

432-897

10/2/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Richard M. Gorrell, Manager
Bayer Environmental Science
2 T.W. Alexander Drive
Research Triangle Park, NC 27709

OCT 2 2009

Subject: Label Notification(s) for Pesticide Registration Notices 2007-4 and 98-10
1. Updated warranty statements

Dear Mr. Gorrell:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 and 98-10 dated September 3, 2009 for:

EPA Registration 432-897

Chipco Aliette HG Brand Fungicide

The Registration Division (RD) has conducted a review of this request for applicability under PR Notice 2007-4 and 98-10 and finds that the label changes requested falls within the scope of PR Notice 2007-4 and 98-10. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Nicole Williams of my staff at 703-308-5551.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

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United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 432-897	2. EPA Product Manager Mr. Tony Kish	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Chipco Aliette HG Brand Fungicide	PM# <u>22</u>	
5. Name and Address of Applicant (Include ZIP Code) Bayer Environmental Science 2 T.W. Alexander Drive Research Triangle Park, NC 27709 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input checked="" type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION OCT - 2 2009
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.	
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.	

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

The certification statements for the container disposal and warranty notifications accompany this form.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 4x5 lb		5. Location of Label Directions <input type="checkbox"/> On labelling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled				<input type="checkbox"/> Other _____	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Richard M. Gorrell	Title Manager, Registrations	Telephone No. (Include Area Code) (919) 549-2423
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Manager, Registrations	
4. Typed Name Richard M. Gorrell	5. Date September 3, 2009	

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Container Disposal and Warranty Statement Certification Statements

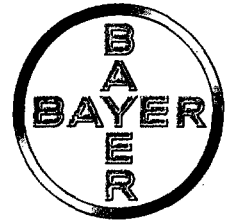
Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance of PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and it may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

- Container Disposal Statement Revision as per EPA mandate

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

- Warranty Statement Revised as per EPA mandate

Bayer Environmental Science



September 3, 2009

EPA09RMG0903AletteHGContDisp-WarNotif
Fedex

OK

Ms. Linda Arrington
U.S. Environmental Protection Agency
Office of Pesticide Programs (7504P)
Document Processing Desk (Notification)
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

RE: Chipco Alette HG Brand Fungicide (EPA Reg. No. 432-897): Notification to
Revise the Container Disposal and Warranty Statements

Dear Ms. Hobgood:

Bayer Environmental Science (BES) is notifying the EPA that the container disposal and product warranty statements for the above mentioned fungicide have been revised as prescribed by the Agency. The 8570-1 form has two different certification statements as mandated by the Agency.

Bayer Environmental
Science
2 T.W. Alexander Drive
RTP, NC 27709
Phone : 919-549-2423

The following documents are enclosed with this letter:

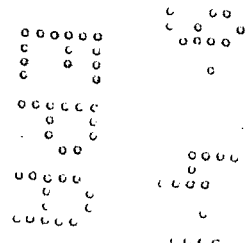
- Application Form 8570-1
- 5 copies of the revised label

If you have any questions, contact me at (919) 549-2423 or email me at mike.gorrell@bayercropscience.com.

Sincerely,

Richard M. Gorrell
Manager, Registrations

Cc: Karen Shearer



A Business Group of
Bayer CropScience

Aliette® HG Brand Fungicide

Active Ingredient: Aluminum tris (O-ethyl phosphate)..... 80.0%
 Inert Ingredients: 20.0%

EPA Reg. No. 432-897

EPA Est. No.
NOTIFICATION

Keep Out of Reach of Children
Caution

OCT - 2 2009

For MEDICAL and TRANSPORTATION Emergencies ONLY Call 24 Hours A Day 1-800-334-7577.
 For PRODUCT USE Information 1-800-331-2867.

FIRST AID

If swallowed:	<ul style="list-style-type: none"> • 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 by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If in eyes:	<ul style="list-style-type: none"> • Hold eyes open and rinse slowly and gently with water for 15-20 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 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 inhaled:	<ul style="list-style-type: none"> • 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.

Have the product container or label with you when calling a poison control center or doctor or going for treatment.

PRECAUTIONARY STATEMENTS

CAUTION

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

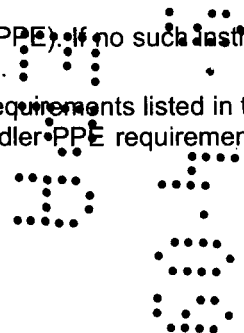
Harmful if swallowed or absorbed through the skin or inhaled. Causes moderate eye injury. Avoid contact with skin, eyes or clothing.

PERSONAL PROTECTIVE EQUIPMENT

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category A on an EPA chemical-resistant category selection chart. Applicators and other handlers must wear long-sleeved shirt and long pants, chemical resistant gloves made of any waterproof material such as polyethylene or polyvinyl chloride, shoes plus socks, and protective eyewear.

