

7969-197

11-28-2008

1/7



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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Khalid H. Akkari, Ph.D.  
Product Registration Manager  
Regulatory Affairs  
BASF Corporation, Agricultural Products  
P.O. Box 13528, 26 Davis Drive  
Research Triangle Park, NC 27709

NOV 28 2008

RE: Notification of Supplemental label for Endura Fungicide use on Tomatoe to Control  
Black Mold  
EPA Registration Number: 7969-197  
Date of Submission: September 10, 2008

Dear Dr. Akkari:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated September 10, 2008, for the product Endura Fungicide (BAS 510 02/04F). The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Joyce Edwards of my staff at 703-308-5479.

Sincerely,

*Theresa A. Stone for*

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



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 EPA Reg. No. 7969-197	2. EPA Product Manager Shaja Joyner	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Endura® fungicide (BAS 510 02/04F)	PM# 20 22 87	
5. Name and Address of Applicant (Include ZIP Code) BASF Corporation, Agricultural Products P.O. Box 13528, 26 Davis 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. <b>NOTIFICATION</b> Product Name <b>NOV 28 2008</b>	

**Section - II**

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

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

Notification of Supplemental Labeling for Endura® fungicide (EPA Reg. No. 7969-197) use on Tomato to control black mold. 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 section 12 and 14 of FIFRA. This is not a PRIA action, therefore no PRIA code or fee are proposed.  
 F-Mail: khalid akkari@basf.com

**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	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 6.5 Pounds		5. Location of Label Directions <input checked="" type="checkbox"/> on labeling adhered to jug			
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph 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 Khalid H. Akkari	Title Product Registration Manager	Telephone No. (Include Area Code) (919) 547-2976
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 or both under applicable law.		6. Date Application Received (Stamped)
2. Signature <i>K.H. Akkari</i>	3. Title Product Registration Manager	
4. Typed Name Khalid H. Akkari	5. Date September 10, 2008	



The Chemical Company

Helping Make  
Products Better™

September 10, 2008

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

**ATTENTION: Shaja Joyner – PM 20**

Dear Ms. Joyner:

**SUBJECT: Notification of Endura® fungicide Supplemental Labeling for Tomato per  
PR Notice 98-10 and 40CFR 152.46.**

**Reference: Active Ingredient: Boscalid (7969-198): Endura® fungicide (7969-197)**

BASF Corporation is submitting this **Notification** to the EPA for preparation of Supplemental Labeling containing the approved use directions for use of Endura® fungicide (EPA Reg. No. 7969-197) for use on Tomato to control the disease, black mold (*Alternaria alternata*). This notification is in accordance with the EPA PR Notice 98-10, Section IIB, "Adding or Deleting Pests" and the EPA regulations in 40CFR 152.46. The supplemental labeling is extracted directly from the use directions approved for tomato in the Endura master label approved by the EPA on June 18, 2008.

The supplemental labeling will provide growers with access to the use directions for control of black mold in tomato until the full Endura label is approved in all the States and can be used on the product container and packaging.

**"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 section 12 and 14 of FIFRA."**



The Chemical Company

4/7

The following documents are enclosed in support of the notification as per PR Notice 98-10.

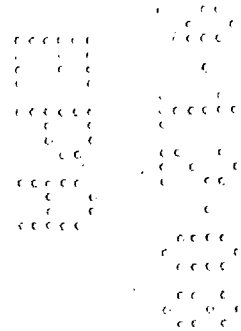
- (1) EPA Form 8570-1 "Application for Pesticide Notification"
- (2) 3 copies of the Endura® fungicide Supplemental Labeling for Tomato
- (3) EPA stamped/approved Endura® fungicide master label

If you have any questions or need clarification or further information, I can be reached directly at (919)-547-2976, or via e-mail at [khalid.akkari@basf.com](mailto:khalid.akkari@basf.com).

Sincerely,  
BASF Corporation

Khalid H. Akkari, Ph.D.  
Product Registration Manager  
Regulatory Affairs

enclosures





# Endura<sup>®</sup>

fungicide

## Supplemental Labeling

### For use on tomato to control black mold

EPA Reg. No. 7969-197

**Active Ingredient:**

boscalid, 3-pyridinecarboxamide, 2-chloro-N-(4'-chloro(1,1'-biphenyl)-2-yl)- ..... 70.0%

**Other Ingredients:** ..... 30.0%

**Total:** ..... 100.0%

**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. Refer to the **Endura<sup>®</sup> fungicide** main label for **First Aid, Precautionary Statements, and Personal Protective Equipment (PPE)** requirements. This supplemental label must be in the user's possession during application.

