

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

February 10, 2020

Mr. Warren Smith Product Registration Manager BASF Corporation, Agricultural Products 26 Davis Drive, P.O. Box 13528 Research Triangle Park, NC 27709-3528

Subject: PRIA Supplemental Label Amendment – Chlorfenapyr: New Commercial

Greenhouse Uses on Basil, Fresh Leaves; Chives, Fresh Leaves; and Cucumber &

Amended Tolerance for Vegetable, Fruiting, Group 8-10

Product Name: Pylon® Miticide-Termiticide

EPA Registration Number: 241-374

Application Dates: September 28, 2018 & October 24, 2018

Petition Number: 8E8717

Decision Numbers: 545451, 545452, 545455 & 545457

Dear Mr. Smith:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable. This approval does not affect any conditions that were previously imposed on this registration. You continue to be subject to existing conditions on your registration and any deadlines connected with them.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. "To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

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.

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Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). If you have any questions, please contact Mr. Carmen J. Rodia, Jr. by phone at (703) 306-0327, or via email at <u>Rodia.Carmen@epa.gov</u>.

Sincerely,

Shanta Adeeb, Product Manager 10 Invertebrate-Vertebrate Branch 2 Registration Division (7505P) Office of Pesticide Programs

Enclosure: Stamped "Accepted" Supplemental Label, dated February 10, 2020

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Supplemental Label



This supplemental label expires on February 28, 2023, and must not be used or distributed after this date.

For use in commercial greenhouses on basil and chives sold for fresh use, cucumber, and tomatoes less than 2 inches in diameter at maturity

Active Ingredient:

EPA Reg. No. 241-374

Directions For Use

- It is a violation of federal law to use this product in a manner inconsistent with its labeling.
- The supplemental labeling and the entire Pylon® miticide-insecticide container label, EPA Reg. No. 241-374, must be in possession of the user at the time of application.
- Read the label affixed to the container for Pylon before applying.
- Use of **Pylon** according to this labeling is subject to the use precautions and limitations imposed by the label affixed to the container for **Pylon**.

Application Instructions

To limit the potential for resistance development, rotate the use of **Pylon** or other **Group 13** miticides/insecticides within a growing season, or among growing seasons, with different groups that control the same pests. Avoid application of more than the maximum seasonal use rate or the total number of consecutive sprays of **Pylon** per season.

Apply **Pylon** according to the rates, timing and resistance-management instructions in the **Application Rates and Instruction Remarks** table in this label.

Use Restrictions

Refer to the **Pylon** container label for specific use directions, recommendations and restrictions.

ACCEPTED

02/10/2020

Under the Federal Insecticide, Fungicide and Rodenticide Act as amended, for the pesticide registered under

EPA Reg. No. 241-374



Application Rates ¹ and Instruction Remarks				
Crop	Target Pests	Rate (fl ozs of Pylon® miticide-insecticide/A)	Rate (lb ai/A)	Remarks
Greenhouse Crops: Basil and Chives sold for fresh use Cucumber Tomatoes less than 2 inches in diameter when mature Cultivars, varieties and/or hybrids of these	Caterpillars, including: Beet armyworm Spodoptera exigua Southern armyworm S. eridania Fall armyworm S. frugiperda Yellowstriped armyworm S. ornithogalli Tomato pinworm Keiferia lycopersicella Tomato fruitworm Heliothis zea Hornworms Manduca quinquemaculata Cabbage looper Trichoplusia ni	6.5 to 13	0.10 to 0.20	Apply as required by scouting. Repeat applications at an interval sufficient to maintain control. ² Adjust the spray schedule (usually 5 to 10 days) according to insect pressures. Use a longer time interval when infestations are light to moderate; shorten the time interval for heavier infestations. Use lower rates when populations are at action thresholds, i.e., prior to infestations causing economic injury yet requiring treatment. Use higher rates when populations have reached economic injury levels. Chilli thrips are foliar feeders and sufficient spray volume, to ensure thorough coverage, must be used for optimum control.
	Two-spotted spider mite Tetranychus urticae and other Tetrancychus sp. Broad mite Polyphagotarsonemus latus Chilli Thrips Scirtothrips dorsalis Hood Western flower thrips Frankliniella occidentalis Melon thrips Thrips palmi	6.5 to 13 9.8 to 13	0.10 to 0.20 0.15 to 0.20	

¹ Apply the specified rate to the crop in an application volume of between 5 and 100 gallons of water (between 5 and 50 gallons of water for basil and chives) per acre. **DO NOT** apply more than 39 fl ozs of **Pylon** (0.6 lb ai) per acre, per crop growing cycle. Refer to the **Use Restrictions** and **Resistance Management** sections for specific application strategies.

² Allow at least 5 to 7 days between each application.

⁰ Day PHI

Conditions of Sale and Warranty

The **Directions For Use** of this product reflect the opinion of experts based on field use and tests. The directions are believed to be reliable and must be followed carefully. However, it is impossible to eliminate all risks inherently associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or use of the product in a manner inconsistent with its labeling, all of which are beyond the control of BASF CORPORATION ("BASF") or the Seller. To the extent consistent with applicable law, all such risks shall be assumed by the Buyer.

BASF warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the **Directions For Use**, subject to the inherent risks, referred to above.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BASF MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S EXCLUSIVE REMEDY AND BASF'S EXCLUSIVE LIABILITY, WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE, SHALL BE LIMITED TO REPAYMENT OF THE PURCHASE PRICE OF THE PRODUCT.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BASF AND THE SELLER DISCLAIM ANY LIABILITY FOR CONSEQUENTIAL, EXEMPLARY, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

BASF and the Seller offer this product, and the Buyer and User accept it, subject to the foregoing **Conditions of Sale and Warranty** which may be varied only by agreement in writing signed by a duly authorized representative of BASF.

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