

7969-287

7/28/2011

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

NOTIFICATION

JUL 28 2011

Amy Dugger-Ronyak
BASF Corporation
26 Davis Drive
Research Triangle Park, NC 27709

Subject: Application for Pesticide Notification (PRN 98-10)
Submission date: 6/27/11
Product Name: Triticonazole HL Fungicide Seed Treatment
EPA Reg. No.: 7969-287
EPA Decision Number: 451420

Dear Ms. Dugger-Ronyak,

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 change in primary brand name to the previously held alternate brand name, Charter HL Fungicide Seed Treatment. The Agency also acknowledges the minor label changes made to update the label language.

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 via email at malone.erin@epa.gov.

Sincerely,

A handwritten signature in cursive script that reads "Shaja B. Joyner".

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

Please read instructions on reverse before completing form.

Form Approved: OMB No. 2070-0080

| | | |
|--|--|-----------------------|
|  Environmental Protection Agency United States 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 7969-287 | 2. EPA Product Manager Shaja Joyner | 3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted |
| 4. Company/Product (Name) Triticonazole HL Fungicide Seed Treatment | PM# 20 | |
| 5. Name and Address of Applicant (Include ZIP Code) BASF Corporation 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: <input checked="" type="checkbox"/> EPA Reg. No. _____ Product Name _____ | |

Section - II

| | |
|--|--|
| <input type="checkbox"/> Amendment - Explain below. | <input 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.)

Change in primary brand name per PR Notice 98-10.

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 | | | |
| * Certification must be submitted | | If "Yes" Unit Packaging wgt. No. per container | If "Yes" Package wgt No. per container | <input checked="" type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____ | |
| 3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container | | 4. Size(s) Retail Container 0-250 gallon | | 5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product | |
| 6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper, glued <input type="checkbox"/> Stenciled | | | | <input checked="" type="checkbox"/> Other adhesive _____ | |

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

| | | |
|----------------------------------|--|---|
| Name Amy Dugger-Ronyak | Title Product Registration Mgr | Telephone No. (Include Area Code) _____ |
|----------------------------------|--|---|

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.

| | | |
|--|---|---|
| 2. Signature  | 3. Title Product Registration Manager | 6. Date Application Received (Stamped) |
| 4. Typed Name Amy Dugger-Ronyak | 5. Date June 27, 2011 | |



The Chemical Company

Agricultural Solutions

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June 27, 2011

Ms. Shaja Joyner, PM 20
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

**Subject: EPA Reg. No. 7969-287, Charter® HL Fungicide Seed Treatment
Notification per PRN 98-10 – Change in Primary Brand Name**

Dear Ms. Joyner,

BASF Corporation is hereby notifying EPA of a change in the primary brand name, as permitted by PR Notice 98-10, for EPA Reg. No. 7969-287. The primary brand name is being changed from Triticonazole HL Fungicide Seed Treatment to Charter® HL Fungicide Seed Treatment.

Enclosed is one copy of the amended label, showing the name Charter HL Fungicide Seed Treatment. No changes except the replacement of the brand name have been made to the label. Also included is a completed EPA form 8570-1, Registration Application.

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 sections 12 and 14 of FIFRA.

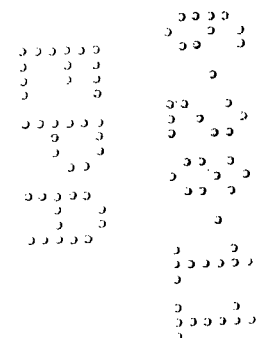
If you have any questions concerning this submission or need further information, please contact me directly at (919) 547-2282, or by e-mail at: amy.s.dugger-ronyak@basf.com.

