



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

SEP 29 2000

Ms. Christina Hartman
BASF Corporation
P.O. Box 400
Princeton, NJ 08543-0400

Dear Ms. Hartman:

SUBJECT:	Acrobat MZ Fungicide EPA Reg. # 241-383 Submission - 12/6/99	Acrobat 50WP EPA Reg. # 241-410 ✓ Submission - 1/13/00	Acrobat Technical EPA Reg. # 241-382 Submission - 1/13/00
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The amendments referred to above, submitted in connection with registration under Section (3) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) are conditionally accepted provided that you:

1. Submit or cite all data required for registration or reregistration of your product under FIFRA Section 3(c)(5) or 4(a) when the Agency requires all registrants of similar products to submit such data.
2. Submit the following studies which are to be conducted in accordance with the Test Guidelines listed in 40 CFR Part 158:

<u>Guideline Reference Number</u>	<u>Study Title</u>	<u>Date Due</u>
71-1(a) (waiver was denied)	Acute Fish Toxicity-Bluegill	10/1/01
72-2(a) (waiver was denied)	Acute Aquatic Invertebrate	10/1/01
72-4(a) (waiver was denied)	Freshwater Fish Early Life Stage	10/1/02
72-4(a)	Estuarine Fish Early Life Stage	Reserved
72(b)	Estuarine Life Cycle- Invertebrate	Reserved
123-2	Aquatic Plant Growth-Duckweed And Green Algae (TEP-Acrobat 50 WP)	10/1/01

3. Submit production information (pounds or gallons produced) for these products for the fiscal year in which the use on tomatoes was conditionally registered in accordance with FIFRA Section 29. The fiscal year begins October 1 and ends September 30. Production information must be submitted to the Agency no later than November 15, following the end of the preceding fiscal year. This information must be submitted to:

U.S. Environmental Protection Agency
Office of Pesticide Programs (7504C)
Document Processing Desk
1200 Pennsylvania Ave., NW
Washington, DC 20460

4. Make the following label changes before you release the product for shipment:

Acrobat MZ and Acrobat 50WP

- (a) Revise the first sentence as follows: "Observe all Directions and Precautionary Statements . . .".

Acrobat 50WP

- (b) Delete all references to metalaxyl as all current metalaxyl registrations are limited to seed treatments only.
- (c) Add a brief explanation as to why mefenoxam, specifically, should not be used as a tank mix partner.
- (d) Delete the last paragraph on page 5 regarding tank mixing since the product label does not specify any chemicals that are appropriate tank mix partners. Future addition of such labeling will be considered if the label is revised to specify specific tank mix partners. Refer to the enclosed PR Notice 82-01.

Acrobat Fungicide Technical

- (e) You are required to revise your first aid statements by 10/1/01 to comply with PR Notice 2000-3.

- 5. Submit one copy of the final printed labeling before you release the product for shipment.

If these conditions are not complied with, these amendments will be subject to cancellation in accordance with FIFRA Section 6(e). Your release for shipment of the product constitutes acceptance of the conditions. A stamped copy of the label is enclosed for your records. If you have any questions, you may reach me at (703) 308-9354.

Sincerely,

Mary L. Waller

Mary L. Waller
Product Manager 21
Fungicide Branch
Registration Division (7505C)

Enclosures

ACROBAT
50WP FUNGICIDE

4/8
**Supplemental
Labeling**

EPA Reg. No.

U.S. Patent No. 5,952,496

**FOR CONTROL OF LATE BLIGHT
IN FIELD GROWN TOMATOES**

OBSERVE ALL PRECAUTIONARY STATEMENTS ON THE ACROBAT 50WP CONTAINER LABEL BEFORE USING. *

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. **THIS LABELING MUST BE IN THE POSSESSION OF THE USER AT THE TIME OF FUNGICIDE APPLICATION. DO NOT** apply this product through any type of irrigation system.

GENERAL INFORMATION

ACROBAT 50WP can be used in a preventative spray program to manage late blight (*Phytophthora infestans*) in field grown tomatoes. Maximum results can only be achieved by thorough plant coverage and use in a rigorous preventive program. ACROBAT 50WP must be used in accordance with this label. It is recommended that this product be used within an Integrated Pest Management Program.

