

100-815

5/21/2004

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

MAY 21 2004

Greg Watson, Ph.D.
NAFTA Herbicides Team Leader, Regulatory Affairs
Syngenta Crop Protection, Inc.
P.O. Box 18300
Greensboro, NC 27419

Dear Dr. Watson:

Subject: S-metolachlor Technical
EPA Registration No. 100-815 ✓
Application and Your Letter Dated April 7, 2004,
Request to Amend Registration To Add New Sites
of Use Associated with New Tolerances for Residues
Regulation Published April 4, 2003 (FR68: 15945 thru
15958) and September 19, 2003, FR68:54827-54834; and
To Delete the Duplication of "grasses grown for seed"

The proposed amendment to the subject registration reflected on the submitted labeling has been reviewed and found acceptable under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) as amended, provided that you:

1. Delete all use-sites that have been added or proposed to be added that are not registered under section 3, of FIFRA. This corrects our mistake of accepting labeling for use-sites that were not on section 3 registered products. We assumed that you had submitted amendments to end use products registered under section 3; however that was not true. We now correct that error.
2. Submit one copy of the final printed labeling prior to shipping under the revised labeling.

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

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If you wish to continue to list 24(c) registered use-sites, you must clearly list two categories of use-sites under the following statements under the "Directions of Use":

1. Section 3 registered use-sites: "Only for formulation into a herbicide for the following use-sites:"
2. Section 24(c) registered use-sites: "This product maybe used for formulation into a herbicide for the following use-sites provided the formulator, user group, or grower has complied with U.S. EPA data requirements for those uses:"

An application and labeling to amend the registration must be submitted in order to make this acceptable.

Sincerely yours,

/s/

Joanne I. Miller
Product Manager (23)
Herbicide Branch
Registration Division (7505C)

Enclosure

(Pressure Sensitive Label)

S-metolachlor Technical

For Formulation Only Into Herbicides For Weed Control in Certain Crops

Active Ingredient:	
S-metolachlor (CAS No. 87392-12-9).....	96.0%
Other Ingredients:	4.0%
Total:	100.0%

Made in Switzerland

EPA Reg. No. 100-815
EPA Est. 41448-SW-1

ACCEPTED
with COMMENTS
in EPA Letter Dated
MAY 21 2004

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

100-815

KEEP OUT OF REACH OF CHILDREN.

CAUTION

See additional precautionary statements and directions for use on label.

Product ID. 53561

_____ gallons
U.S. Standard Measure

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.....
.....
.....
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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 15-20 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 mouth-to-mouth if possible.• Call a poison control center or doctor for further 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.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	
HOT LINE NUMBER For 24 Hour Medical Emergency Assistance or Animal or Chemical Emergency Assistance (Spill, Leak, Fire, or Accident) Call 1-800-888-8372	

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION

Causes eye irritation. Harmful if swallowed or absorbed through skin. May cause skin sensitization reactions in certain individuals. Avoid contact with eyes, skin, or clothing. Wash thoroughly with soap and water after handling.

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.

CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product should be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather or crop conditions, presence of other materials or other influencing factors in the use of the product, which are beyond the control of SYNGENTA CROP PROTECTION, Inc. or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold SYNGENTA and Seller harmless for any claims relating to such factors.

SYNGENTA warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks referred to above, when used in accordance with directions under normal use conditions. This warranty does not extend to the use of the product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or SYNGENTA, and Buyer and User assume the risk of any such use. SYNGENTA MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

In no event shall SYNGENTA or Seller be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF SYNGENTA AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF SYNGENTA OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

SYNGENTA and Seller offer this product, and Buyer and User accept it, subject to the foregoing Conditions of Sale and Limitations of Warranty and Liability, which may not be modified except by written agreement signed by a duly authorized representative of SYNGENTA.

DIRECTIONS FOR USE

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

Only for formulation into a herbicide for the following use(s): asparagus, carrot (roots), corn, cotton, horseradish, onion (green), peanuts, pod crops, potatoes, rhubarb, safflowers, sorghum (grain or forage), soybeans, spinach, sugar beets, sunflowers, swiss chard, tomatoes, cabbage, peppers (bell, chile, cubanelle, tabasco), alfalfa grown for seed, celery, onions (dry bulb), meadowfoam grown for seed, radishes grown for seed (excluding daikon), buffalograss, guymon bermudagrass for seed production, nurseries, turf, and landscape plantings, peaches, and established grasses grown for seed.

NOTE TO FORMULATORS

Formulators are responsible for providing data to support registration of products formulated from S-metolachlor Technical.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal. Open dumping is prohibited. Wastes resulting from the use of this product are toxic. Improper disposal of unused pesticide is a violation of federal law. Pesticide that cannot be used according to label instructions must be disposed of according to federal, state, or local procedures. For guidance in proper disposal methods, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office.

Container Disposal

Thoroughly clean container before reuse.

For minor spills, leaks, etc., follow all precautions indicated on this label and clean up immediately. Take special care to avoid contamination of equipment and facilities during cleanup procedures and disposal of wastes. In the event of a major spill, fire, or other emergency, call 1-800-888-8372, day or night.

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Made in Switzerland

Syngenta Crop Protection, Inc.
Greensboro, North Carolina 27409
www.syngenta-us.com

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