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707-221

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

OCT 14 1997

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Richard D. Costlow, Ph.D., D.A.B.T.
Product Registration Manager
Rohm and Haas Company
100 Independence Mall West
Philadelphia, PA 19106

Subject: Review of Labeling Amendments
Rally® 40W EPA Reg. No. 707-215
Nova® 40W EPA Reg. No. 707-221 ✓
Your Letters Dated August 15, 1997

Dear Dr. Costlow:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, are acceptable subject to the following comments:

The NET CONTENTS statement is missing from the labels. This statement is required on all labels or on the container of the pesticide. The preferred location is the bottom of the front panel immediately above the company name and address, or at the end of the label text. Net contents must be expressed in conventional American units of fluid ounces, pints, quarts, gallons and pounds. The net contents must also be expressed in the largest suitable unit, e.g., "1 pound 10 ounces" rather than "26 ounces". In addition to American units, net contents may be expressed in metric units. [40 CFR 156.10(d)]

Stamped copies are enclosed for your records. Please submit one copy of each of your final printed labeling before you release the products for shipment. If you have any questions, then please contact Terri Stowe of my staff at (703) 305-6117.

Sincerely,

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

Enclosures



Recycled/Recyclable
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contains at least 50% recycled fiber

NOT FOR USE IN THE FOLLOWING STATES:
ALASKA, ARIZONA, CALIFORNIA, HAWAII, IDAHO, MONTANA, NEVADA, OREGON, UTAH, WASHINGTON AND WYOMING,

NOVA[®] 40W

AGRICULTURAL FUNGICIDE *In-Water-Soluble Pouches*



ACCEPTED
with COMMENTS
In EPA Letter Dated
OCT 14 1997

ACTIVE INGREDIENT

MYCLOBUTANIL

a-butyl-a-(4-chlorophenyl)-1H-1,2,4-triazole-1-propanenitrile----40%

INERT INGREDIENTS-----60%

TOTAL 100%

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

707221

EPA REG NO 707-221

NOTICE: Before using this product, read the entire Precautionary Statements, Conditions of Sale and Warranty, Directions for Use, Use Restrictions and Storage and Disposal instructions. If the Conditions of Sale and Warranty are not acceptable, return the product unopened within thirty days of purchase to the place of purchase.

KEEP OUT OF REACH OF CHILDREN CAUTION

STATEMENT OF PRACTICAL TREATMENT

IF IN EYES: Flush eyes with a large amount of water for at least 15 minutes. Call a physician if irritation persists.

IF INHALED: Move victim to fresh air.

IF ON SKIN: Wash affected skin thoroughly with soap and water.

IF SWALLOWED: Dilute by giving two glasses of water to drink and call a physician. Never give anything by mouth to an unconscious person.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Causes eye irritation. Harmful if swallowed, inhaled or absorbed through the skin. Do not swallow, get in eyes, on skin or breathe spray mist.

Personal Protective Equipment (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Waterproof gloves
- Shoes plus socks
- Protective eyewear
- Chemical-resistant headgear for overhead exposure

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

Follow manufacturer's instructions for cleaning/ maintaining 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 Standards(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 PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

For terrestrial uses, do not apply directly to water or to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters. Do not apply when weather conditions favor drift or runoff from areas treated.

DIRECTIONS FOR USE

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

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.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard. Do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 24 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil or water, is:

- Coveralls
- Waterproof gloves
- Shoes plus socks
- Protective eyewear
- Chemical-resistant headgear for overhead exposure

STORAGE AND DISPOSAL

STORAGE: Store in a cool dry area above freezing. The water-soluble pouch may become brittle at storage temperatures below 32°F, but the fungicide is not affected. Do not remove the water-soluble pouches from the container except for immediate use.

PESTICIDE DISPOSAL: Do not contaminate water, food or feed by storage or disposal. Pesticide wastes are toxic. 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: Completely empty container into application equipment. 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.

STEPS TO BE TAKEN IN CASE MATERIAL IS RELEASED OR SPILLED: Wear eye protection. Wear protective clothing. Spray water on powder and dust. Scoop or shovel solid material into a suitable container for recovery or disposal. Keep dust to a minimum. Flush contaminated area with a large amount of water to a chemical or sanitary sewer containing a settling pit. Remove contaminated clothing promptly and wash affected skin areas with soap and water. Thoroughly launder clothing before reuse. Refer to Precautionary Statements.

