

100-921

6/8/2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Adora Clark
Syngenta Crop Protection, Inc.
P.O. Box 18300
Greensboro, NC 27419-8300

JUN 8 2009

Subject: Acibenzolar-S-methyl Technical
EPA Registration No. 100-921
Applications dated December 17, 2007 (bulb onions), and April 30, 2008 (cucurbits)
associated with Decision No.s 391028, 393109, 391030, 391032, 393108, 393110,
Petition No.s PP# 8F7352, PP# 8E7337.

Dear Ms. Clark:

The amendments referred to above, submitted in connection with registration under FIFRA, sec. 3(c)(7)(B), adding new uses for cucurbits and onions is acceptable, providing Syngenta submits the conditional data listed below, and submits one copy of a final printed label with the changes herein within 45 days of the date of this letter. A copy of the label stamped "Accepted with Comments" is included.

Label Changes

1. Page 1 - As per the Label Review Manual, increase the type size of the Signal Word "CAUTION".
2. Note that the Container Disposal section needs to be harmonized with PR 2007-4 (by separate notification or amendment).

Conditional Data Requirements

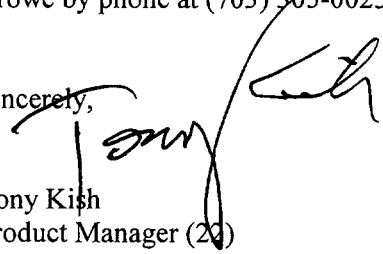
3. By June 1, 2011, submit a valid immunotoxicity study GLN 870.7800.
4. By June 1, 2011 submit the following data using technical grade acibenzolar-S-methyl (CGA245704) prepared by the thiazole production process. Do not use the structural isomer designated CGA 362020. Include both plate incorporation and pre-incubation. GLN 870.5100; 870.5300; 870.5395; 870.5375 (needed only if mouse lymphoma cell with colony sizing is not done under 870.5300).
5. By June 1, 2011, submit the following field trial/decline data using the label rate and adjuvants.

Zone	Number of Trials	Crop(s) Planted at Each Trial	Trial Descriptions
2	1	Cantaloupe	These are simple decline studies. Collect two samples of cantaloupe at 0, 1, 3, 5, 7, and 10 days after the last application. Total treated cantaloupe samples from these 2 trials = 24
5	1	Cantaloupe	
6	2	Cantaloupe and Honeydew	These are a little different. These are side-by-side/decline studies. At each of the 4 trial locations cantaloupe and honeydew are planted side-by-side (or as close to side-by-side as is practical). Then two samples of each crop are collected at 0, 1, 3, 5, 7, and 10 days after the last application. Total treated cantaloupe samples from these 4 trials = 48. Total treated honeydew samples from these 4 trials = 48 Basically conducting 4 field/decline trials but collecting more samples because at each trial location both cantaloupe and honeydew are planted/collected.
10	2	Cantaloupe and Honeydew	

If you have any questions, please contact Bryant Crowe by phone at (703) 305-0025 or via email at crowe.bryant@epa.gov.

Enclosure

Sincerely,



Tony Kish
Product Manager (20)
Fungicide Branch
Registration Division (7505P)

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Acibenzolar-S-methyl Technical

For Formulation into End-Use Crop Protection Products

Active Ingredient:

Acibenzolar-S-methyl: Benzo(1,2,3)thiadiazole-7-carbothioic acid-S-methyl ester* 99.0%

Other Ingredients: 1.0%

Total: 100.0%

*CAS No. 135158-54-2

KEEP OUT OF REACH OF CHILDREN

CAUTION

See additional precautionary statements and directions for use on label.

EPA Reg. No. 100-921

EPA Est. _____

Product of

Net Weight

**ACCEPTED
with COMMENTS
In EPA Letter Dated**

JUN 8 2009

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

100-921

FIRST AID	
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 in eyes:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lens, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
NOTE TO PHYSICIAN	
If ingested induce emesis or lavage stomach. Treat symptomatically.	
HOT LINE NUMBER	
For 24 Hour Medical Emergency Assistance (Human 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 moderate eye irritation. Harmful if absorbed through skin. Avoid contact with eyes, skin, or clothing. Wash thoroughly with soap and water after handling.

Environmental Hazards

This product is toxic to fish and aquatic invertebrates. 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

<p>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.</p>

The Directions for Use of this product must 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. To the extent permitted by applicable law, 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. To the extent permitted by applicable law: (1) this warranty does not extend to the use of this product contrary to label instructions or under conditions not reasonably foreseeable to or beyond the control of Seller or SYNGENTA, and, (2) Buyer and User assume the risk of any such use. **TO THE EXTENT PERMITTED BY APPLICABLE LAW, SYNGENTA MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS WARRANTED BY THIS LABEL.**

To the extent permitted by applicable law, in no event shall SYNGENTA be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **TO THE EXTENT PERMITTED BY APPLICABLE LAW, 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 Limitation 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. This product is intended for the formulation of crop protection products. This product may be used to formulate products for specific use(s) not listed on the MP label if the formulator, user group, or grower has complied with the U.S. EPA data submission requirements regarding the support of such use(s).

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This product is intended for formulation into end-use products for protection against certain diseases of cole crops; cucurbits; fruiting vegetables; leafy vegetables, onion, bulb, subgroup; and tobacco.

STORAGE AND DISPOSAL

Pesticide Storage and Disposal

Do not contaminate water, food, or feed by storage, disposal or cleaning of equipment. Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal

Triple rinse or equivalent. 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.

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 clean up 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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For non-emergency (e.g., current product information) call
Syngenta Crop Protection at 1-800-334-9481.

Manufactured for:
Syngenta Crop Protection, Inc.
P.O. Box 18300
Greensboro, North Carolina 27419-8300

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