

4581-415

04/27/2006

Sheet

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U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (7505C)
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

EPA Reg. Number:

4581-415

Date of Issuance:

APR 27 2006

NOTICE OF PESTICIDE:

☒ Registration
☐ Reregistration
(under FIFRA, as amended)

Term of Issuance:

Conditional

Name of Pesticide Product:

Tebuconazole 3.6 FL Liquid
Flowable Fungicide

Name and Address of Registrant (include ZIP Code):

Cerexagri, Inc.
630 Freedom Business Center, Suite 402
King of Prussia, PA 19406

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA Sec. 3(c)(7)(A) provided that you:

1. Submit and/or cite all data required for registration/reregistration of your product under FIFRA Sec. 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of your product under FIFRA section 4.
2. Make the following changes to the label.
 - a. Add the phrase "EPA Registration Number 4581-415".
 - b. After the statement, "Have the product container or label with you when calling....." add the following emergency medical treatment information. "In case of an emergency call the Rocky Mountain Poison Control Center Medical Number at (303) 623-5716.

Signature of Approving Official:

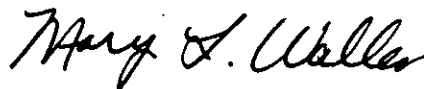
Mary L. Waller, Product Manager (21)
Fungicide Branch, Registration Division (7505C)

Date:

4/27/2006

- c. Under the "Directions for Use" heading, delete the phrase "Shake Well Before Using". Add the phrase to the "General Information" section of the Directions for Use.
 - d. In the application table revise the sentence in the remarks column for Peanuts which begins "Tebuconazole may be...." To read "Tebuconazole" 3.6FL may be....."
 - e. Under the "Conditions" section (last paragraph), add the phrase, "To the extent allowed by state law" before the sentence, "All such risks shall be assumed.....". The sentence should read, "To the extent allowed by state law, all such risks shall be assumed by the user or buyer".
3. Submit a one year storage stability study (Guideline # 830.6317) and corrosion characteristics study (Guideline # 830.6320) with observations made at 0, 3, 6, 9 & 12 month intervals by November 2007.
 4. Submit one copy of the final printed label before the product is released for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA Sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions. A stamped copy of the label, a copy of the product chemistry review and toxicological review are enclosed for your records.



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

Enclosure: Label stamped "Accepted with Comments"

ACCEPTED
with COMMENTS
In EPA Letter Dated

APR 27 2006

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

4581-415

TEBUCONAZOLE 3.6FL Liquid Flowable Fungicide

ACTIVE INGREDIENT: Tebuconazole, alpha-[2-(4-chlorophenyl)ethyl]-
alpha-(1,1-dimethylethyl)-1H-1,2,4-triazole-1-ethanol..... 39.2%
OTHER INGREDIENTS: 60.8%
TOTAL: 100.0%

Contains 3.6 pounds tebuconazole per gallon

KEEP OUT OF REACH OF CHILDREN CAUTION

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.)

FIRST AID

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 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.

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 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.

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

Note To Physician: No specific antidote. Treat symptomatically.

Symptoms of Poisoning: The compound does not cause any definite symptoms that would be diagnostic. Contact with the eyes may cause irritation.

EPA Reg. No. 4581-_____

EPA Est. No. _____

NET CONTENTS: _____ Gallons

Cerexagri, Inc.
630 Freedom Business Center, Suite 402
King of Prussia, PA 19406
1 800-438-6071
www.cerexagri.com

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PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if swallowed, inhaled or absorbed through skin. Avoid contact with skin, eyes, and clothing. Avoid breathing vapor or spray mist.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category C on an EPA chemical-resistance category selection chart. Applicators and other handlers must wear long-sleeved shirt and long pants, chemical-resistant gloves, such as barrier laminate, or butyl rubber or nitrile rubber or neoprene rubber or polyvinyl chloride or viton, and shoes plus socks. 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.

ENGINEERING CONTROLS STATEMENTS

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.
- 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

This pesticide is toxic to estuarine and marine invertebrates. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Runoff may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment washwater or rinsate.

DIRECTIONS FOR USE

SHAKE WELL BEFORE USING

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 12 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
- Chemical-resistant gloves, such as barrier laminate or butyl rubber or nitrile rubber or neoprene rubber or polyvinyl chloride or viton
- Shoes plus socks

GENERAL INFORMATION FOR AGRICULTURAL USES

Spray Volume: Apply TEBUCONAZOLE 3.6FL with ground or aerial equipment using sufficient volume of spray to provide thorough coverage. TEBUCONAZOLE 3.6FL may be applied in a minimum of 10 gallons of spray solution per acre by ground sprayer or in a minimum of 5 gallons of spray solution per acre by aircraft spray equipment. Check equipment calibration frequently. Continuous agitation is required to keep the material in suspension.

