

7969-296

04-22-2010

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Registration Division (7505P)
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

EPA Reg. Number:

7969-296

Date of Issuance:

APR 22 2010

NOTICE OF PESTICIDE:

Registration
 Reregistration

Term of Issuance:

Conditional

Name of Pesticide Product:

Charter® F³

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

*BASF Corporation
26 Davis Drive
Research Triangle Park, North Carolina 27709*

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 Section 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.
2. Make the following label changes before you release the product for shipment:
 - a. Revise the EPA Registration Number to read, "EPA Reg. No. 7969-296".

Signature of Approving Official:

Lisa Jones FOR

Shaja Joyner, Product Manager (20)
Fungicide Branch, Registration Division (7505P)

Date:

22 April 2010

b. Change the following part of the first sentence in the second paragraph of the Hazards to Humans and Domestic Animals” section on page 2 from “...drinking, chewing gum, or using tobacco.” to “...drinking, chewing gum, using tobacco, or using the toilet.”

c. Delete the “AGRICULTURAL USE REQUIREMENTS” section and box on page 3. The product is prohibited from on-farm use.

d. Change the beginning of the second to the last paragraph in the “STORAGE AND DISPOSAL” section on page 3 from “**Triple rinse as follows:** To clean the container before final disposal: “ to “**To clean the container before final disposal, triple rinse as follows:** “.

e. After the end of the sentence that is the last paragraph in the “Method of Application” section on page 5 add the following sentence: “Any dye or colorant added to treated seed must be cleared for use under 40 CFR Section 180.900.”

3. Submit, by no later than one year following the date of this letter, a study or studies that fulfill the requirements for Storage Stability (Guideline Requirement Number 830-6317) and Corrosion Characteristics (Guideline Requirement Number 830-6320) of the subject product.

4. Submit one copy of the revised final printed label for the subject product the Agency’s records before you release the product 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.

Attachments: A copy of the product label stamped “ACCEPTED with COMMENTS”
A Technical Review Branch (TRB) Product Chemistry review
A TRB Acute Toxicity review



The Chemical Company

Reviewed and marked up 3/9

ACCEPTED with COMMENTS in EPA Letter Dated APR 22 2010

Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No. 7969-296

Charter[®] F³

fungicide seed treatment

A liquid flowable for control of various seedborne diseases in wheat and barley

Active Ingredients:

pyraclostrobin*	7.57%
triticonazole**	7.57%
metalaxyl***	4.54%

Other Ingredients:	<u>80.32%</u>
Total:	100.00%

*Contains 0.67 lb of the active ingredient pyraclostrobin per U.S. gallon.
**Contains 0.67 lb of the active ingredient triticonazole per U.S. gallon.
***Contains 0.40 lb of the active ingredient metalaxyl per U.S. gallon.

EPA Reg. No. 7969-~~296~~ EOR

EPA Est. No.

KEEP OUT OF REACH OF CHILDREN WARNING/AVISO

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:

E-SUBMISSION

FIRST AID	
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.
If swallowed	<ul style="list-style-type: none"> • <i>Oh</i> Immediately <i>immediately</i> 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.
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).</p> <p>NOTE TO PHYSICIAN: No specific antidote is available. Treat symptomatically.</p>	

Precautionary Statements

Hazards to Humans and Domestic Animals

WARNING. Causes substantial but temporary eye injury. Harmful if swallowed or absorbed through skin. Avoid contact with eyes, skin 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, or 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, or 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.

If treated seed is spilled outdoors or in areas accessible to birds or endangered species, promptly clean up and dispose of properly to prevent ingestion. Dispose of all excess treated seed by burying seed away from bodies of water.

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 and 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.

STORAGE AND 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 **Charter® F³ fungicide seed treatment** 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 **Charter® F³ fungicide seed treatment**. 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.

NOTIFICATION TO WORKERS

Not in FRN # 2007-4 but should be fine.

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)

General Information

Charter® F³ fungicide seed treatment is a liquid seed treatment used for control or suppression of certain seedborne and soilborne diseases of wheat and barley. **Charter F³** will generally increase emergence and plant stands by controlling or suppressing these diseases.

See the following table for diseases controlled or suppressed by **Charter F³**.

When handling Charter F³ and when treating seed or while augering or handling treated seed, work in a well-ventilated area.

