 48 hours."

One copy of the label stamped "Accepted with comments" is enclosed for your records. This label supersedes all labels previously accepted for this product. Please submit one copy of the final printed label that incorporates the required changes before the product is released for shipment.

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Nufarm Tebuconazole 3.6 F Fungicide
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If you have any questions, please contact Robert Westin by phone at (703) 305-5721 or via email at westin.robert@epa.gov.

Sincerely,



Mary L. Waller
Product Manager (21)
Fungicide Branch
Registration Division (7504P)

Enclosure

Nufarm Tebuconazole 3.6 F Fungicide

For control of specified diseases on peanuts and grasses grown for seed.

ACTIVE INGREDIENT:

Tebuconazole, alpha-[2-(4-chlorophenyl)ethyl]-alpha-(1,1-dimethylethyl)-1H-1,2,4-triazole-1-ethanol 38.7%

OTHER INGREDIENTS: 61.3%

TOTAL: 100.0%

Contains 3.6 pounds tebuconazole per gallon.

KEEP OUT OF REACH OF CHILDREN

CAUTION

SEE INSIDE BOOKLET FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300
For Medical Emergencies Only, Call (877) 325-1840

EPA REG. NO. 228-637
EPA EST. NO. _____

MANUFACTURED FOR
NUFARM AMERICAS INC.- AGT Division
150 HARVESTER DRIVE
BURR RIDGE, IL 60527
800-455-2000



**ACCEPTED
with COMMENTS
In EPA Letter Dated:**

12/22/2010

**Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No. 228-637**

Nufarm Tebuconazole 3.6 F
Fungicide contains tebuconazole,
the active ingredient used in Folicur®

NET CONTENTS _____ GALS. (_____ Liters)

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

CAUTION

Harmful if swallowed, inhaled or absorbed through skin. Avoid contact with skin, eyes, and clothing. Avoid breathing vapor or spray mist.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category C on an EPA chemical-resistance category selection chart.

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves, such as barrier laminate, or butyl rubber or nitrile rubber or neoprene rubber or polyvinyl chloride or viton.
- Shoes plus socks

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

ENGINEERING CONTROLS STATEMENTS

When handlers use closed systems, closed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170/240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

USER SAFETY RECOMMENDATIONS	
Users should:	<ul style="list-style-type: none"> • Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. • Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

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 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 to 20 minutes. • Call a poison control center or doctor for treatment advice.
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 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.

NOTE TO PHYSICIAN	
<p>No specific antidote. Treat symptomatically. Symptoms of Poisoning: This compound does not cause any definite symptoms that would be diagnostic.</p>	

HOT LINE NUMBER	
<p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-325-1840 for emergency medical treatment information.</p>	

ENVIRONMENTAL HAZARDS

This pesticide is toxic to estuarine and marine invertebrates. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Runoff may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment washwater or rinsate.

DIRECTIONS FOR USE

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

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is:

- Coveralls
- Chemical-resistant gloves, such as barrier laminate or butyl rubber or nitrile rubber or neoprene rubber or polyvinyl chloride or viton
- Shoes plus socks.

USE INFORMATION

- Do NOT apply this product through any type of irrigation system.
- This product is a sterol demethylation inhibitor (DMI) fungicide and mixing or alternating this product with other DMI fungicides may lead to resistance.

OBSERVE THE FOLLOWING PRECAUTIONS WHEN SPRAYING IN THE VICINITY OF AQUATIC AREAS SUCH AS LAKES, RESERVOIRS, RIVERS, PERMANENT STREAMS AND MARSHES OR NATURAL PONDS, AND ESTUARIES.

- Apply only during alternate years in fields adjacent to the aquatic areas listed above.
- Do NOT apply by ground or air within 100 feet of aquatic areas listed above.
- Do NOT cultivate within 10 feet of an aquatic area to allow growth of a vegetative filter strip.

SPRAY DRIFT MANAGEMENT

- For aerial applications, the spray boom should be mounted on the aircraft so as to minimize drift caused by wing tip vortices. The minimum practical boom length should be used, and must not exceed 75% of the wing span or rotor diameter.
- Use the largest droplet size consistent with pest control. Formation of very small droplets may be minimized by appropriate nozzle selection, by orienting nozzles away from the air stream as much as possible and by avoiding excessive spray boom pressure. Apply in a minimum of 5 gallons of spray solution per acre by aircraft spray equipment.
- Spray should be released at the lowest possible height consistent with good pest control and flight safety. Applications more than 10 feet above the crop canopy should be avoided.
- Make aerial or ground applications when wind velocity favors on-target product deposition (approximately 3 to 10 mph). Do not apply when wind velocity exceeds 15 mph. Avoid applications when wind gusts approach 15 mph.

- Risk of exposure to sensitive aquatic areas can be reduced by avoiding applications when wind direction is toward the aquatic area.
- Low humidity and high temperatures increase the evaporation rate of spray droplets and therefore the likelihood of spray drift to aquatic areas. Avoid spraying during conditions of low humidity and/or high temperature.
- Do not make aerial or ground applications during temperature inversions. Inversions are characterized by stable air and increasing temperatures with height above the ground. Mist or fog may indicate the presence of an inversion in humid areas. The applicator may detect the presence of an inversion by producing smoke and observing a smoke layer near the ground surface.

ROTATIONAL CROPS

Replant treated areas with any crop specified on this label at any time after application. For crops not specified on this label, allow at least 120 days after the last application of this product before replanting in treated areas.