CONDITIONS OF SALE AND WARRANTY

Rohm and Haas warrants that the product conforms to its chemical description and is reasonably fit for the purpose stated on the label only when used in accordance with label directions under normal conditions of use. **ROHM AND HAAS MAKES NO OTHER EXPRESS OR IMPLIED WARRANTIES EITHER OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE.** Handling, storage and use of the product by Buyer or User are beyond the control of Rohm and Haas and Seller. Risks such as crop injury, ineffectiveness or other unintended consequences resulting from, but not limited to, weather or soil conditions, presence of other materials, disease, pests, drift to other crops or property or failure to follow label directions will be assumed by the Buyer or User. **IN NO CASE WILL ROHM AND HAAS OR SELLER BE HELD LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE HANDLING, STORAGE OR USE OF THIS PRODUCT.**

GENERAL INFORMATION

NOVA 40W fungicide is a systemic, protectant and curative fungicide recommended for the control of specific diseases mentioned on this label. Optimum disease control is achieved when the fungicide is applied in a regularly scheduled preventative spray program.

USE RATE DETERMINATION - Carefully read, understand and follow label use rates and restrictions.

Under low disease conditions, minimum label use rates per application can be used while maximum label rates and shortened spray schedules are recommended for severe or threatening disease conditions.

For proper application, determine the number of acres to be treated, the recommended label use rate and the gallonage to be applied per acre. Prepare only the amount of spray solution required to treat the measured acreage. Careful calibration of spray equipment is recommended prior to use.

HANDLING - The enclosed pouches of NOVA 40W fungicide are water-soluble. *DO NOT* allow pouches to become wet prior to adding to the spray tank. *DO NOT* handle the pouches with wet hands or wet gloves. Always reseal overwrap bag to protect remaining unused pouches. *DO NOT* remove water-soluble pouches from overwrap except to add directly to the spray tank.

APPLICATION

Ground - Thorough coverage sprays generally result in optimum disease control. To achieve good coverage use proper spray pressure, gallonage per acre, nozzles, nozzle spacing and tractor speed. Consult spray nozzle and accessory catalogues for specific information on proper equipment calibration.

Aerial - Apply in a minimum of 10 gallons of water per acre. Avoid application under conditions when uniform coverage cannot be obtained when excessive spray drift may occur.

Chemigation - Do not apply this product through any type of irrigation system.

MIXING-Always place NOVA 40W fungicide into solution prior to adding co-applied agricultural chemicals registered for use on specific crop or crops being treated. Add the required number of unopened pouches as determined by the dosage recommendations into the spray tank with agitation. Depending on the water temperature and the degree of agitation, the pouches should dissolve completely within approximately ten minutes from the time they are added to the water.

COMPATIBILITY - NOVA 40W fungicide is compatible with most commonly used agricultural fungicides, insecticides, growth regulators, micronutrients and spray adjuvants. When preparing tank mixes, user should consult spray compatibility charts or State Cooperative Extension Service Specialists prior to actual use.

NOTE: Nova 40W fungicide is compatible with boron and spray oils; however, the water-soluble pouches must be completely dissolved before adding spray oils or products containing boron to spray mixtures.

GENERAL USE DIRECTIONS FOR TREE FRUITS- Best control of labeled diseases is achieved when NOVA 40W fungicide is applied on a 7 to 10 day application schedule.

NOVA 40W is a systemic fungicide and does not redistribute after application. Application equipment spray nozzles should be adjusted to apply a uniform spray throughout the entire tree canopy.

The following use recommendations are to be used as guidance in determining the amount of NOVA 40W fungicide to be used per 100 gallons spray or per acre. Refer to specific tree fruit use directions to determine actual use rates for the control of labeled diseases.

DETERMINATION OF USE RATES ON AN ACRE BASIS: The amount of NOVA 40W fungicide required per acre varies with tree size and the volume of fruit and foliage to be treated. The following summary table may be used as additional guidance for the determination of appropriate per acre use rates for NOVA 40W fungicide:

<u>TREE HEIGHT</u> (FEET)	<u>OUNCES NOVA 40W FUNGICIDE PER ACRE</u>	
	<u>POME FRUITS</u>	<u>STONE FRUITS</u>
10 (or less)	2.5 to 5.0	2.5 to 4.0
15	3.75 to 6.0	4.0 to 6.0
20 (or more)	5.0 to 10.0	6.0

