

7969-197



6/24/2011
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

1 of 7

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

JUN 24 2011

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

Subject: Application for Pesticide Notification (PRN 98-10)
Submission date: 5/12/2011
Product Name: Endura Fungicide
EPA Reg. No.: 7969-197
EPA Decision Number: 449206

Dear Dr. Akkari,

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10.

The Agency acknowledges the use of supplemental labeling for control of Sclerotinia on radicchio.

The label submitted with the application has been stamped "Notification" and will be placed in our records. If you have questions concerning this letter, please contact Erin Malone at 703-347-0253 or me at 703-308-3194.

Sincerely,

A handwritten signature in black ink that reads "Shaja B. Joyner".

Shaja B. Joyner
Product Manager 20
Fungicide Branch
Registration Division (7504P)



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 Tony Kish	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Endura® fungicide (BAS 510 02/04F)	PM# 22	
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. _____ Product Name _____	

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 type="checkbox"/> Other - Explain below.

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

Notification of Endura® Fungicide (EPA Reg. No. 7969-197) per PR Notice 98-10. This is a notification to the EPA for use of Endura® fungicide Supplemental Labeling for control of Sclerotinia on Radicchio (red chicory) in accordance with PR Notice 98-10, Section IIB, "Adding or Deleting Pests".

This is not a PRIA action because it is being submitted as a notification under the PR Notice 98-10, Section IIB. Therefore no PRIA code or fee are proposed. E-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
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
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 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) 547-2973
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 May 12, 2011	



The Chemical Company

May 12, 2011

Document Processing Deck (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: *Shayla Jaynes*
~~Mr. Tony Kish~~ - *PM-22 20*

Dear Mr. Kish:

SUBJECT Endura® fungicide (EPA Reg. No. 7969-197): Notification of Endura® Fungicide Supplemental Labeling for Radicchio (red chicory) per PR Notice 98-10

Reference: Active Ingredient - Boscalid (EPA Reg. No. 7969-198)

This is a notification to the EPA for use of Endura® fungicide Supplemental Labeling for control of Sclerotinia on Radicchio (red chicory) in accordance with PR Notice 98-10, Section IIB, "Adding or Deleting Pests". The use of Endura for control of several diseases on Radicchio is approved under the Leafy Greens Crop Subgroup 4A on page 15 of the enclosed Endura master label. However, based on available data, BASF has decided to market Endura for control of only Sclerotinia on radicchio and the Endura supplemental labeling is needed prior to approval of the Endura container / marketing label in all the states. BASF has included a 3-year limit on the use of the Endura supplemental label after which the use on radicchio for control of Sclerotinia will be included on the Endura container / marketing label.

"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 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) 5 Copies of the proposed Endura® fungicide Supplemental Labeling
- (3) EPA Approval Letter and stamped Endura® fungicide Master Label
- (4) Endura® fungicide Master Label with EPA-requested changes included.



The Chemical Company



NOTIFICATION

5087

JUN 24 2011

S: 898655

Supplemental Label

For use in radicchio

EPA Reg. No. 7969-197

Active Ingredients:

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

Other Ingredients: 30.0%

Total: 100.0%

KEEP OUT OF REACH OF CHILDREN WARNING/AVISO

OBSERVE ALL FIRST AID, PRECAUTIONARY STATEMENTS, PERSONAL PROTECTIVE EQUIPMENT, AND MIXING AND APPLICATION INSTRUCTIONS ON THE ENDURA® FUNGICIDE MAIN CONTAINER LABEL BEFORE USING.

The labeling must be in possession of the user at time of application.

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.

Product Information

Endura fungicide 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 fungicide** main label for general resistance management information and to the **Endura® fungicide Crop-specific Use Directions** found in this label.

Aerial application is permitted for radicchio.

Livestock grazing and feeding is permitted for radicchio.

Application Information

Apply **Endura fungicide** according to the rate, timing, resistance management and adjuvant use directions in the **Endura® fungicide Crop-specific Use Directions** section in this label.

Observe the additional general application instructions, additive use and mixing order on the **Endura fungicide** main label. Refer to the **Endura fungicide** main label for specific instructions on these methods.

Read the label affixed to the container for **Endura fungicide** before applying.

Endura fungicide may be applied by ground sprayer, by aerial equipment, or through sprinkler irrigation systems.

Restrictions and Limitations

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

Follow the restrictions and limitations outlined in the main label for:

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

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

Use of **Endura® fungicide** according to this labeling is subject to the use precautions and limitations imposed by the label affixed to the container for **Endura fungicide**.

Endura® fungicide 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)
Radicchio (red chicory)	Sclerotinia rot and blight (<i>Sclerotinia</i> spp.)	9 ozs per acre	2	18 ozs per acre	14 days

Application Directions: Begin applications of **Endura fungicide** prior to the onset of disease development and continue on a 7-day interval.

Under some conditions, the use of additives or adjuvants may improve the performance of **Endura fungicide**.

Resistance Management: To limit the potential for development of resistance, **DO NOT** make more than two (2) applications of **Endura fungicide** per season.

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. 1107

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