

10163-247

12/23/2010

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

OFFICE OF  
CHEMICAL SAFETY AND  
POLLUTION PREVENTION

Krystal Hengl  
The Gowan Company  
PO Box 5569  
Yuma, AZ 85366-5569

DEC 23 2010

Dear Ms. Hengl:

SUBJECT: Flutolanil Technical  
EPA Registration Number 10163-247  
Your submission of August 31, 2009  
OPPIN Decision Number D419255

The amendment referred to above, submitted in connection with registration under section (3) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) is acceptable.

You must submit the following studies as conditions of registration:

- Acute neurotoxicity [OPPTS Guideline 870.6200a],
- Subchronic neurotoxicity [OPPTS Guideline 870.6200b]
- Immunotoxicity [OPPTS Guideline 870.7800]
- Tier 1 Seedling Emergence Study (850.4100) and a Vegetative Vigor (850.4150) conducted with the typical end use product (TEP)
- Anaerobic soil metabolism study using the TGAI (835.4200).
- Successful environmental chemical method confirmation (ECM) and independent laboratory validation (ILV) data for the following parameters:
  1. Field testing for nontarget organisms (§158.630; OCSP guidelines 850.1950 and 850.2500)
  2. Tier III phytotoxicity, (§158.660; OCSP guidelines 850.4300 and 850.4450);
  3. Field dissipation (§158.1300; OCSP guidelines 835.6100, 835.6200, and 835.6300); and
  4. Ground water monitoring (§158.1300; OCSP guideline 835.7100).

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If you have any questions, please contact Lisa Jones of my team at (703) 308-9424 or [jones.lisa@epa.gov](mailto:jones.lisa@epa.gov).

Sincerely,



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

Enclosures: Stamped label

Environmental Fate and Ecological Risk Assessment for the Proposed New Uses of Flutolanil on Sugar Beets, Brassica Leafy Vegetables (Crop Group 5), Turnip Greens and Ginseng, July 21, 2010

Flutolanil: Petition for Establishment of Tolerances for Use on *Brassica* (Cole) Leafy Vegetables Crop Group 5 and Turnip Greens. Summary of Analytical Chemistry and Residue Data. September 7, 2010

Flutolanil Chronic Aggregate Dietary (Food and Drinking Water) Exposure and Risk Assessment for the Section 3 Registration Action (Brassica Leafy Vegetables, Crop Group 5), September 10, 2010

Flutolanil: Human Health Risk Assessment for Flutolanil on Brassica Leafy Vegetables (Crop Group 5) and Turnip Greens, September 13, 2010

**Flutolanil Technical  
Fungicide  
FOR FORMULATING USE ONLY**

Stamped  
"Accepted" 3044  
12-23-2010  
on 2<sup>nd</sup> page

<b>ACTIVE INGREDIENT:</b>	<b>% BY WT.</b>
Flutolanil: N-[3-(1-methylethoxy) phenyl]-2-(trifluoromethyl) benzamide.....	98.3%
<b>OTHER INGREDIENTS</b> .....	1.7%
	<b>TOTAL 100.0%</b>

**KEEP OUT OF REACH OF CHILDREN**

**CAUTION**

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

FIRST AID	
<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>
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-888-478-0798 for emergency medical treatment information.	

**PRECAUTIONARY STATEMENTS  
Hazards to Humans and Domestic Animals**

**CAUTION**

Harmful if absorbed through skin. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove and wash contaminated clothing before reuse.

**ENVIRONMENTAL HAZARDS**

Do not discharge effluent containing this product directly into lakes, streams, ponds, estuaries, oceans, or public waters unless this product is specifically identified and addressed in an NPDES permit. Do not discharge effluent containing this product to sewer systems without previously notifying the sewage treatment plant authority. For guidance, contact your State Water Board or regional office of the Environmental Protection Agency.

**DIRECTIONS FOR USE**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling

**ONLY FOR FORMULATION INTO END-USE FUNGICIDE PRODUCTS FOR THE FOLLOWING USES:**

1. Peanuts;
2. Rice;
3. Potatoes;
4. Brassica (Cole) Leafy Vegetable Crop Group 5 (including broccoli, cabbage and mustard greens) and turnip, greens.
5. Uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration;
6. Uses for experimental purposes that are in compliance with USEPA requirements.

**NET CONTENTS \_\_\_ LBS.**

EPA Reg. No. 10163-247  
EPA Est. No. 67545-AZ-1



Produced For:  
Gowan Company  
P. O. Box 5569  
Yuma, AZ 85366-5569

4084

**FORMULATION INFORMATION**

Formulators using this product are responsible for obtaining EPA registration for their formulated product. Manufacturer disclaims liability for claims or damages resulting from any use of a formulated product in a manner or on a crop not specifically listed on this label.

**STORAGE AND DISPOSAL**

**PESTICIDE STORAGE:** Store in original container and keep closed. Store in a cool, dry place.

**PESTICIDE DISPOSAL:** Do not contaminate water, food, or feed by storage or 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. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. Then offer for recycling if available, or dispose of liner in a sanitary landfill or by incineration, or if allowed by state and local authorities, by burning. If burned stay out of smoke. If drum is contaminated and cannot be reused, dispose of it in the manner required for its liner.

**FOR 24-HOUR EMERGENCY ASSISTANCE (SPILL, LEAK OR FIRE),  
CALL CHEMTREC® (800) 424-9300**

For other product information, contact Gowan Company or see Material Safety Data Sheet

**NOTICE OF CONDITIONS OF SALE AND WARRANTY AND LIABILITY LIMITATIONS**

Important: Read the entire Directions for Use and Notice of Conditions of Sale and Warranty and Liability Limitations before using this product. If terms are not acceptable return the unopened container for a full refund.

Our directions for use of this product are based on tests believed to be reliable. However, it is impossible to eliminate all risk associated with the use of this product. Crop injury, inadequate performance, or other unintended consequences may result due to soil or weather conditions, off target movement, presence of other materials, method of use or application, and other factors, all of which are beyond the control of Gowan Company. All such risks shall be assumed by the Buyer and User.

Gowan Company warrants that this product conforms to the specifications on the label when used in strict conformance with Direction for Use, subject to the above stated risk limitations. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, GOWAN COMPANY MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, GOWAN COMPANY'S EXCLUSIVE LIABILITY FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, OR ANY OTHER LEGAL THEORY IS STRICTLY LIMITED TO THE PURCHASE PRICE PAID OR REPLACEMENT OF PRODUCT, AT GOWAN COMPANY'S SOLE DISCRETION.

EPA Text Pending: Flutolanil Technical IR-4 Submission (to EPA 12-14-10)

**ACCEPTED**

**In EPA Letter Dated:**

**DEC 23 2010**

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

**10163-247**