Best regards,

BASF Corporation – Agricultural Solutions

Amy Dugger-Ronyak, Product Registration Manager

Enclosure(s)



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BASF Corporation
26 Davis Drive
Research Triangle Park, NC 27709
Tel: (800) 669-1770
www.basf.com/usa

Helping Make Products Better™

40 of 10



The Chemical Company

Group 3 Fungicide

NOTIFICATION

JUL 28 2011

For Use at Commercial Seed Treatment Facilities Only

S:900224

Charter[®] HL

fungicide seed treatment

A liquid flowable for control of various seedborne and soilborne diseases in barley, field corn, oats, popcorn, rye, sorghum, sweet corn, triticale, and wheat

| | |
|---------------------------------|--------|
| Active Ingredient: | |
| triticonazole* | 43.5% |
| Other Ingredients: | 56.5% |
| Total: | 100.0% |

*Contains 4.17 lbs of the active ingredient, triticonazole, per U.S. gallon.

EPA Reg. No. 7969-287

EPA Est. No.

KEEP OUT OF REACH OF CHILDREN CAUTION/PRECAUCIÓN

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand this label, find someone to explain it to you in detail.)

See inside booklet for complete **First Aid, Precautionary Statements, Directions For Use,** and **Conditions of Sale and Warranty.**

In case of an emergency endangering life or property involving this product, call day or night 1-800-832-HELP (4357).

Net Contents:

BASF Corporation
26 Davis Drive, Research Triangle Park, NC 27709

| FIRST AID | |
|---|--|
| If swallowed | <ul style="list-style-type: none"> • Immediately call a poison control center or doctor for treatment advice. • DO NOT induce vomiting unless told to do so by a poison control center or doctor. • Have person sip a glass of water if able to swallow. • DO NOT give anything by mouth to an unconscious person. |
| If in eyes | <ul style="list-style-type: none"> • Hold eyes open and rinse slowly and gently with water for 15 to 20 minutes. • Remove contact lenses, if present, after first 5 minutes; then continue rinsing. • Call a poison control center or doctor for treatment advice. |
| If on skin or clothing | <ul style="list-style-type: none"> • 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 inhaled | <ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance; then give artificial respiration, preferably by mouth to mouth, if possible. • Call a poison control center or doctor for further treatment advice. |
| HOTLINE NUMBER | |
| <p>Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact BASF Corporation for emergency medical treatment information: 1-800-832-HELP (4357). NOTE TO PHYSICIAN: No specific antidote is available. Treat symptomatically.</p> | |

Precautionary Statements

Hazards to Humans and Domestic Animals

CAUTION. Harmful if swallowed and absorbed through skin. Causes eye irritation. Avoid contact with skin, eyes or clothing.

Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

Personal Protective Equipment (PPE)

Some materials that are chemically resistant to this product are barrier laminate, butyl rubber > 14 mils, nitrile rubber > 14 mils, neoprene rubber > 14 mils, polyvinyl chloride (PVC) > 14 mils, viton > 14 mils. 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
- Shoes plus socks
- Chemical-resistant gloves made of barrier laminate, butyl rubber > 14 mils, nitrile rubber > 14 mils, neoprene rubber > 14 mils, polyvinyl chloride (PVC) > 14 mils, viton > 14 mils

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

DO NOT apply directly to water, or to areas where surface water is present, or intertidal areas below the mean high water mark. Drift and runoff from treated areas may be hazardous to fish and aquatic organisms in adjacent aquatic sites. **DO NOT** contaminate water when cleaning equipment or disposing of equipment washwaters.

Directions For Use

It is a violation of federal law to use this product in a manner inconsistent with its labeling. Read entire label before using this product. **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 pesticides.

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 the restricted-entry intervals. 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**.

EXCEPTION: If the seed is treated with the product and the treated seed is soil-injected or soil-incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated.

PPE required for early entry to treated areas permitted under the Worker Protection Standard that involves contact with anything that has been treated, such as plants, soil, or water, is:

- Long-sleeved shirt and long pants
- Socks and shoes
- Chemical-resistant gloves made of any waterproof material

STORAGE AND DISPOSAL

DO NOT contaminate water, food, or feed by storage or disposal.

