

7969-308

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

FEB 14 2014

Khalid H. Akkari, Ph.D.
BASF Corporation
26 Davis Drive
P.O. Box 13528
Research Triangle Park, NC 27709-3528

Subject: Label Amendment – New Seed Treatment Uses
EPA Registration No.: 7969-308
Xemium® 2.72 Fungicide ST
D#: 466682
Your submission dated June 15, 2012

Dear Dr. Akkari:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable.

At your next label printing, or within eighteen (18) months, whichever comes first, you must incorporate this supplemental labeling into the main product labeling. Two (2) copies of the final printed label must be submitted prior to releasing the product for shipment. A stamped copy of the label is enclosed for your records.

If you have any questions, please contact Olga Odiott at (703) 308-9369.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Walsh".

Michael Walsh
Acting Product Manager 13
Insecticide Branch
Registration Division (7505P)

Group **7** Fungicide

Supplemental Label

Xemium® 2.72

fungicide ST

For seed treatment use on brassica vegetables, bulb vegetables, cucurbit vegetables, leafy vegetables, rapeseed, rice, and root and tuber vegetables

This supplemental label expires on September 30, 2016 and must not be used or distributed after this date.

Powered by Xemium® fungicide

Active Ingredient:

fluxapyroxad*: 1*H*-Pyrazole-4-carboxamide, 3-(difluoromethyl)-1-methyl-N-(3',4',5'-trifluoro[1,1'-biphenyl]-2-yl)-

28.70%

Other Ingredients:

71.30%

Total:

100.00%

* Equivalent to 2.72 pounds of active ingredient per gallon

EPA Reg. No. 7969-308

Environmental Hazards

This pesticide is toxic to fish. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. **DO NOT** contaminate water when disposing of equipment washwaters or rinsate.

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 the regional office of the EPA. **DO NOT** contaminate water when disposing of equipment washwaters.

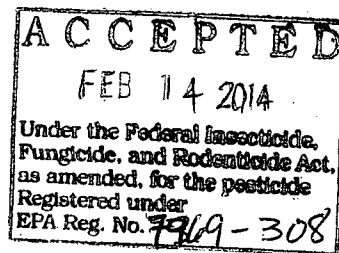
- Read the label affixed to the container for **Xemium 2.72** before applying.
- Use of **Xemium 2.72** according to this labeling is subject to the use precautions and limitations imposed by the label affixed to the container for **Xemium 2.72**.

Application Instructions

Apply **Xemium 2.72** according to the **Crop-specific Use Directions** in this label. Observe any additional instructions and/or restrictions on the **Xemium 2.72** container label.

Directions For Use

- It is a violation of federal law to use this product in a manner inconsistent with its labeling.
- The supplemental labeling and the entire **Xemium® 2.72 fungicide ST** container label, EPA Reg. No. 7969-308, must be in possession of the user at the time of application.



Xemium® 2.72 fungicide ST Crop-specific Use Directions for Seed Treatment

Crop	Target Disease	Product Use Rate ml/100 kg seed (gram ai/100 kg seed)	Product Use Rate (fl ozs/100 lbs seed (lb ai/100 lbs seed)
<p>Bulb vegetables Garlic Leek Onions (all varieties) Shallot</p>	<p>Seed and seedling disease (damping-off) caused by <i>Rhizoctonia solani</i>, and seedborne fungi (<i>Botrytis</i>, <i>Aspergillus</i> and <i>Penicillium</i> spp.) causing seed decay, seedling damping-off.</p>	<p>62 to 123 (20 to 40)</p>	<p>0.95 to 1.9 (0.02 to 0.04)</p>
	<p>Onion Smut <i>Urocystis cepulae</i> and <i>U. colchici</i></p>	<p>386 to 772 (125 to 250)</p>	<p>5.94 to 11.88 (0.125 to 0.25)</p>
<p>Brassica vegetables (includes head and stem and brassica leafy greens) Broccoli Broccoli, Chinese Broccoli, raab Brussels sprouts Cabbage Cabbage, Chinese Cabbage, Chinese mustard Cauliflower Cavalo broccolo Collards Kale Kohlrabi Mizuna Mustard greens Mustard spinach Rape greens</p>	<p>Seed and seedling disease (damping-off) caused by <i>Rhizoctonia solani</i>, <i>Phoma lingam</i> and other seedborne fungi causing seed decay, seedling damping-off.</p>	<p>62 to 123 (20 to 40)</p>	<p>0.95 to 1.9 (0.02 to 0.04)</p>
<p>Cucurbit vegetables includes all types and hybrids of: Cantaloupe Chayote Chinese waxgourd Citron melon Cucumber Edible gourds Gherkin Muskmelon Pumpkin Summer squash Watermelon Winter squash Zucchini Momordica spp. (such as) Balsam apple Balsam pear Bitter melon Chinese cucumber</p>	<p>Seed and seedling disease (damping-off) caused by <i>Rhizoctonia solani</i>, and other seedborne fungi causing seed decay, seedling damping-off.</p>	<p>62 to 123 (20 to 40)</p>	<p>0.95 to 1.9 (0.02 to 0.04)</p>