Complete coverage and uniform application are essential for the most effective results, especially when lower spray volumes are applied. If necessary, increase the spray volume per acre for complete crop coverage. Use the higher rate under conditions of severe disease pressure. Also, see local State Extension Service recommendations for application schedules.

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

Mixing: Add recommended amount of TEBUCONAZOLE 3.6FL into the spray tank while filling with water to the desired level. Operate the agitator while mixing. If other materials are added to the spray tank, the TEBUCONAZOLE 3.6FL should be thoroughly dispersed prior to the addition of other materials.

Compatibility: To determine the compatibility of TEBUCONAZOLE 3.6FL with other products, the following procedure should be followed: Pour the recommended proportions of the products into a suitable container of water, mix thoroughly and allow to stand at least five minutes. If the combination remains mixed or can be re-mixed readily, the mixture is considered physically compatible.

CROP	DISEASES	FL OZ TEBUCONAZOLE 3.6FL/ ACRE	REMARKS
Grasses Grown for Seed	General Information		Apply the specified rate of Tebuconazole 3.6FL in a minimum of 20 gallons of water per acre with ground sprayers or in a minimum of 10 gallons of water per acre with aircraft. Thorough coverage is important for optimum disease control. For optimum benefit, the lowest recommended rate of a spray surfactant should be tank mixed with TEBUCONAZOLE 3.6FL. Do not apply more than 16 fl. oz. (.45 lb a.i.) per acre per crop season. Chaff, screenings and straw from treated areas may be used for feed purposes. Do not forage, cut green crop, or use seed for feed purposes. Regrowth may be grazed starting 17 days after last application. Preharvest interval: 4 days
	Rusts (<i>Puccinia spp.</i>)	4 to 8	Apply the specified rate of TEBUCONAZOLE 3.6FL as soon as weather conditions are favorable for rust development or when first rust pustules are present. Repeat applications at 14- to 16-day intervals. Under heavy disease pressure use 6 to 8 fl oz/A and apply at shorter spray intervals.
	Powdery mildew	4 to 8	Apply specified rate of TEBUCONAZOLE 3.6FL when powdery mildew first appears on the leaves. Repeat applications at 14- to 16-day intervals. Under heavy disease pressure use 6 to 8 fl oz/A and apply at shorter spray intervals.

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CROP	DISEASES	FL OZ TEBUCONAZOLE 3.6FL/ ACRE	REMARKS
Peanut	General Information		<p>For optimum control of the specified soilborne diseases, four consecutive applications of TEBUCONAZOLE 3.6FL must be made at 14-day intervals. A maximum of 28.8 fl. oz. (.81 lbs. a.i.) of TEBUCONAZOLE 3.6FL may be applied per crop season. TEBUCONAZOLE may be applied up to 14 days before harvest. Do not feed hay or threshings or allow livestock to graze in treated areas.</p> <p>TEBUCONAZOLE 3.6FL is a sterol demethylation inhibitor (DMI) fungicide. Chlorothalonil may be tank mixed at the rate of 12 ounces of active ingredient with TEBUCONAZOLE 3.6FL as a leaf spot resistance management strategy. A spray surfactant is not necessary when TEBUCONAZOLE 3.6FL is tank mixed with chlorothalonil. Mixing or alternating TEBUCONAZOLE 3.6FL with other DMI fungicides may lead to resistance.</p> <p>TEBUCONAZOLE 3.6FL must be carried by rainfall or irrigation into the root and pod zone for control of root and pod rots caused by <i>Sclerotium rolfsii</i> and <i>Rhizoctonia solani</i>. Drought conditions will decrease the effectiveness of TEBUCONAZOLE 3.6FL against the root and pod rots. Use TEBUCONAZOLE 3.6FL in conjunction with cultural practices that are known to reduce the severity of soilborne diseases, such as proper crop rotation practices.</p>
	SOILBORNE: Rhizoctonia Limb Rot Rhizoctonia Pod Rot (Virginia and North Carolina only) Sclerotium Stem and Pod Rot (White Mold, Southern Blight, Southern Stem Rot) FOLIAR: Early Leaf Spot Late Leaf Spot Leaf Rust Pepper Spot (Leptosphaerulina) Web Blotch (Phoma)	7.2 fl oz per acre	FOUR-APPLICATION SPRAY PROGRAM: Apply the specified rate in a preventive spray schedule. See table below for proper timing of applications. Applications of chlorothalonil should be made prior to and following applications of TEBUCONAZOLE 3.6FL to discourage development of resistant strains of fungi. For optimum control of foliar diseases such as leaf rust, web blotch, and pepper spot, the lowest label recommended rate of a spray surfactant should be tank-mixed with TEBUCONAZOLE 3.6FL. LEAF SPOT ADVISORY SCHEDULE: For control of soilborne diseases in an advisory schedule, apply TEBUCONAZOLE 3.6FL in the first advisory spray in July and continue TEBUCONAZOLE 3.6FL applications at 14-day intervals. When applying TEBUCONAZOLE 3.6FL after August 15, tank mix with chlorothalonil for resistance management purposes.
Application Timing of TEBUCONAZOLE 3.6FL for Optimum Control of White Mold and Rhizoctonia Limb and Pod Rot			
Spray Program	TEBUCONAZOLE 3.6FL Application No.		Chlorothalonil Application No.
7 applications	3, 4, 5 and 6		1, 2 and 7