In order to reduce the risk of the development of fungicide resistance, ACROBAT 50WP must be used as a tank-mix with fungicides, EXCEPT MEFENOXAM OR METALAXYL, registered for late blight control in field grown tomatoes.

Carefully read, understand, and follow all directions and precautions.

Applications should be made on a 5-10 day spray schedule up to harvest. Disease pressure and environmental conditions will determine the length of the spray interval required. Prior to the onset of conditions favoring infection, apply every 7-10 days. When environmental conditions have been conducive for disease, or when disease has been detected within the field or nearby, a 5-7 day schedule is recommended.

Sprayers should be properly calibrated before application. Determine the exact number of acres to be sprayed, and output per acre to determine how much ACROBAT 50WP and water is needed for accurate applications.

MIXING INSTRUCTIONS

Fill the spray tank until it is approximately 1/2 full with clean water. Slowly, add ACROBAT 50WP to the spray tank while agitating. Agitation must be engaged prior to the addition of the product to obtain a complete and uniform mixture of ACROBAT 50WP.

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

9/29/00

Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
241-410

COMPATIBILITY

The tank-mixing behavior of this fungicide with other pesticides has not been fully investigated. If tank mixing with other pesticides is desirable, conduct a jar test with rates and volumes of carrier typically used in an agricultural application. Look for signs of separation, globules, sludge, flakes or other precipitates. **DO NOT** tank mix with the other pesticide if the jar test with ACROBAT 50WP has indicated incompatibility.

TANK MIXES WITH FUNGICIDES

DO NOT apply ACROBAT 50WP alone. ACROBAT 50WP **must be used** in a tank-mix with fungicides, EXCEPT MEFENOXAM OR METALAXYL, registered for late blight control.

Refer to the respective tank-mix partner labeling for rates, methods of applications, proper timing, restrictions and precautions. Always use in accordance with the more restrictive label restrictions and precautions.

DIRECTIONS FOR USE IN FIELD GROWN TOMATOES

GROUND APPLICATIONS

Maximum benefit of ACROBAT 50WP from foliar applications requires thorough coverage of the plant. To obtain thorough coverage of foliage, use proper spray pressure and a minimum of 20 gallons per acre.

GROUND APPLICATIONS TO NON-STAKED FIELD TOMATOES

Use Rate: Oz/Acre/Application	Directions For Use	Restrictions
6.4	Begin applications when plants are 4-6 inches high and prior to the onset of disease infection. Apply on a 5-10 day spray schedule. Prior to the onset of conditions favoring infection, apply every 7-10 days. When environmental conditions have been conducive for disease, or when disease has been detected within the field or nearby, a 5-7 day schedule is recommended. Apply spray to runoff.	DO NOT apply more than 32 oz per acre per growing season. DO NOT use less than 20 gallons of water per acre.

GROUND APPLICATIONS TO STAKED FIELD TOMATOES

Use Rate: Oz/100 Gallons of Spray Volume	Directions For Use	Restrictions
6.4	<p>Begin applications when plants are 4-6 inches high and prior to the onset of disease infection. Apply on a 5-10 day spray schedule. Prior to the onset of conditions favoring infection, apply every 7-10 days. When environmental conditions have been conducive for disease, or when disease has been detected within the field or nearby, a 5-7 day schedule is recommended.</p> <p>Apply a minimum of 20 gallons of spray volume and increase the spray volume as the plants grow during the season. Spray volume should be proportional to the amount of plant tissue to be covered such that 100 gallons of spray per acre is used on mature plants.</p>	<p>DO NOT apply more than 32 oz per acre per growing season.</p> <p>DO NOT use less than 20 gallons of water per acre.</p>

AERIAL APPLICATIONS

Prior to aerial application, check the aircraft for uniformity of spray pattern, spray swath width and output. Use hollow cone or whirlplate nozzles. Point nozzles straight down or slightly backward. Uniformly apply with properly calibrated aerial equipment in 20 or more gallons of water per acre. If foliage is dense, use an output that will ensure optimum fungicide penetration. Spray swaths should be marked using flaggers who are in completely enclosed vehicles, by counting rows, or by using some other marking device.

