

352-682

08/02/2006

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Tim McPherson
U.S. Product Registration Manager
DuPont Crop Protection
P.O. Box 30
Newark, DE 19714-0030

AUG 2 2006

Subject: Kocide Cupric Hydroxide Formulation Grade
EPA Reg. No. 352-682
Amendment dated March 16, 2006
EPA Decision No. 366070

Dear Mr. McPherson:

The revised basic and alternate Confidential Statements of Formula (CSFs) dated March 1, 2006 referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act as Amended are acceptable and will be added to the regulatory file. These CSFs supersede all previous CSFs for this product.

A copy of the Product Chemistry Review D328954 dated July 12, 2006 is enclosed for your records. A copy of the Acute Toxicity Review D328968 dated May 30, 2006 is enclosed for your records.

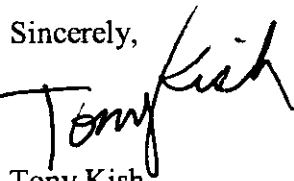
The revised label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act as amended is acceptable provided the following changes are made to the section "LIMITATION OF WARRANTY AND LIABILITY":

1. In paragraph 2 change "...OR ANY OTHER EXPRESS OR IMPLIED WARRANTY." to "...OR ANY OTHER EXPRESS OR IMPLIED WARRANTY BEYOND WHAT IS EXPRESSLY WARRANTED BY THIS LABEL."
2. In paragraph 2 change "TO THE FULLEST EXTENT PERMITTED BY LAW...." to "TO THE EXTENT CONSISTENT WITH APPLICABLE LAW...."
3. In paragraph 3 change "THE EXCLUSIVE REMEDY OF THE USER...." to "TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER...."
4. In paragraph 4 change "Buyer and all users shall promptly...." to "To the extent consistent with applicable law that allows such requirement, buyer and all users shall promptly...."

One copy of the label stamped "Accepted with comments" is enclosed for your records. This label supersedes all labels previously accepted for this product. Please submit one copy of the final printed label before the product is released for shipment.

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Kocide® Cupric Hydroxide
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If you have any questions, please contact Robert Westin by phone at (703) 305-5721 or via email at westin.robert@epa.gov.

Sincerely,


Tony Kish
Product Manager (22)
Fungicide Branch
Registration Division (7505P)

Enclosure



DuPont™ Kocide® Cupric Hydroxide fungicide

Formulation Grade For Formulating Use Only

ACTIVE INGREDIENT		
COPPER HYDROXIDE*	93.6%	
INERT INGREDIENTS	6.4%	
TOTAL	100%	
EPA REG. NO. 352-682	(*METALLIC COPPER EQUIVALENT 61.0%)	EPA EST. NO. 352-TX-003

KEEP OUT OF REACH OF CHILDREN DANGER – PELIGRO FIRST AID

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).

If in eyes: Hold eye open and rinse slowly and gently with water for 15 to 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.

If swallowed: 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 inhaled: 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 on skin or clothing: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15 to 20 minutes. 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.

For medical emergencies involving this product, call toll free 1-800-441-3637.

Note to Physician: Probable mucosal damage may contraindicate use of gastric lavage.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS DANGER – PELIGRO

Corrosive. Causes irreversible eye damage. Wear goggles, face shield, or safety glasses. Causes skin irritation. Harmful if swallowed, absorbed through the skin or inhaled. May cause skin sensitization reactions in certain individuals. Avoid contact with skin, eyes or clothing. Avoid breathing dust. Protective clothing should be worn. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic organisms. 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.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

PESTICIDE STORAGE: Store in a cool, dry place.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill, or by incineration, or, if allowed by State and Local authorities, by burning. If burned, stay out of smoke.

DIRECTIONS FOR USE

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

For use only in formulating into fungicides.

This product may be used to formulate products for any additional uses not listed on the MP label if the formulator, user group, or grower has complied with U.S. EPA data submission requirements regarding the support of such uses.