Follow manufacturer's instructions for cleaning/maintaining personal protective equipment (PPE). If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240 (d) (4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.



User Safety Recommendations

Users should:

Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

ENVIRONMENTAL HAZARDS

This product is toxic to aquatic animals and estuarine invertebrates. Drift and runoff may be hazardous to aquatic and estuarine organisms in neighboring areas. Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water by disposal of equipment washwaters.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Read entire label before using this product.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE:

Store in original container and keep tightly closed. Store in a cool dry place.

PESTICIDE DISPOSAL:

Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, 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:

Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by incineration or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Ornamentals and Bedding Plants

For use only on ornamental plants grown in landscaping situations.

Use ALIETTE® HG Fungicide on ornamentals and bedding plants grown in landscaping situations, for control of diseases caused by Pythium and Phytophthora. ALIETTE® HG Fungicide can also be used on ornamentals for the control of downy mildew and fire blight and for the suppression of bacterial blight caused by certain pathovars of *Xanthomonas campestris*. Applications should be made prior to disease development and in conjunction with good cultural management practices. Thorough uniform coverage of plant surfaces is important for good disease control. Use the highest rate when disease pressure is severe. Do not exceed recommended rates or apply more frequently than specified intervals or plant injury may occur.

Ornamentals

FOLIAR APPLICATIONS to plants such as Aglaonema, Aphelandra, Azalea, Bougainvillea, Boxwood, Cattleya, Skinneri, Cissus, Dieffenbachia, Hibiscus, Juniper, Leather-leaf Fern, Pittosporum, Philodendron, Pothos, Rhododendron, Spathiphyllum and Taxus media.

Mix 1.5 to 3.0 tablespoons of product with 1 gallon of water and spray to wet, ensuring good coverage. Repeat as necessary but do not exceed one application every 30 days.

DRENCH APPLICATIONS to plants such as Aphelandra, Azalea, Boxwood, Cissus, Dieffenbachia, Japanese Holly, Juniper, Monterey Pine, Philodendron, Pieris, Pittosporum, Rhododendron, Schefflera, Spathiphyllum, and Taxus media:

Mix 0.25 to 0.5 tablespoons of product with 1 gallon of water and apply to 4 sq. ft. (equivalent to 2 pt. Solution per sq. ft.) Repeat as necessary but do not exceed one application every 30 days.

SOIL INCORPORATION to plants such as Rhododendron, Azalea, or Pieris for control of Phytophthora species only:

Mix 0.3 to 0.5 tablespoons of dry product per cubic yard of soil mix immediately before planting. If conditions are favorable for disease development, applications as a foliar spray or drench should be made as needed but are not to exceed once every 30 days. Use soil incorporation only with well-rooted plants.

Bedding Plants

FOLIAR APPLICATIONS to plants such as Begonia, Pansy, Vinca, Marigold, Zinnia, Petunia, Geranium, and Impatiens:

Mix 1.0 to 2.0 tablespoons of product with 1 gallon of water and spray to wet, ensuring good coverage. Repeat as necessary but do not exceed one application every 30 days.

FOR USE ON CONIFERS TO PREVENT PHYTOPHTHORA ROOT ROT

FOLIAR APPLICATIONS to conifers such as Douglas firs, spruce, and pines. Mix 1.5 to 3.0 tablespoons of product in 1 gallon of water and spray to wet, ensuring good coverage. Do not exceed more than one application every 30 days.

DOWNY MILDEW CONTROL IN ROSES

FOLIAR APPLICATIONS TO ROSES: container, landscape and mini varieties to control downy mildew (*Peronospora sparsa*). Applications should be made in conjunction with a disease sanitation program to reduce the spread of disease to uninfected plants.

Mix 1.5 tablespoons of product with 1 gallon of water and spray to wet, ensuring good coverage. Repeat as necessary but do not exceed one application every 7 days.

FIRE BLIGHT SUPPRESSION

FOLIAR APPLICATIONS to plants such as Ornamental pear, Pyracantha and Hawthorne. Applications should be made in conjunction with a strict sanitation program to reduce the spread of the disease to uninfected plants.

Mix 1.5 tablespoons of the product in 1 gallon of water and spray to wet, ensuring good coverage. ALIETTE® works solely as a preventive treatment. Begin spray treatments at pre-bloom stage and continue at 7-day intervals until bloom period ends. Do not exceed one application every 7 days.

BACTERIAL BLIGHT SUPPRESSION

FOLIAR APPLICATIONS to plants such as English ivy, Schefflera, Anthurium, Dieffenbachia, Spathiphyllum, Synogonium, and Ficus for the suppression of Xanthomonas campestris pathovars hederae, dieffenbachiae, syngoni and fici. Applications should be made in conjunction with a disease sanitation program to reduce the spread of the disease to uninfected plants.