**Endura** may be applied by ground sprayer, aerial equipment or through sprinkler irrigation systems. Refer to the **Endura** main label for specific instructions on these methods.

**General Information**

**Endura** provides optimum disease control when applied in a regularly scheduled protective fungicide program and used in a spray program that rotates fungicides with different modes of action. Refer to the **Endura** main label for general resistance management information and to the **Crop-specific Use Directions** found in this label.

**Restrictions and Limitations**

**Endura** is not for use in greenhouse or transplant production systems.

Follow the use restrictions outlined in the **Crop-specific Use Directions** in this label for:

- Product use rate per acre
- Maximum number of applications per season
- Maximum product rate per acre per season
- Minimum preharvest interval (PHI)

**Application Information**

Apply **Endura** according to the rate, timing, and resistance management use recommendations in the **Crop-specific Use Directions** in this label. Observe the additional general recommendations on application instructions, additive use and mixing order on the **Endura** main label.

Refer to the **Endura** container label, EPA Reg. No. 7969-197, for complete **Directions For Use** and all applicable restrictions and precautions. User must have the full **Endura** container label and this supplemental in possession at the time of pesticide application.

### NOTIFICATION

NOV 28 2008

5/7

**Crop-specific Use Directions**

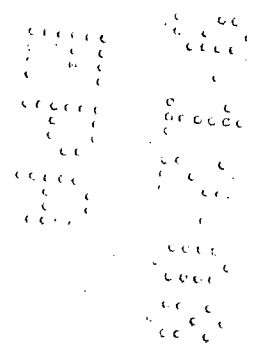
Crop	Target Disease	Product Use Rate per Application	Maximum Number of Applications per Season	Maximum Product Rate per Season	Minimum Time from Application to Harvest (PHI)
Tomato	Black mold ( <i>Alternaria alternata</i> )	3.5 to 5 ozs per acre	2	25 ozs per acre	0 days

**Application Directions:** Begin application of **Endura**® fungicide prior to disease development and continue on a 7- to 14-day interval.

Use the higher rate and the shorter interval when disease pressure is high.

For applications based on dilute volume, plants should be sprayed to runoff. Apply a minimum of 20 gallons of spray volume per acre, and increase the spray volume as the plants grow during the season. Spray volume should be proportional to the amount of plant tissue to be covered such that 100 gallons of spray per acre is used on mature plants.

**Resistance Management:** To limit the potential for development of resistance, **DO NOT** make more than six (6) applications of **Endura** at the low rate or two (2) applications of **Endura** at the high rate per season. **DO NOT** make more than two (2) sequential applications of **Endura** before alternating to a labeled fungicide with a different mode of action.



**Conditions of Sale and Warranty**

The **Directions For Use** of this product reflect the opinion of experts based on field use and tests. The directions are believed to be reliable and must be followed carefully. However, 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 weather conditions, presence of other materials, or use of the product in a manner inconsistent with its labeling, all of which are beyond the control of BASF CORPORATION ("BASF") or the Seller. To the extent consistent with applicable law, all such risks shall be assumed by the Buyer.

BASF warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the **Directions For Use**, subject to the inherent risks, referred to above.

To the extent consistent with applicable law, BASF makes no other express or implied warranty of fitness or merchantability or any other express or implied warranty.

To the extent consistent with applicable law, Buyer's exclusive remedy and BASF's exclusive liability, whether in contract, tort, negligence, strict liability, or otherwise, shall be limited to repayment of the purchase price of the product.

To the extent consistent with applicable law, BASF and the Seller disclaim any liability for consequential, special or indirect damages resulting from the use or handling of this product.

BASF and the Seller offer this product, and the Buyer and User accept it, subject to the foregoing **Conditions of Sale and Warranty** which may be varied only by agreement in writing signed by a duly authorized representative of BASF. 0408

*Endura is a registered trademark of BASF.*

© 2008 BASF Corporation  
All rights reserved.

007969-00197.20080717.NVA 2008-04-201-0234  
Based on: NVA 2008-04-201-0043

**NOTIFICATION**  
NOV 28 2008

BASF Corporation  
26 Davis Drive  
Research Triangle Park, NC 27709