Pesticide Storage

Store in original container. Keep container closed and in a secure place. Store in an area that is out of reach of children and animals, away from food, feedstuffs, fertilizers and seed. Protect from frost and freezing.

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

Nonrefillable Container. DO NOT reuse or refill this container. Triple rinse or pressure rinse container (or equivalent) promptly after emptying; then offer for recycling, if available, or reconditioning, if appropriate, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures approved by state and local authorities.

(continued)

STORAGE AND DISPOSAL (continued)

Container Disposal (continued)

Triple rinse containers small enough to shake (capacity ≤ 5 gallons) as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank, or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

Triple rinse containers too large to shake (capacity > 5 gallons) as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 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 application equipment or a mix tank, or store rinsate for later use or disposal. Repeat this procedure two more times.

Pressure rinse as follows: Empty the remaining contents into application equipment or mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or 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.

Refillable Container. Refill this container with pesticide only. **DO NOT** reuse this container for any other purpose. Triple rinsing the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller.

Triple rinse as follows: To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10% full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

Returnable Containers. After use, return cleaned container to point of purchase or designated locations. **DO NOT** reuse container for any other purpose. Refill only with a pesticide product. For information on the disposal of unused or unwanted product, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA regional office for guidance.

In Case of Spill

In case of large-scale spillage regarding this product, call:

CHEMTREC 1-800-424-9300
BASF Corporation 1-800-832-HELP (4357)

Product Information

Charter® HL fungicide seed treatment is a liquid seed treatment for the control of various seedborne and soil-borne pathogens affecting the seed or seedling.

Charter HL will also suppress or control early season foliar diseases. Refer to **Diseases Controlled and Suppressed by Charter® HL fungicide seed treatment** table for crop-specific information.

When handling Charter HL and when treating seed or while augering or handling treated seed, work in a well-ventilated area.

Resistance Management

The active ingredient in **Charter HL**, triticonazole, belongs to the group of demethylation inhibitors (DMI fungicides) classified by EPA as target site of action **Group 3** fungicides. Due to the small amounts of **Charter HL** applied to the seed that relocate to the upper parts of the plant, the potential for development of resistance is very low. Seed treatments of **Charter HL** can, therefore, be followed by foliar use and resistance management guidelines of target site action **Group 3** foliar use fungicides as specified on their respective labels.

Application Instructions

For use at commercial facilities. Not for use on farm.

Apply **Charter HL** as a water-based mixture using standard or mist-type seed treatment application equipment. The exact amount of water needed to provide the mixture or slurry rate for optimum coverage is difficult to predict because weather conditions, hot or cold, seed type and surface and equipment used all have a bearing on coverage. Consult a seed treatment specialist regarding slurry rates specified for the crop seed to be treated with **Charter HL**. Dilute the required amount of **Charter HL** with the specified amount of water to ensure uniform and complete coverage on the seed surface. Uniform application on seed and complete seed coverage are necessary for seed safety and best disease protection.

Seed must be sound and well cleaned prior to treatment. The purchaser of **Charter HL** is responsible for ensuring that all seed treated with this product are adequately dyed with a suitable color to prevent its accidental use as food for man or feed for animals. Refer to 21CFR, Par 2.25. Use an EPA-approved dye or colorant that imparts an unnatural color to the seed. Any dye or colorant added to treated seed must be cleared for use under 40CFR Part 180.900, **Exemptions from the requirement of tolerance**. Federal regulations have established official tolerances or exemptions from tolerances for residues on

food and forage crops that should not be exceeded when the product (dye or colorant) is used at specified rates.

Consult the seed treatment specialist for calibration and operation procedures of the seed treatment equipment being used. Mechanical agitation is required for proper mixing of **Charter HL**. Prepare no more mixture of **Charter HL** than is needed for immediate treating. Add 3/4 of the required volume of water to the mix tank. With agitation running, add the required amount of **Charter HL** in the tank along with other seed treatment components. Add the remaining 1/4 amount of the required volume of water. Follow the mixing sequence listed below. Agitate thoroughly before and during application.