Mix 1.5 to 2.0 tablespoons of product with 1 gallon of water and spray to wet, ensuring good coverage. Repeat as necessary, but do not exceed one application every 7 days.

Refer to compatibility statements concerning use of coppers or other compounds.

PLANT TOLERANCE

Plant tolerances to ALIETTE® HG fungicide have been found to be acceptable in the specific genera and species listed on this label. It is not possible to evaluate every species or variety of ornamental plant for its tolerance to ALIETTE® HG fungicide. The user should test for possible phytotoxic responses in other plants on a small area basis using recommended rates prior to commercial use.

ORNAMENTAL AND BEDDING PLANT TANK MIXTURES

Additional Disease Control: If ornamentals are threatened by additional diseases, ALIETTE® HG is compatible with most commonly used fungicides. For control of diseases such as Aerial Web Blight, Alternaria Leaf Blight, Botrytis Blight, Fusarium Leaf Spot, Helminthosporium Leaf Spot, and Ray Blight, ALIETTE® HG can be tank-mixed with other fungicides. Consult the label of the tank mix product for an additional listing of diseases controlled and for application rates.

When ALIETTE® HG is tank-mixed with other fungicides, follow label directions for the use of that product and apply at the recommended rate for control of the target disease organism. ALIETTE® HG is not compatible with the flowable formulation of Daconil 2787. These products should not be combined for application.

COMPATIBILITY FOR ORNAMENTALS

ALIETTE® HG may not be compatible with foliar fertilizer or with copper based fungicides. To avoid undesirable copper phytotoxicity, do not apply ALIETTE® HG and copper based compounds at less than 7 days intervals. Do not mix ALIETTE® HG with any sticker, extender or wetting agent.

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To determine the physical compatibility of ALIETTE® HG with any other product, use a small container to mix a small amount (e.g. 1 pint) of spray solution, containing all ingredients in the same order as ratio as the anticipated use. If any indication of physical incompatibility develops, do not use this mixture for spraying. Indication of incompatibility usually appears within 5-15 minutes after mixing. Read and follow all directions and precautions on this label and on the labels of any products for which a tank mixture is being considered.

ALIETTE® HG is not physically compatible with flowable formulations of Daconil 2787 fungicide as a tank mixture. These products should not be combined for application.

TURF

ALIETTE® HG is a systemic fungicide which may be used in a seasonal program for the control of Pythium diseases, such as blight and root rot, and Yellow tuft on common turfgrasses on golf courses and lawns. Apply as a foliar spray, using 1 to 5 gallons of water per 1,000 sq ft, as indicated in the table below. Apply with a properly calibrated sprayer

Disease	Interval of Applications	Rate Oz. Product/1,000 sq ft
Pythium diseases, Yellow Tuft	14 days	4.0
	21 days	8.0

Begin preventive applications when conditions first favor disease and repeat at recommended interval. Do not mow and/or water treated areas until foliage is completely dry. Maintain agitation during spray operations.

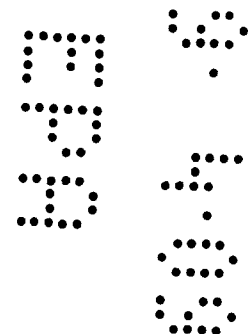
COMPATIBILITY FOR TURF

ALIETTE® HG may not be compatible with foliar fertilizers or with copper based fungicides. Do not mix ALIETTE® HG with any sticker, extender or wetting agent.

To determine the physical compatibility of ALIETTE® HG with any other product, use a small container to mix a small amount (e.g. 1 pint) of spray solution, containing all ingredients in the same order and ratio as the anticipated use. If any indication of physical incompatibility develops, do not use this mixture for spraying. Indication of incompatibility usually appears within 5-15 minutes after mixing. Read and follow all directions and precautions on this label and on the labels of any products for which a tank mixture is being considered.

ALIETTE® HG is not physically compatible with flowable formulations of Daconil 2787 fungicide as a tank mixture. These products should not be combined for application.

Do not graze animals on treated turf. Do not feed clippings from treated turf to livestock and poultry.



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IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the 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 manner of use or application, all of which are beyond the control of Bayer CropScience LP. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE LP MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Bayer CropScience LP is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE LP DISCLAIMS ANY LIABILITY WHATSOEVER FOR SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

LIMITATIONS OF LIABILITY: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT BAYER CROPSCIENCE LP'S ELECTION, THE REPLACEMENT OF PRODUCT.

Aliette and Chipco are Registered Trademarks of Bayer AG
Daconil is a Registered Trademark of Syngenta Corporation

Bayer Environmental Science
A Business Group of Bayer CropScience LP
2 T. W. Alexander Drive
Research Triangle Park, NC 27709

Aliette HG (MASTER)12/1/03, Notification 08/26/09