Charter® F³ fungicide seed treatment Crop-specific Instructions

Crop	Disease Controlled	Disease Suppressed ¹	Rate (fl oz/100 lbs seed)
Barley	Common root rot <i>Cochliobolus</i> spp. Covered smut <i>Ustilago hordei</i> Dry seed decay <i>Penicillium</i> spp. False loose smut <i>Ustilago nigra</i> Fusarium seed rot <i>Fusarium</i> spp. Fusarium seedling blight <i>Fusarium</i> spp. Pythium damping off <i>Pythium</i> spp. Rhizoctonia root rot <i>Rhizoctonia solani</i> True loose smut <i>Ustilago nuda</i>	Fusarium crown rot <i>Fusarium</i> spp. Fusarium root rot <i>Fusarium</i> spp.	1.0
Wheat	Common bunt <i>Tilletia caries</i> Common root rot <i>Cochliobolus</i> spp. Dry seed decay <i>Penicillium</i> spp. 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> Pythium damping off <i>Pythium</i> spp. Rhizoctonia root rot <i>Rhizoctonia solani</i>	Fusarium crown rot <i>Fusarium</i> spp. Fusarium root rot <i>Fusarium</i> spp.	1.0

0.005 lb. Pyraclostrobin
 0.005 lb. Triticonazole
 0.003 lb. Metalaxyl

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

In Case of Spill

In case of large-scale spillage regarding this

CHEMTREC
BASF Corporation

1-800-424-9300
1-800-832-HELP

7969-EOA

1 fl. oz. prod./100 lbs. seed

0.67 lb. Pyraclostrobin/gal.

0.67 lb. Triticonazole/gal.

0.40 lb. Metalaxyl/gal.

~~0.005 lb. Pyraclostrobin/100 lbs.~~
~~0.005 lb. Triticonazole/100 lbs.~~

0.005 lb. Pyraclostrobin/100 lbs.

0.005 lb. Triticonazole/100 lbs.

0.003 lb. Metalaxyl/100 lbs.

Charter® F³ fungicide seed treat

Crop	Disease	
Barley	Common Cochliot	7969-386 Triticonazole
	Covered Ustilago	2.4% Triticonazole
	Dry seed Penicillit	0.213 lb. Triticonazole/gal.
	False loose Ustilago	3.1 fl. oz. prod./100 lbs. Barley and wheat seed
	Fusarium Fusarium	0.005 lb. Triticonazole/100 lbs. seed
	Fusarium Fusarium	7969-266 Pyraclostrobin
	Pythium c Pythium	18.4% Pyraclostrobin
	Rhizoctor Rhizoct	1.67 lbs. Pyraclostrobin/gal.
	True loose Ustilago	0.4 to 0.8 fl. oz. prod./100 lbs. Barley and wheat seed
		0.005 to 0.01 lb. Pyraclostrobin/100 lbs. seed [over]
Wheat	Common Tilletia c	
	Common Cochliot	
	Dry seed decay Penicillium spp.	
	Flag smut Urocystis agropyri	
	Fusarium seed rot Fusarium spp.	
	Fusarium seedling blight Fusarium spp.	
	Loose smut Ustilago nuda var. tritici	
	Pythium damping off Pythium spp.	
	Rhizoctonia root rot Rhizoctonia solani	

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

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Method of Application

Charter® F³ fungicide seed treatment is for use at commercial seed treatment facilities using standard commercial seed treatment equipment (such as, but not limited to, slurry or mist-type equipment). Not for use on farm. Seed should be well conditioned and free of chaff before treating with **Charter F³**. Treated seed should not require drying after treatment and can be stored or bagged immediately (provided excessive slurry volumes are not applied to the seed).

Charter F³ should be applied to wheat and barley at the rate of 1.0 fluid ounce of product per 100 pounds of seed. Thorough seed coverage and proper application equipment calibration is essential for good disease control. To achieve thorough coverage, **Charter F³** may be diluted with water, if needed, into a slurry. Direct application into a planter box is prohibited.

Use an EPA-approved dye that imparts an unnatural color to the seed. *← Any dye or colorant added to treated seed must be cleared for use under 40 CFR, Part 180.900*

Use Restrictions

- **DO NOT** use treated seed for food, feed or oil processing.
- **DO NOT** store **Charter F³** 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 **Charter F³** fungicide treated seed.

TREATED SEED MUST BE LABELED AS FOLLOWS:

"This seed has been treated with **Charter F³** containing pyraclostrobin, triticonazole, and metalaxyl. **DO NOT** use for food, feed or oil processing. **DO NOT** plant any crop other than wheat or barley within 30 days after planting **Charter F³** treated seed. When opening this bag or loading, pouring, or handling the treated seed, wear long-sleeved shirt, long pants, shoes, socks, and chemical-resistant gloves made of any waterproof material. After the seeds have been planted in soil or other planting media, **DO NOT** enter or allow worker entry into areas with treated seeds for **12 hours**, except that workers may enter the areas with treated seeds without restriction if there will be no worker contact with the soil/media subsurface."

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.

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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

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The Chemical Company