Charter HL with Tank Mix Partners

Charter HL mixes easily with water and other water-based seed treatments manufactured by BASF Corporation. When using **Charter HL** in a tank mixture with other seed treatment products, observe all directions for use, crops/sites, use rates, dilution ratios, precautions and limitations that appear on the tank mix partner label. Label dosage or application rate must not be exceeded and the most restrictive label precautions and limitations must be followed. **Charter HL** must not be mixed with any product that prohibits such mixing. All applications must be made according to the use directions.

When mixing **Charter HL** with products from other manufacturers, the compatibility should be tested prior to use by conducting a jar test as follows:

1. Mix all intended seed treatments with the appropriate amount of water in a clear glass container.
2. Mix well and allow to sit 1 hour.
3. Remix and observe for incompatibility.

Physical compatibility is only part of compatibility. Testing also needs to be done with seed to make sure the combination of products does not have detrimental effects on the seed.

Tank Mix Instructions

1. Add 3/4 of the required amount of water to the mix tank and turn on the agitation. Mechanical agitation is preferred.
2. Follow the following mixing sequence: dye or colorant, wettable powders, flowable formulations, emulsifiable concentrates and remaining 1/4 of the required water. The 1/4 of the required water, as the last item for addition to the premix tank, can be used as rinsate for the chemical container or to adjust the total slurry to compensate for water displacement by powdered products.
3. Maintain agitation until entire slurry mixture has been used.
4. Ensure that seed is dry prior to bagging.

NOTE: Federal law requires that bags of treated seed be labeled in a specific manner. See instructions listed under **Use Restrictions**.

Diseases Controlled and Suppressed by Charter® HL fungicide seed treatment

| Crop | Use Rate (fl oz/100 lbs seed) | Disease Controlled | Disease Suppressed ¹ |
|--|--|---|--|
| Barley | 0.155 | Covered smut <i>Ustilago hordei</i> False loose smut <i>Ustilago nigra</i> Fusarium seed rot <i>Fusarium</i> spp. Fusarium seedling blight <i>Fusarium</i> spp. True loose smut <i>Ustilago nuda</i> | Common root rot <i>Cochliobolus</i> spp. Dry seed decay <i>Penicillium</i> spp. Fusarium crown rot <i>Fusarium</i> spp. Fusarium root rot <i>Fusarium</i> spp. Rhizoctonia root rot <i>Rhizoctonia solani</i> |
| Field Corn and Popcorn (includes seed production) | 0.155 Equivalent to 0.013 mg ai per kernel and 0.07 fl oz product per 80,000 kernel count (based on 1761 kernels per pound) | Fusarium seed rot <i>Fusarium</i> spp. Fusarium seedling blight <i>Fusarium</i> spp. | Rhizoctonia root rot <i>Rhizoctonia solani</i> |
| Field Corn and Popcorn (includes seed production) | 1.55 Equivalent to 0.13 mg ai per kernel and 0.7 fl oz product per 80,000 kernel count (based on 1761 kernels per pound) | Corn head smut ² <i>Sphacelotheca reiliana</i> | |
| Sweet Corn | 0.31 Equivalent to 0.013 mg ai per kernel and 0.07 fl oz product per 80,000 kernel count (based on 3522 kernels per pound) | Fusarium seed rot <i>Fusarium</i> spp. Fusarium seedling blight <i>Fusarium</i> spp. | Rhizoctonia root rot <i>Rhizoctonia solani</i> |
| Oats | 0.155 | Covered smut <i>Ustilago kollerii</i> Loose smut <i>Ustilago avenae</i> | Fusarium seedling blight, Seed rot, Crown rot, Root rot <i>Fusarium</i> spp. |
| Rye | 0.155 | Common bunt <i>Tilletia caries</i> Fusarium seed rot <i>Fusarium</i> spp. Fusarium seedling blight <i>Fusarium</i> spp. | Fusarium seedling blight, Seed rot, Crown rot, Root rot <i>Fusarium</i> spp. |
| Sorghum | 0.31 to 0.62 | Fusarium seed rot <i>Fusarium</i> spp. Fusarium seedling blight <i>Fusarium</i> spp. | Rhizoctonia root rot <i>Rhizoctonia solani</i> |