CONCENTRATE SPRAY APPLICATIONS: NOVA 40W fungicide should be used at the recommended use rate per acre in either dilute or concentrate sprays. The following formula should be used to determine the equivalent amount of product per acre in 2X, 3X, etc. spray solutions:

$$\frac{\text{Ounces NOVA 40W per acre} \times 100}{\text{Gallons spray applied per acre}} = \text{Ounces NOVA 40W per 100 gallons}$$

Example: An apple orchard consisting of apple trees 18 feet in height will require 5 ounces NOVA 40W for adequate apple scab control. Application equipment has been calibrated to apply 80 gallons spray per acre, therefore:

$$\frac{5 \text{ Ounces NOVA 40W per acre} \times 100}{80 \text{ gallons spray applied per acre}} = 6.25 \text{ Ounces per 100 gallons}$$

DILUTE, THOROUGH COVERAGE APPLICATIONS: Dilute thorough coverage applications are based on the amount of spray solution required to thoroughly wet trees until spray run-off. The following specific use directions for pome fruits utilizes a 400 gallon per acre dilute basis and the specific use directions for stone fruits utilize a 250 gallon per acre dilute basis.

USE DIRECTIONS FOR APPLES

DISEASE	RATE OF NOVA 40W OZ. 100 GALS.*	USE RECOMMENDATIONS	RESTRICTIONS
Powdery Mildew (<i>Podosphaera</i> sp.)	1.25 to 2.5 (0.5 to 1.0 active)	Begin application at tight cluster and continue through the second cover spray. Additional sprays beyond second cover may be needed on susceptible varieties or under heavy disease pressure. Use high label rate if powdery mildew was present in previous years.	Do not apply within 14 days of harvest. Do not apply more than 5 pounds (2 lbs. active) NOVA 40W per acre per season.
Rusts (<i>Gymnosporangium</i> spp.)	1.25 to 2.0 (0.5 to 0.8 active)	Begin applications at pink stage and continue through the second cover spray.	
Scab (<i>Venturia</i> sp.) Prebloom	1.25 to 2.0 (0.5 to 0.8 active)	Begin application at green tip or when environmental conditions become favorable for primary scab development. Apply NOVA 40W alone or tank mixed with a protectant fungicide on a 7 to 10 day schedule.	
Bloom, Postbloom	1.25 to 2.0 (0.5 to 0.8 active)	Use NOVA 40W in a tank mixture with the recommended rate of a protectant fungicide, registered for use on apples, for improved fruit scab and summer disease control	
Postinfection	2.0 (0.8 active)	NOVA 40W fungicide provides 96-hour post-infection control or curative activity. Apply as soon as possible after infection period. Follow with a standard preventative spray schedule.	

*Based on dilute sprays with a 400-gallon per acre basis.

USE DIRECTIONS FOR STONE FRUIT - Applications may be made up to the day of harvest.