DO NOT apply when weather conditions favor drift.

AERIAL APPLICATIONS TO FIELD TOMATOES

Use rate: Oz/Acre/Application	Directions For Use	Restrictions
6.4	<p>Begin applications when plants are 4-6 inches high and prior to the onset of disease infection. Apply on a 5-10 day spray schedule. Prior to the onset of conditions favoring infection, apply every 7-10 days. When environmental conditions have been conducive for disease, or when disease has been detected within the field or nearby, a 5-7 day schedule is recommended.</p> <p>Apply in sufficient volume to obtain thorough plant coverage.</p>	<p>DO NOT apply more than 32 oz per acre growing season.</p> <p>DO NOT use less than 20 gallons of water per acre.</p>

ADDITIONAL RESTRICTIONS

To reduce the possibility of developing *Phytophthora infestans* resistance to both ACROBAT 50WP and to mefenoxam or metalaxyl products, the tank mixing of ACROBAT 50WP with any of these products is **STRICTLY PROHIBITED**.

Phytophthora infestans strains have developed resistance to some crop protection products after repeated use. Since the development of resistance cannot be predicted, ACROBAT 50WP should always be used in a resistance management program. Tank mixing and thorough spray coverage are necessary to minimize the development of *Phytophthora infestans* strains with resistance to ACROBAT 50WP.

ROTATIONAL CROP GUIDELINES

After making the last ACROBAT 50WP application, rotational crops may be planted at the following intervals:

1. **Anytime**
Tomatoes Potatoes

2. **One Month**
Barley Oats Tobacco Wheat
Leafy Vegetables, such as head lettuce, leaf lettuce, spinach and celery
Brassica Vegetables, such as broccoli, cabbage, and cauliflower
Root/Tuber and Bulb Vegetables, such as carrot, onion, radish, and sugar beet

3. **Seven Months**
Alfalfa Clover Peas Sorghum
Beans Corn Rice Soybeans

4. **Twelve Months**
All other Crops

DISCLAIMER

The label instructions for the use of this product reflect the opinion of experts based on research and field use. The directions are believed to be reliable and should be followed carefully. However, it is impossible to eliminate all risks inherently associated with use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the use of, or application of the product contrary to label instructions, all of which are beyond the control of American Cyanamid Company. All such risks shall be assumed by the user.

American Cyanamid Company shall not be responsible for losses or damages resulting from use of this product in any manner not set forth on this label. User assumes all risks associated with the use of this product in any manner not specifically set forth on this label.

American Cyanamid Company warrants only that the material contained herein conforms to the chemical description on the label and is reasonably fit for the use therein described when used in accordance with the directions for use, subject to the risks referred to above.

CYANAMID DOES NOT MAKE OR AUTHORIZE ANY AGENT OR REPRESENTATIVE TO MAKE ANY OTHER WARRANTIES, EXPRESS OR IMPLIED AND EXPRESSLY EXCLUDES AND DISCLAIMS ALL IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

BUYER'S EXCLUSIVE REMEDY AND AMERICAN CYANAMID'S EXCLUSIVE LIABILITY, WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL BE LIMITED TO REPAYMENT OF THE PURCHASE PRICE OF ACROBAT 50WP. In no case shall Cyanamid or the seller be liable for consequential, special or indirect damages resulting from the use or handling of this product.

USES WITH OTHER PRODUCTS (TANK MIXES)

If this product is used in combination with any other product except as specifically recommended in writing by American Cyanamid Company, then American Cyanamid Company shall have no liability for any loss, damage, or injury arising out of its use in any such combination not so specifically recommended. If used in a combination recommended by American Cyanamid Company, the liability of American Cyanamid Company shall in no manner extend to any damage, loss or injury not directly caused by the inclusion of the American Cyanamid Company product in such combination use, and in any event shall be limited to return of the amount of the purchase price of the product.



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1/6/00