(continued)

Xemium® 2.72 fungicide ST Crop-specific Use Directions for Seed Treatment (continued)

Crop	Target Disease	Product Use Rate ml/100 kg seed (gram ai/100 kg seed)	Product Use Rate (fl ozs/100 lbs seed (lb ai/100 lbs seed)
<p>Leafy vegetables</p> <ul style="list-style-type: none"> Arugula Cardoon Celery Celery, Chinese Celtuce Chervil Chrysanthemum, edible-leaved and garland Corn salad Cress, garden and upland Dandelion Dock Endive Fennel, Florence Lettuce, head and leaf Orach Parsley Purslane, garden and winter Radicchio, red chicory Rhubarb Spinach Spinach, New Zealand and vine Swiss chard 	<p>Seed and seedling disease (damping-off) caused by <i>Rhizoctonia solani</i>, <i>Stemphylium</i> spp., and seedborne fungi (<i>Botrytis</i> spp.) causing seed decay, seedling damping-off.</p>	<p>62 to 123 (20 to 40)</p>	<p>0.95 to 1.9 (0.02 to 0.04)</p>
	<p>Suppression of seed and seedling disease caused by <i>Verticillium</i> spp.</p>	<p>309 to 617 (100 to 200)</p>	<p>4.75 to 9.5 (0.1 to 0.2)</p>
<p>Rapeseed (cultivars, varieties and/or hybrids, including canola and crambe)</p>	<p>Seed and seedling disease (damping-off) caused by <i>Rhizoctonia solani</i>.</p> <p>Suppression of black leg (<i>Phoma lingam</i>), seed and seedling disease caused by <i>Fusarium</i> spp. spp. and <i>Alternaria</i> spp.</p>	<p>31 to 61 (10 to 20)</p>	<p>0.48 to 0.95 (0.01 to 0.02)</p>
<p>Rice</p>	<p>Seed and seedling disease (damping-off) caused by <i>Rhizoctonia solani</i>, and other seedborne fungi causing seed decay, seedling damping-off.</p>	<p>77 to 154 (25 to 50)</p>	<p>1.2 to 2.4 (0.025 to 0.05)</p>

(continued)

Xemium® 2.72 fungicide ST Crop-specific Use Directions for Seed Treatment (continued)

Crop	Target Disease	Product Use Rate ml/100 kg seed (gram ai/100 kg seed)	Product Use Rate (fl ozs/100 lbs seed (lb ai/100 lbs seed)
Root and tuber vegetables subgroup (except sugar beet) Black salsify Carrot Celeriac Chervil, turnip-rooted Chicory Edible burdock Garden beet Ginseng Horseradish Oriental radish Parsley, turnip-rooted Parsnip Radish Rutabaga Skirret Spanish salsify Turnip	Seed and seedling disease (damping-off) caused by <i>Rhizoctonia solani</i> , <i>Alternaria</i> spp., and other seedborne fungi causing seed decay, seedling damping-off.	62 to 123 (20 to 40)	0.95 to 1.9 (0.02 to 0.04)

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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.

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The Chemical Company