

241-382

04/03/2009

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Charles T. Levey  
Product Registration Manager  
BASF Corporation  
26 Davis Drive, P.O. Box 13528  
Research Triangle Park, NC, 27709

APR 3 2009

Subject: Acrobat Fungicide Technical  
EPA Registration No. 241-382  
Your Amendment dated January 3, 2008, Adding the new use- Ginseng,  
Grapes, Lima Bean and Turnip Greens  
PRIA Decision No. 388339

Dear Mr. Levey:

The labeling referred to above, submitted in connection with registration under section under 3(c)(7)(b) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) is acceptable provided you make the following changes:

1. In the "Ingredients Statements" section revise the chemical formula for Dimethomorph to add a dash after the number "4" in (3,4-dimethoxyphenyl) so that the chemical formula reads, "(E and Z) 4-[3-(4-chlorophenyl)-3-(3,4-dimethoxyphenyl)-1-oxo-2-propenyl]morpholine".
2. Remove the reference "Product of Brazil".

One copy of the label stamped "Accepted with comments" is enclosed for your records. Please submit one copy of the final printed label that incorporates the required changes before the product is released for shipment. If you have any questions, please contact Tamue L. Gibson by phone at (703) 305-9096 or via email at [gibson.tamue@epa.gov](mailto:gibson.tamue@epa.gov)

Sincerely,

A handwritten signature in cursive script that reads "Shaja Brothers Joyner".

Shaja Brothers Joyner  
Product Manager (20)  
Fungicide Branch  
Registration Division (7505P)

Enclosure



The Chemical Company

ACCEPTED  
with COMMENTS  
In EPA Letter Dated  
APR 03 2009

# Acrobat<sup>®</sup> fungicide

241-382

## Technical

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

Alternate Tradenames for this product are as follows: Dimethomorph fungicide technical

A technical product for use in fungicide formulations

### Active Ingredient:

Dimethomorph: (E and Z) 4-[3-(4-chlorophenyl)-3-(3,4dimethoxyphenyl)-1-oxo-2-propenyl]morpholine	98.98%
Other Ingredients:	1.02%
<b>Total:</b>	<b>100.0%</b>

EPA Reg. No.: 241-382

EPA Est. No.: 82787-BRA-001

### KEEP OUT OF REACH OF CHILDREN CAUTION/PRECAUCION

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.  
(If you do not understand the label, find someone to explain it to you in detail.)

### Precautionary Statements

#### Hazards to Humans and Domestic Animals

**CAUTION.** Harmful if swallowed or absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

#### 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 Environmental Protection Agency.

#### FIRST AID

<b>If swallowed</b>	<ul style="list-style-type: none"> <li>Call a poison control center or doctor immediately for treatment advice.</li> <li>Have person sip a glass of water if able to swallow.</li> <li><b>DO NOT</b> induce vomiting unless told to do so by a poison control center or doctor.</li> <li><b>DO NOT</b> give anything by mouth to an unconscious person.</li> </ul>
<b>If on skin or clothing</b>	<ul style="list-style-type: none"> <li>Take off contaminated clothing.</li> <li>Rinse skin immediately with plenty of water for 15 to 20 minutes.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If in eyes</b>	<ul style="list-style-type: none"> <li>Hold eye open and rinse slowly and gently with water for 15 to 20 minutes.</li> <li>Remove contact lenses, if present, after first 5 minutes, then continue rinsing eye.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If inhaled</b>	<ul style="list-style-type: none"> <li>Move person to fresh air.</li> <li>If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth, if possible.</li> <li>Call a poison control center or doctor for further treatment advice.</li> </ul>

#### HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact BASF Corporation for emergency medical treatment information: 1-800-832-HELP (4357).

### 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 fungicide for the following uses: 1) brassica leafy vegetables, bulb vegetables, cucurbit vegetables, fruiting vegetables, ginseng, grapes, hops, lettuce, lima bean, potato, taro, tobacco, turnip greens, or on ornamental crops; 2) uses for which U.S. EPA has accepted the required data or citations of data that the formulator has submitted in support of registration; and 3) uses for experimental purposes that are in compliance with U.S. EPA requirements. Consult BASF Corporation before using this product for formulating purposes. Each formulator is responsible for obtaining EPA registration for their end-use product(s). This product may be used to formulate products for any additional uses not listed on the technical label if the formulator, user group, or grower has complied with U.S. EPA data submission requirements regarding the support of such uses.

### Storage and Disposal

DO NOT contaminate water, food or feed by storage or disposal. Open dumping is prohibited. **Pesticide Storage:** Store in original container in a well-ventilated area separately from fertilizer, feed and foodstuffs. Avoid cross-contamination with other pesticides. Keep container closed when not in use. Spillage or leakage should be contained, carefully swept up, and collected for disposal. **Pesticide Disposal:** Wastes resulting from the use of this product may be disposed of on-site or at an approved waste disposal facility. **Container Disposal:** **Drum Liner: Nonrefillable Container.** DO NOT reuse or refill this container. Completely empty removable liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment; then dispose of empty liner in a sanitary landfill or by incineration, or by other procedures approved by state and local authorities. **Drum: Refillable Container.** Refill this container with pesticide only. DO NOT reuse this container for any other purpose. If drum is contaminated and cannot be reused, triple rinse the container before final disposal. Triple rinsing is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. **Triple rinse as follows:** To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10% full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Dispose of rinsate in compliance with state and local regulations for pesticide products. When this container is empty, replace the cap and seal all openings that have been opened during use; return the container to the point of purchase or to a designated location. This container must only be refilled with a pesticide product. DO NOT reuse the container for any other purpose. Prior to refilling, inspect carefully for damage such as cracks, punctures, abrasions, worn-out threads and closure devices. Check for leaks after refilling and before transport. DO NOT transport if this container is damaged or leaking. If the container is damaged, or obsolete and not returned to the point of purchase or to a designated location, triple rinse emptied container and offer for recycling, if available, or dispose of container in compliance with state and local regulations.

### Conditions of Sale and Warranty

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. 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.

### In Case of Emergency

In case of large-scale spillage regarding this product, call:  
CHEMTREC ..... 1-800-424-9300  
BASF Corp. .... 1-800-832-HELP (4357)  
In case of medical emergency regarding this product, call: 1) Your local doctor for immediate treatment. 2) Your local poison control center (hospital). 3) BASF Corporation 1-800-832-HELP.  
Steps to be taken in case material is released or spilled: Dike and contain with inert material (sand, earth, etc.) and transfer to separate labeled containers for disposal. Keep spill out of all sewers and open bodies of water.

### Net Contents:

Product of Brazil

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### Produced for:

BASF Corporation,  
26 Davis Drive, Research Triangle Park, NC 27709 000241-00382.20090406.NVA 2008-13-102-0013

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