(continued)

Diseases Controlled and Suppressed by Charter® HL fungicide seed treatment *(continued)*

| Crop | Use Rate (fl. oz/100 lbs seed) | Disease Controlled | Disease Suppressed ¹ |
|---------------------|-----------------------------------|--|--|
| Wheat and Triticale | 0.155 | Common bunt <i>Tilletia caries</i> Flag smut <i>Urocystis agropyri</i> Fusarium seed rot <i>Fusarium</i> spp. Fusarium seedling blight <i>Fusarium</i> spp. Loose smut <i>Ustilago nuda</i> var. <i>tritici</i> | Common root rot <i>Cochliobolus</i> spp. Dry seed decay <i>Penicillium</i> spp. Fusarium crown rot <i>Fusarium</i> spp. Fusarium root rot <i>Fusarium</i> spp. Rhizoctonia root rot <i>Rhizoctonia solani</i> |

¹Suppression is defined as suboptimal control which is still of commercial benefit.

²Suppression/control is enhanced when used on varieties with at least partial resistance to *S. reiliana*.

Use Restrictions

- **DO NOT** use treated seed for food, feed or oil processing.
- **DO NOT** store **Charter HL** near feed or foodstuffs.
- **DO NOT** contaminate feed or foodstuffs.
- **DO NOT** contaminate domestic or irrigation waters.
- **DO NOT** plant any crop not listed on this label within 30 days after planting triticonazole fungicide treated seed.
- **DO NOT** use the same auger for treating seed that will handle commercial or feed grains.
- **DO NOT** store leftover treated seed where there is a chance of it becoming mixed with untreated seed. Store treated seed in cool dry conditions.

TREATED SEED MUST BE LABELED AS FOLLOWS:

- This seed has been treated with triticonazole.
- **DO NOT** use for food, feed or oil processing.
- Store treated seed away from food and feedstuff.
- **DO NOT** allow children, pets, or livestock to have access to treated seeds.
- When opening this bag or loading/pouring the treated seed, wear long-sleeved shirt, long pants, shoes, socks, and chemical resistant gloves.
- Treated seeds exposed on soil surface may be hazardous to wildlife. Cover or collect treated seeds spilled during loading and planting.
- Dispose of all excess treated seed by burying away from bodies of water.
- **DO NOT** contaminate bodies of water when disposing of planting equipment washwater.
- Dispose of seed packaging in accordance with local requirements.
- After seeds have been planted, **DO NOT** enter or allow worker entry into treated areas during the restricted-entry interval (REI) of **12 hours**.
EXCEPTION: Once the seeds are planted in the soil or other planting media, the Worker Protection Standard allows workers to enter the treated area without restriction if there will be no worker contact with the treated seeds in the soil or planting media.
- **DO NOT** plant any crop other than barley, field corn, oats, popcorn, rye, sorghum, sweet corn, triticale, or wheat within 30 days after planting triticonazole-treated seed.”

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 the presence of other or untested or unapproved materials, seed of low quality or low vigor or low germination, use of the product in a manner inconsistent with its labeling, misapplication of the product, or weather conditions at planting or environmental conditions during seed storage, 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, EXEMPLARY, 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.

ST1108

Charter is a registered trademark of BASF

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007969-00287.20110722.NVA 2011-04-338-0159

Based on: 2008-04-338-0231

Supersedes: 2010-04-338-0017

BASF Corporation
26 Davis Drive
Research Triangle Park, NC 27709



The Chemical Company