APPLICATION INSTRUCTIONS

Add the specified amount of this product while filling the spray tank with the desired amount of water, agitating continuously while mixing. Be sure that the product is thoroughly dispersed before adding any other materials to the spray tank.

Prior to tank mixing with other products, determine the compatibility of Nufarm Tebuconazole 3.6 F Fungicide with the other products by performing the following procedure:

- Pour the specified proportions of the products into a suitable container of water and mix thoroughly.
- Allow to stand for at least five minutes.
- If the combination remains mixed or can be readily re-mixed, the mixture may be used.

For additional information regarding tank mixes, contact your local Nufarm representative.

Apply this product in a minimum of 10 gallons of spray solution per acre by ground sprayer or in a minimum of 5 gallons of spray solution per acre by aircraft spray equipment. Because complete coverage and uniform application are necessary for maximum efficacy (especially when lower spray volumes are applied), be sure to check spray calibration frequently. If necessary for complete crop coverage, increase the spray volume per acre as appropriate.

GRASSES GROWN FOR SEED		
Disease	Application Rate	Specific Instructions
Rusts (<i>Puccinia</i> spp.)	4 – 8 fl. oz. / Acre	Apply as soon as weather conditions favor development of rust or when the first rust pustules are present. Reapply every 14 – 16 days as required. For severe disease pressure use 6 - 8 fl. oz. / Acre and the shorter spray intervals.
Powdery Mildew	4 – 8 fl. oz. / Acre	Apply when powdery mildew first appears on leaves and reapply every 14 – 16 days as required. For severe disease pressure use 6 – 8 fl. oz. / Acre and the shorter spray intervals.
Notes:		
<ul style="list-style-type: none"> • Do NOT apply more than one pint (16 fl. oz.) of this product per acre per crop season. • Do NOT apply within four days of harvest. • Do NOT forage, cut green crop, or use seed for feed purposes. Chaff, screenings and straw from treated areas may be used for feed purposes, and regrowth may be grazed starting 17 days after the last application. <p>Apply the specified rate in a minimum of 20 gallons of water per acre when using ground sprayers or in a minimum of 10 gallons per acre when applying using aircraft. For best results, ensure thorough coverage when applying and use the lowest specified rate of a spray surfactant in the tank mix.</p>		

PEANUTS		
Disease	Application Rate	Specific Instructions
<p>Sclerotium Stem and Pod Rot (white mold, southern blight, southern stem rot)</p> <p>Rhizoctonia Limb Rot</p> <p>Rhizoctonia Pod Rot (VA and NC Only)</p>	7.2 fl. oz. / Acre	<p>Apply using a four application preventative spray schedule with the first application in July and 14 days between each application.</p> <p>To discourage development of resistant strains of fungi, Chlorothalonil applications should be made prior to and following applications of this product and applications made after August 15th should be tank mixed with Chlorothalonil.</p> <p>When controlling root and pod rots caused by <i>Sclerotium rolfsii</i> and / or <i>Rhizoctonia solani</i>, rainfall or irrigation must be used to carry this product into the root and pod zone.</p> <p>For best results when controlling White Mold and / or Rhizoctonia Limb Rot, use the following seven-application spray program: Nufarm Tebuconazole 3.6 F Fungicide: Applications 3,4,5,6 Chlorothalonil: Applications 1,2,7</p>
<p>Early Leaf Spot</p> <p>Late Leaf Spot</p> <p>Leaf Rust</p> <p>Web Blotch (Phoma)</p> <p>Pepper Spot (Leptosphaerulina)</p>	7.2 fl. oz. / Acre	<p>As part of a Leaf Spot resistance management strategy, tank mix the specified rate of this product with 12 ounces of Chlorothalonil (active ingredient).</p> <p>For best results when treating for foliar diseases, add the lowest label specified rate of a spray surfactant to the tank mix; however, a spray surfactant is not necessary when tank mixing with chlorothalonil.</p>
<p>Notes:</p> <ul style="list-style-type: none"> Do NOT apply more than 28.8 fl. oz. of this product per acre per crop season. Do NOT apply within 14 days of harvest. Do NOT feed hay or threshings or allow livestock to graze in treated areas. 		

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food and feed. Store in original container and out of the reach of children, preferably in a locked storage area.

Handle and open container in a manner as to prevent spillage. If container is leaking, invert to prevent leakage. If the container is leaking or material is spilled for any reason or cause, carefully dam up spilled material to prevent runoff. Refer to the Precautionary Statements section on this label for hazards associated with the handling of this material. Do not walk through spill or leak incidents, keep unauthorized people away.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER HANDLING:

[Nonrefillable Containers 5 Gallons or Less:]

Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. Triple rinse container (or equivalent) promptly after emptying. **Triple rinse as follows:** Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration. Do not burn unless allowed by state and local ordinance. If burned stay out of smoke.

[Nonrefillable containers larger than 5 gallons:]

Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. If recycling or reconditioning not available, puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration. Do not burn unless allowed by state and local ordinance. If burned stay out of smoke. Triple rinse or pressure 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 equipment or a mix tank or store rinsate for later use or 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 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 psi for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

[Refillable containers larger than 5 gallons:]

Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or a mix tank. Fill the container about 10% full with water. Agitate vigorously or recirculate water with the pump for two minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

[Refillable For return to Nufarm:]

Refillable Container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Close all openings and replace all caps. Contact Nufarm's Customer Service Department at 1-800-345-3330 to arrange for return of the empty refillable container.

WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

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If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

(RV102210)

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Folicur® is a trademark of Bayer CropScience LP