For use on the following crop groupings:

CITRUS: Grapefruit, Kumquat, Lemon, Lime, Orange, Pummelo, Tangelo and Tangerine.

CONIFERS: Douglas Fir, Fir, Juniper, Leyland Cypress, Pine and Spruce.

FIELD CROPS: Alfalfa, Barley, Corn, Oats, Peanut, Potato, Sugar Beet and Wheat.

SMALL FRUITS: Blackberry, Blueberry, Cranberry, Currant, Goosberry, Raspberry and Strawberry.

TREE CROPS: Almond, Apple, Apricot, Avocado, Banana, Cacao, Cherry, Coffee, Filbert, Mango, Nectarine, Olive, Peach, Pear, Pecan, Pistachio, Plum, Prune, Quince and Walnut.

VEGETABLES: Bean, Beet, Beet Greens, Broccoli, Brussels Sprout, Cabbage, Cantaloupe, Carrot, Cauliflower, Celeriac, Celery, Cucumber, Eggplant, Endive, Escarole, Greens (Collard, Mustard and Turnip), Honeydew, Lettuce, Muskmelon, Okra, Onion/Garlic, Pea, Pepper, Pumpkin, Spinach, Squash, Tomato, Watercress and Watermelon.

VINES: Grape, Hops and Kiwi.

MISCELLANEOUS: Atemoya, Carambola, Chives, Dill, Ginseng, Guava, Litchi, Live Oak, Macadamia, Mamey Sapote, Papaya, Parsley, Passion Fruit, Pecan, Sugar Apple and Sycamore.

GREENHOUSE AND SHADEHOUSE CROPS: Formulated products may be used in greenhouses and shadehouses to control disease on any of the above crops where physiology allows greenhouse or shadehouse culture.

TURFGRASS: Algae control.

ORNAMENTALS: Species as listed on formulated product labels.

NOTE: Labels of end use products, formulated from Kocide® Cupric Hydroxide should bear the following precautions if they include chemigation instructions:

Do not apply this product through any irrigation (chemigation) system using aluminum parts or components as damage to the system may occur. Such application is prohibited regardless of whether the irrigation system is flushed with water after use of this product.

Apply this product only through one or more of the following types of systems: sprinkler including center pivot, lateral move, traveler, big gun, or plastic pipe solid set system(s) which contain no aluminum parts or components. Do not apply this product through any other type of irrigation system.

LIMITATION OF WARRANTY AND LIABILITY

NOTICE: Read This 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.

DuPont warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for the purpose stated in the directions under normal use conditions. DUPONT MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR OF MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY. TO THE FULLEST EXTENT PERMITTED BY LAW, IN NO EVENT SHALL DUPONT OR SELLER BE LIABLE FOR ANY INCIDENTAL, CONSEQUENTIAL OR SPECIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

BUYER'S OR USER'S BARGAINED FOR EXPECTATION IS CROP PROTECTION, THE EXCLUSIVE REMEDY OF THE USER OR BUYER AND THE EXCLUSIVE LIABILITY OF DUPONT OR SELLER, FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY OR CONTRACT, NEGLIGENCE, TORT OR STRICT LIABILITY), WHETHER FROM FAILURE TO PERFORM OR INJURY TO CROPS OR OTHER PLANTS, AND 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 DUPONT OR SELLER, THE REPLACEMENT OF THE PRODUCT.

Buyer and all users shall promptly notify DuPont or a DuPont Ag Retailer of any claims, whether based on contract, negligence, strict liability, other tort or otherwise or be barred from any remedy.

ACCEPTED Warranty and Liability may not be amended by any oral or written agreement.

with COMMENTS
In EPA Letter Dated **Net**

AUG 2 2006

E. I. du Pont de Nemours and Company, Wilmington, DE 19898 U.S.A.

A01002578 (TD-73 071806)

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

352-682

Made in U.S.A.

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