

4787-61

10/26/2011

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Registration Division (7504P)
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

EPA Reg. Number:

4787-61

Date of Issuance:

OCT 26 2011

NOTICE OF PESTICIDE:

[X] Registration
[] Reregistration
(under FIFRA, as amended)

Term of Issuance:

Conditional

Name of Pesticide Product:

Cheminova Flutriafol
Technical 98.3%

Name and Address of Registrant (include ZIP Code):

Cheminova A/S
P.O. Box 9, DK-76
Lemvig, Denmark

Mailed To:

Cheminova Inc.,
1600 Wilson Blvd., Suite 700
Arlington, VA 22209

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 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 section 3(c)(7)(A) provided that you:

- 1. Submit and/or cite all data required for registration 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.

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Signature of Approving Official:

Mary L. Waller

Mary L. Waller, Product Manager (21)
Fungicide Branch, Registration Division (7504P)

Date:

10/26/2011

2. You must submit the following conditional data before the due date of 09/30/2013:

Storage Stability (830.6317) and Corrosion Characteristics (830.6320) studies.

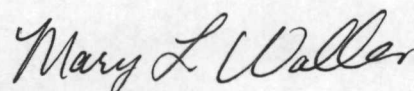
3. Make the following changes to the label:

- a. Change the product registration number to "EPA Reg. No. 4787-61."
- b. On page 1, within the "First Aid" table, statement for "IF IN EYES" replace the word "Hole" with the word "Hold".
- c. On page 2, within the "Instructions to Formulators" section, add the following statement as your first sentence after the heading "For formulation into end-use products for use on soybeans and apples."
- d. On page 2, within the "Pesticide Storage" section, delete the second sentence "Do not contaminate water, other pesticides, fertilizer, food or feed in storage."
- e. On page 3, within the "Limitation of Remedies" section, revised the second paragraph to read "To the extent consistent with applicable law, in no case shall Cheminova be..."

4. Submit one copy of the revised final printed label for the record 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 section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A copy of the label stamped "Accepted with Comments" is enclosed for your records.



Mary L. Waller
Product Manager (21)
Fungicide Branch
Registration Division (7504P)

Enclosures:

Label stamped "Accepted with Comments"

Product Chemistry Review of MP dated September 21, 2011

Technical Review Branch Acute Tox Review dated September 20, 2011

Cheminova Flutriafol Technical 98.3%

FOR MANUFACTURING USE ONLY

ACTIVE INGREDIENT:	
Flutriafol	98.3%
OTHER INGREDIENTS:	1.7%
TOTAL:	100%

KEEP OUT OF REACH OF CHILDREN WARNING

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 by a poison control center or doctor. Do not give anything to an unconscious person.

IF ON SKIN OR CLOTHING: 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 IN EYES: Hold eye 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.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-866-303-6950 for emergency medical treatment information.

NOTE TO PHYSICIAN: No specific antidote. Treat symptomatically.

IN CASE OF AN EMERGENCY ENDANGERING HEALTH OR THE ENVIRONMENT INVOLVING THIS PRODUCT, CALL TOLL FREE, DAY OR NIGHT, 1-866-303-6950.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMAN AND DOMESTIC ANIMALS

Warning. May be fatal if swallowed. Harmful if absorbed through skin. Do not get in eyes, on skin, or on clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Wear long-sleeved shirt and long pants, socks, shoes, and chemical resistant gloves (such as nitrile, butyl, neoprene, and/or barrier laminate) when handling. Remove and wash contaminated clothing before reuse.

EPA Reg. No. 4787-61
EPA Est. No.:

Net Weight: ___ lbs.

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

10/26/2011

**Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No. 4787-61**

Manufactured for:
CHEMINOVA A/S, P.O. Box 9, DK-7620, Lemvig, Denmark
Phone (+45) 96 90 96 90 Fax (+45) 96 90 96 91

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ENVIRONMENTAL HAZARDS

This pesticide is toxic to mammals, fish, and aquatic invertebrates. 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.

Ground Water Advisory: Flutriafol has properties and characteristics associated with chemicals detected in ground water. This chemical may leach into ground water if used in areas where soils are permeable, particularly where the water table is shallow.

Surface Water Advisory: This product may impact surface water quality due to runoff of rain water. This is especially true for poorly draining soils and soils with shallow ground water. This product is classified as having a high potential for reaching surface water via runoff for several months or more after application.

DIRECTIONS FOR USE

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

Instructions to Formulators

This technical product may be used for the manufacture of fungicide formulations for use on soybeans and apples. Formulators using this product are responsible for obtaining Environmental Protection Agency registration for their formulated products.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store product in a secure location in the original container only. Do not contaminate water, other pesticides, fertilizer, food or feed in storage.

Pesticide Disposal: Pesticide wastes may be 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 Handling: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Offer for recycling if available.

WARRANTY DISCLAIMER

Cheminova warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, CHEMINOVA MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

INHERENT RISKS OF USE

It is impossible to eliminate all risks associated with use of this product. Unintended consequences may result because of factors such as use of the product contrary to label instructions, which are beyond the control of Cheminova or the Seller. Cheminova and the Seller shall not be responsible for any risks caused by the incorporation of this product into an end use product by the Buyer or User. Buyer is solely responsible for any risks created by the end use or uses to which Buyer or a User put this product. All of the foregoing risks shall be assumed by Buyer and User, and Buyer and User agree to hold Cheminova and Seller harmless for any claims related to such factors.

LIMITATION OF REMEDIES

To the extent consistent with applicable law, the exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories), shall be limited to one of the following, at Cheminova's election,:

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- (1) Refund of purchase price paid by buyer or user for product bought, or
- (2) Replacement of amount of product used.

In no case shall Cheminova be liable for consequential, incidental, or special damages or losses.

The terms of the Warranty Disclaimer above and this Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of Cheminova or the Seller is authorized to vary or exceed the terms of the Warranty Disclaimer or this Limitation of Remedies in any manner.

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