



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

January 30, 2015

Paula Bodey  
Director, Regulatory Affairs  
Cheminova, Inc.  
1600 Wilson Blvd., Suite 700  
Arlington, VA 22209

Subject: PRIA Label Amendment – adding new uses brassica, head and stem (subgroup 5A); brassica, leafy greens (subgroup 5B); cotton; lettuce, head; radicchio; sorghum, grain; vegetable, leafy, except Brassica, crop group 4, except head lettuce and radicchio. Related to Petition 3F8199  
Product Name: Cheminova Flutriafol Technical 98.3%  
EPA Registration Number: 4787-61  
Application Date: September 5, 2013  
Decision Number: 482868

Dear Ms. Bodey:

The application referred to above, submitted under the Federal Insecticide, Fungicide and Rodenticide Act, as amended is acceptable under FIFRA sec 3 (c)(5). You must submit and/or cite all data required for registration/reregistration/registration review of your product when the Agency requires all registrants of similar products to submit such data.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one (1) copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. "To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

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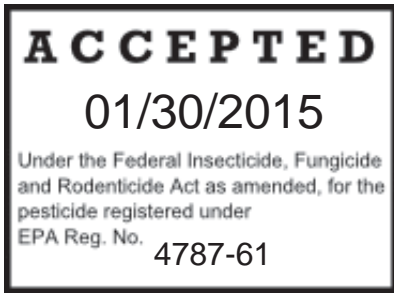
Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6. If you have any questions, please contact Tamue L. Gibson by phone at (703) 305-9096, or via email at [gibson.tamue@epa.gov](mailto:gibson.tamue@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to be 'HJ', written over a circular scribble.

Hope Johnson, Product Manager 21  
Fungicide Branch  
Registration Division (7505P)  
Office of Pesticide Programs

Attachment



**Cheminova Flutriafol Technical 98.3%**  
**FOR MANUFACTURING USE ONLY**

<b>ACTIVE INGREDIENT:</b> Flutriafol	98.3%
<b>OTHER INGREDIENTS:</b>	<u>1.7%</u>
<b>TOTAL:</b>	100.0%

**KEEP OUT OF REACH OF CHILDREN**  
**WARNING**

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.)

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

<p><b>For MEDICAL EMERGENCY 1-866-303-6950</b></p>	<p><b>For SPILLS CHEMTREC 1-800-424-9300</b></p>
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EPA Reg. No. 4787-61

EPA Est. No. \_\_\_\_\_

Net Contents: \_\_\_\_\_

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  
[Product of China]

## 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 (Barrier Laminate, Butyl Rubber, Nitrile rubber  $\geq 14$  mils, Neoprene rubber  $\geq 14$  mils, Natural Rubber  $\geq 14$  mils, Polyethylene, Polyvinyl chloride  $\geq 14$  mils, or Viton®  $\geq 14$  mils)) when handling. Remove and wash contaminated clothing before reuse.

### 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.

### 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 formulation into end-use products for use on

- Brassica leafy vegetables crop group 5: broccoli; broccoli, Chinese (gai lon); broccoli raab (rapini); Brussels sprouts; cabbage; cabbage, Chinese (bok choy); cabbage, Chinese (napa); cabbage, Chinese mustard (gai choy); cauliflower; cavalo broccolo; collards; kale; kohlrabi; mizuna; mustard greens; mustard spinach; rape greens. Including cultivars and/or hybrids of these crops.
- Corn (field corn, field corn grown for seed, and popcorn)
- Cotton
- Grapes
- Leafy vegetables, except Brassica, crop group 4: amaranth (Chinese spinach); amaranth (leafy); amaranth (tampala); arugula (roquette); cardoon; celery; celery, Chinese; celtuce; chervil; chrysanthemum, edible-leaved; chrysanthemum, garland; corn salad; cress, garden; cress, upland; dandelion (leaves); dock (sorrel); endive (escarole); fennel (Florence); lettuce (head and leaf); orach; parsley; purslane, garden; purslane, winter; radicchio (red chicory); rhubarb; spinach; spinach, New Zealand; spinach, vine; Swiss chard. Including cultivars and/or hybrids of these crops.
- Peanut
- Pome Fruit (apple, crabapple, loquat, mayhaw, pear, oriental pear and quince)
- Grain Sorghum
- Soybean
- Stone Fruit (sweet cherry, tart cherry, apricot, nectarine, peach, plum, chicksaw plum, damson plum, Japanese plum, plumcot and prune)
- Strawberry
- Sugar beet
- Tomato
- Triticale
- Tree Nut Crops (only the following: African Tree Nut, Almond, Brazil Nut; Burr Oak, Butternut, Cajou Nut, Cashew, Castanha-Do-Maranhao, Coconut, Coquito Nut, Dika nut, Guiana Chestnut, Hazelnut, Heartnut, Hickory Nut, Japanese Horse-Chestnut, Macadamia Nut, Monogongo Nut, Monkey-Pot, Pachira Nut, Pecan, Sapucaia Nut, and Walnut)
- Vegetables, Fruiting, crop group 8-10 (African Eggplant, Bell Pepper, Eggplant, Martynia, Non-Bell Pepper, Okra, Pea Eggplant, Pepino, Roselle, Scarlet Eggplant. Including cultivars, varieties and/or hybrids of these crops)
- Vegetables, Cucurbit, crop group 9 (Chayote (Fruit), Chinese Waxgourd, Citron Melon, Cucumber, Gherkin, Gourd Edible (*Lagenaria* spp.) (Includes Hyotan, Cucuzza, Hechima, Chinese Okra), Muskmelons, *Momordica* spp. (Includes Balsam Apple, Balsam Pear, Bittermelon, Chinese Cucumber), Pumpkin, Squash (Summer), Squash (Winter – Includes Butternut Squash, Calabaza, Hubbard Squash, Acorn Squash, Spaghetti Squash), Watermelon)
- Wheat

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.

**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.** [greater than 5 gallons] [and less than 260 gallons]

Do not reuse or refill this container. Offer for recycling if available, 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.

Triple rinse or Pressure rinse as follows: Triple rinse as follows: Empty the remaining contents into manufacturing equipment or mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into manufacturing equipment or a mix tank and store rinsate for later use or disposal. Repeat this procedure two more times.

Pressure rinse as follows: Empty the remaining contents into manufacturing equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over manufacturing equipment or a mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

*{Note to PM, IBC's may be nonrefillable or refillable, the container handling section will state either Nonrefillable or Refillable.}*

**Nonrefillable container.** {or}

**Refillable container.**

**Bottom discharge IBC.**

Pressure rinsing the container before final disposal is the responsibility of the person disposing of the container.

To pressure rinse the container before final disposal, empty the remaining contents from the IBC into manufacturing equipment or mix tank. Raise the bottom of the IBC by 1.5 inches on the side which is opposite of the bottom discharge valve to promote more complete product removal. Completely remove the top lid of the IBC. Use water pressurized to at least 40 PSI to rinse all interior portions. Continuously pump or drain rinsate into manufacturing equipment or rinsate collection system while pressure rinsing. Continue pressure rinsing for 2 minutes or until rinsate becomes clear. Replace the lid and close bottom valve.

### **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:

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

To the extent consistent with applicable law, 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.

01-28-2015