OBSERVE THE FOLLOWING PRECAUTIONS WHEN SPRAYING IN THE VICINITY OF AQUATIC AREAS SUCH AS LAKES, RESERVOIRS, RIVERS, PERMANENT STREAMS, MARSHES OR NATURAL PONDS, AND ESTUARIES.

Apply only during alternate years in fields adjacent to aquatic areas listed above.

Do not apply by ground or air within 100 feet of aquatic areas listed above.

Do not cultivate within 10 feet of an aquatic area to allow growth of a vegetative filter strip.

Spray Drift Management: For aerial applications, the spray boom should be mounted on the aircraft so as to minimize drift caused by wing tip vortices. The minimum practical boom length should be used, and must not exceed 75% of the wingspan or rotor diameter.

Use the largest droplet size consistent with pest control. Formation of very small droplets may be minimized by appropriate nozzle selection, by orienting nozzles away from the air stream as much as possible and by avoiding excessive spray boom pressure. Apply in a minimum of 5 gallons of spray solution per acre by aircraft spray equipment.

Spray should be released at the lowest possible height consistent with good pest control and flight safety.

Applications more than 10 feet above the crop canopy should be avoided.

Make aerial or ground applications when wind velocity favors on-target product deposition (approximately 3 to 10 mph). Do not apply when wind velocity exceeds 15 mph. Avoid applications when wind gusts approach 15 mph.

Risk of exposure to sensitive aquatic areas can be reduced by avoiding applications when wind direction is toward the aquatic area.

Low humidity and high temperatures increase the evaporation rate of spray droplets and therefore the likelihood of spray drift to aquatic areas. Avoid spraying during conditions of low humidity and/or high temperature.

Do not make aerial or ground applications during temperature inversions. Inversions are characterized by stable air and increasing temperatures with height above the ground. Mist or fog may indicate the presence of an inversion in humid areas. The applicator may detect the presence of an inversion by producing smoke and observing a smoke layer near the ground surface.

ROTATIONAL CROPS

Treated areas may be replanted with any crop specified on this label as soon as practical after last application. Any crop not specified on this label may be planted into treated areas 120 days after last application.

IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Warranty and Disclaimer 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, Warranty and Disclaimer.

CONDITIONS: The directions for use of this product are believed to be adequate and should 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 Cerexagri, Inc. All such risks shall be assumed by the user or buyer.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in the original container in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Store out of the reach of children, preferably in a locked storage area.

Open and handle container in a manner as to prevent spillage. If container is leaking, invert to prevent leakage. If the container is leaking or material is spilled for any reason or cause, carefully dam up spilled material to prevent runoff. Refer to Precautionary Statements on label for hazards associated with the handling of this material. Do not walk through spilled material. Absorb spilled material with absorbing type compounds and dispose of as directed for pesticides below. In spill or leak incidents, keep unauthorized people away.

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: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

The Directions for Use of this product should be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather or crop conditions, presence of other materials, resistant strains or other influencing factors in the use of the product, which are beyond the control of Cerexagri, Inc., Manufacturer or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Cerexagri, Inc., Manufacturer and Seller harmless for any claims relating to such factors. Cerexagri, Inc. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks referred to above, when used in accordance with directions under normal use conditions. This warranty does not extend to the use of the product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of the Seller, Manufacturer or Cerexagri, Inc., and Buyer and User assume the risk of any such use. CEREXAGRI, INC. AND MANUFACTURER MAKE NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

To the extent allowed by state law, Cerexagri, Inc., Manufacturer or Seller shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product. THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF CEREXAGRI, INC., MANUFACTURER AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) 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 CEREXAGRI, INC., MANUFACTURER OR SELLER, THE REPLACEMENT OF THE PRODUCT.

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REVISION: 4/17/06