CROP	DISEASE	RATE OF NOVA 40W		USE RECOMMENDATIONS	RESTRICTIONS
		OZ. 100 GALS *	OZ. Acre		
APRICOTS	Brown Rot Blossom Blight (<i>Monilinia</i> spp.)	1.25 to 2.0 (0.5 to 0.8 active)	2.5 to 6.0 (1.0 to 2.4 active)	Begin application at early red bud stage before infection occurs. If conditions are favorable for disease development, apply again at full bloom and petal fall.	Do not apply more than 2.75 lbs. (1.1 lbs. active) per acre per season.
	Brown Rot (<i>Monilinia</i> sp.)			Apply 6 ounces (2.4 active) per acre on a 7 to 14 day schedule. Applications should be made when-ever environmental conditions favor disease development during the month prior to harvest.	
	Powdery Mildew (<i>Podosphaera</i> sp.)			Follow brown rot blossom blight schedule making additional applications at 10 to 14 day intervals until terminal growth ceases.	
	Shothole (<i>Stigmia</i> sp.)			Follow brown rot blossom blight schedule making additional applications at 7 to 10 day intervals as long as needed.	
CHERRIES	Brown Rot Blossom Blight (<i>Monilinia</i> spp.)			Begin application at early popcorn stage, before infection occurs. If conditions are favorable for disease development, apply again at full bloom and petal fall.	Do not apply more than 3.25 lbs. (1.3 lbs. active) per acre per season.
	Brown Rot (<i>Monilinia</i> sp.)			Refer to Apricots	
	Powdery Mildew (<i>Podosphaera</i> and <i>Sphaerotheca</i> spp.)			Refer to Apricots	
	Leaf Spot (<i>Blumeriella</i> sp.)			Follow brown rot blossom blight schedule and continue applications at 7 to 10 day intervals. Make additional applications after harvest.	
NECTARINE	Brown Rot Blossom Blight (<i>Monilinia</i> spp.)			Begin application at early pink bud stage before infection occurs. If conditions are favorable for disease development, apply again at full bloom and petal fall.	
	Brown Rot (<i>Monilinia</i> sp.)			Refer to Apricots	
	Powdery Mildew (<i>Podosphaera</i> and <i>Sphaerotheca</i> spp.)			Refer to Apricots	
	Shothole (<i>Stigmia</i> sp.)			Follow brown rot blossom blight schedule making additional applications at 7 to 10 day intervals as long as needed.	
PEACHES	Brown Rot Blossom Blight (<i>Monilinia</i> spp.)			Begin application at early pink bud stage before infection occurs. If conditions are favorable for disease development, apply again at full bloom and petal fall.	
	Brown Rot (<i>Monilinia</i> sp.)			Refer to Apricots	
	Powdery Mildew (<i>Podosphaera</i> sp.)			Refer to Apricots	
	Rust (<i>Tranzschelia</i> sp.)			Apply 6 ounces (2.4 active) per acre. Begin application approximately 8 weeks after flowering if environmental conditions are favorable for disease development. For optimum disease control, do not apply on an application schedule exceeding 21- days.	
PLUMS PRUNES	Brown Rot Blossom Blight (<i>Monilinia</i> spp.)			Begin application at green tip, before infection occurs. If conditions are favorable for disease development, apply again at full bloom and petal fall.	Do not apply more than 2.75 lbs. (1.1 lbs. active) per acre per season.
	Rust (<i>Tranzschelia</i> sp.)			Refer to peaches	

*250 gallon dilute spray per acre basis.

USE DIRECTIONS FOR GRAPES

Thorough spray coverage is essential for good disease control.

DISEASES	RATE OF NOVA 40W OZ. PER ACRE	USE RECOMMENDATIONS	RESTRICTIONS
Anthracnose (<i>Elsinoe</i> sp.)	3 to 5 (1.2 to 2.0 active)	Begin application when new shoots are 1 to 3 inches in length and continue on an application schedule which does not exceed 14 days.	Do not apply within 14 days of harvest.
Black Rot (<i>Guignardia</i> sp.)		<p>Preventative Schedule: Begin application when new shoots are 1 to 3 inches in length and continue applications on an application schedule which does not exceed 14 days. Use higher rate under heavy disease pressure.</p> <p>Postinfection Schedule: Apply within 72 hours after the beginning of an infection period.</p>	Do not apply more than 1.5 lbs (0.6 lb. A.I.) per acre per year.
Powdery Mildew (<i>Uncinula</i> sp.)		Begin application at prebloom (12 to 18 inch shoots) and do not extend applications beyond a 21 day interval. Use higher rate or shorter spray interval on susceptible varieties or under heavy disease pressure.	

USE DIRECTIONS FOR NON-FOOD USE

CROP	DISEASE	RATE OF NOVA 40W OZ. PER ACRE	USE RECOMMENDATIONS	RESTRICTIONS
HYBRID POPLAR For use in nurseries or forested areas used for wood pulp production	Rust (<i>Melampsora spp.</i>)	4 to 6 (1.6 to 2.4 oz. active)	Begin applications at the first sign of disease and repeat applications at 10 to 14 day intervals	Do not apply more than 1.5 lbs. (0.6 lbs. active) per acre per year.
DOUGLAS FIR (Nursery Use Only)	Needle Rust (<i>Melampsora spp.</i>)	5 to 10 (2 to 4 oz. active)	Begin applications in early spring. Continue applications at 2 to 3 week intervals until the threat of infection is past. A spray adjuvant such as LATRON CS-7 or LATRON B-1956 should be added to obtain good spray coverage and disease control.	
LOBLOLLY PINE (Nursery Use Only)	Fusiform Rust (<i>Cronartium quercuum</i>)	5 to 10 (2 to 4 oz. active)	Begin applications in early spring. Continue applications at 2 to 3 week intervals until the threat of infection is past. A spray adjuvant such as LATRON CS-7® or LATRON B-1956® should be added to obtain good spray coverage and disease control.	

NOVA and LATRON ARE REGISTERED TRADEMARKS OF ROHM AND HAAS COMPANY

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