

7969-387

09/27/2006

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ENVIRONMENTAL PROTECTION AGENCY

Thomas R. Nelsen, Ph.D.  
Manager, Regulatory Affairs  
BASF Corporation, Agricultural Products  
P.O. Box 13528,  
Research Triangle Park, NC 27709-3528

SEP 27 2006

Dear Dr. Nelsen:

SEP 27 2006

**SUBJECT:** Charter Brand PB Fungicide  
EPA Registration Number 7969-387  
Your label amendment dated September 26, 2006 changing the registrant's name to BASF

The label referred to above, submitted in connection with registration under section (3) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) is acceptable provided you make the following changes:

**Page 1 – Ingredient Statement:**

Change "Inert Ingredients" to "Other Ingredients".

**Page 2 – Precautionary Statements:**

Move "When handling Charter PB fungicide and when treating seed or while augering or handling treated seed, work in a well-ventilated area." to the beginning of the "General Information" section.

Add "Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse." after "Avoid contact with skin, eyes or clothing".

**Page 2 – Personal Protective Equipment (PPE):**

Replace the Personal Protective Equipment text with:

"Some materials that are chemical-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:

- A dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C) or a NIOSH-approved respirator with any N, R, P or HE filter.
- 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.

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**Page 3 – Storage and Disposal:**

Change the heading "Storage" to "Pesticide Storage".

Change "Keep the container closed" to "Keep the container closed and in a secure place".

**Page 3 – "Treated Seed Must Be Labeled as Follows":**

Replace the sentence "Do not plant any crop not listed on this label in soil treated with Charter PB within 30 days after planting treated seed." with "Do not plant any crop other than wheat or barley within thirty days of planting Charter PB treated seed."

**Page 4 – Warranty Statement:**

Revise the second sentence to read: "The directions are believed to be reliable and must be followed carefully."

Change the sentence "All such risks shall be assumed by the Buyer . . ." to "To the extent allowed by law, all such risks shall be assumed by the Buyer . . ."

If you have any questions, please contact Lisa Jones of my staff by phone at (703) 308-9424 or by e-mail at jones.lisa@epa.gov.

Sincerely yours,



Mary L. Waller  
Product Manager (21)  
Fungicide Branch  
Registration Division (7505C)

Enclosure: Stamped label

CONCURRENCES							
SYMBOL <	7505C						
SURNAME <	Lisa Jones						
DATE <	Sep 27, 2006						



The Chemical Company

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# CHARTER™ PB

## seed treatment fungicide

A LIQUID FLOWABLE FOR CONTROL OF VARIOUS SEEDBORNE DISEASES IN WHEAT AND BARLEY

**Active Ingredients:**

triticonazole\* ..... 1.25%

thiram ..... 12.50%

**Inert Ingredients:** ..... 86.25%

**Total** ..... 100.00%

\*Contains 0.12 lbs of the active ingredient, triticonazole, and 1.2 lbs of the active ingredient, thiram, per U.S. gallon.

EPA Reg. No. 7969-387

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.**

Net contents: \_\_\_\_\_

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

**ACCEPTED  
with COMMENTS  
In EPA Letter Dated:  
SEP 27 2006**

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

7969-387

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FIRST AID	
<b>IF INHALED</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>
<b>IF IN EYES</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>IF ON SKIN OR CLOTHING</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>IF SWALLOWED</b>	<ul style="list-style-type: none"> <li>• Immediately call a poison control center or doctor for treatment advice.</li> <li>• <b>DO NOT</b> induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• Have a person sip a glass of water if able to swallow.</li> <li>• <b>DO NOT</b> give anything by mouth to an unconscious person.</li> </ul>
HOT LINE NUMBER	
<p><b>NOTE TO PHYSICIAN:</b> No specific antidote is available. Treat symptomatically. Consumption of alcoholic beverages increases the toxic effects of thiram. 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: <b>1-800-832-HELP (4357)</b>.</p>	

### PRECAUTIONARY STATEMENTS

#### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

##### WARNING

May be fatal if inhaled. Harmful if swallowed or absorbed through the skin. **DO NOT** breathe vapor or spray mist. Avoid contact with skin, eyes or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. When handling **Charter™ PB fungicide** and when treating seed or while augering or handling treated seed, work in a well ventilated area.

##### Personal Protective Equipment (PPE)

##### Applicators and other handlers must wear:

- a dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C), or a NIOSH-approved respirator with any N, R, P or HE filter
- long-sleeved shirt and long pants
- socks and shoes
- chemical-resistant gloves made of waterproof material

#### 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 to 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 pesticide regulation.

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### Agriculture 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 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**.

PPE is 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
- Shoes plus socks
- Chemical-resistant gloves made of waterproof material

### Storage and Disposal

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

- **Storage:** Store in original container. Keep the container closed. 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:** Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

### 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)

## I. GENERAL INFORMATION

**Charter™ PB fungicide** is a liquid seed treatment used for the control of true loose and covered smut of barley and loose smut and common bunt in wheat. **Charter PB** will increase emergence and plant stands by reducing seed and soilborne seed rots (*Cochliobolus* spp.), seedling blights (*Fusarium* spp.), and damping-off (*Pythium* spp.).

**RATE: 5.5 fluid ounces of product per 100 pounds of seed. 2.5 gallon container will treat:**

Crop	Wheat	Barley
Pounds	5,818	5,818
Bushels	97 <sup>1</sup>	121 <sup>2</sup>

<sup>1</sup> Assumes wheat 60 lbs/bu treated with 3.3 fl oz/bu.

<sup>2</sup> Assumes barley 48 lbs/bu treated with 2.6 fl oz/bu.

### METHOD OF APPLICATION

Seed should be well conditioned and free of chaff before treating with **Charter PB**. Treated seed should not require drying after treatment and can be stored or bagged immediately (provided excessively slurry volumes are not applied to the seed). **Charter PB** may be applied using standard commercial seed treatment equipment (such as, but not limited to, slurry or mist-type equipment) or on-farm seed treatment equipment. **Charter PB** may also be used in "On the Go" type air seeder treatment systems.

**Charter PB** should be applied to wheat and barley at the rate of 5.5 fl oz 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 PB** may be diluted with water, if needed, into a slurry. Consult the specific equipment manufacturer for slurry recommendations and calibrations. This product is not intended for direct application into a planter box.

### USE RESTRICTIONS

- **DO NOT** use treated seed for food, feed or oil processing.
- **DO NOT** store **Charter PB** 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 in soil treated with **Charter PB** within 30 days after planting treated seed.

### TREATED SEED MUST BE LABELED AS FOLLOWS:

"This seed has been treated with **Charter PB** containing triticonazole and thiram. **DO NOT** use for food, feed or oil processing. **DO NOT** plant any crop not listed on this label in soil treated with **Charter PB** within 30 days after planting treated seed." The date of treatment must also be included on the treated seed label.

Thoroughly clean auger after handling treated seed before using same auger for handling commercial or feed grains.

Leftover treated seed should not be stored where there is a chance of it becoming mixed with untreated seed. Store treated seed in cool, dry conditions.

Unused or leftover seed which is intended to be stored and used the following season should have the germination and seedling vigour confirmed prior to planting.

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### Conditions of Sale and Warranty

The **Directions For Use** of this product reflects the opinion of experts based on field use and tests. The directions are believed to be reliable and should 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. 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.

BASF MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY. TO THE EXTENT PERMITTED BY 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.

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007969-00387.20060602.NVA 2006-04-277-0041

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Agricultural Products  
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