

10163-301

05-01-2009

1/6



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Kristal Hengl
Product Registration
Gowan Company
P.O. Box 5569
Yuma, AZ 85365

MAY 1 2009

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request General Label Change
EPA Reg. No. 10163-301
Application Dated March 27, 2009

Dear: Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 03/27/09 for the above product. 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 label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

A handwritten signature in black ink, appearing to be "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060



United States
Environmental Protection Agency
Washington, DC 20460

 Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 10163-301		2. EPA Product Manager Mary L. Waller		3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted	
4. Company/Product (Name) Moncut 70 DF		PM# 21			
5. Name and Address of Applicant (Include ZIP Code) Gowan Company PO Box 5569, Yuma, AZ 85366-5569 <input type="checkbox"/> Check if this is a new address			6. Expedited Review. In accordance with Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to: NOTIFICATION MAY 01 2009 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 to typographical error; Strike soybeans from 240 day plant back list.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
* Certification must be submitted	If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container		<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input 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 type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)					
Name Krystal Hengl		Title Registration Specialist		Telephone No. (Include Area Code) 928-819-1526	
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.				6. Date Application Received (Stamped)	
2. Signature 		3. Title Registration Specialist			
4. Typed Name Krystal Hengl		5. Date March 27, 2009			



The Go To Company

P.O. Box 5569 ▲ Yuma, AZ 85366-5569 ▲ Phone (928) 783-8844 ▲ FAX (928) 343-9255

March 27, 2009

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
US Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive (South Tower)
Arlington, Virginia 22202

ATTN: Mary Waller, PM #21
Fungicide Branch, Registration Division

RE: Change by Notification
Moncut 70-DF, EPA Reg. No. 10163-301

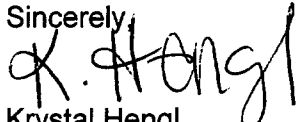
Dear Ms. Waller:

Gowan Company submits the enclosed revised label for Moncut 70-DF in order to fix a typographical error. The plant back restriction for soybeans was approved for 30 days and was added to the label however the word "soybeans" was not removed from the list of 240 day plant back crops. In support of this application, we have enclosed the following documents:

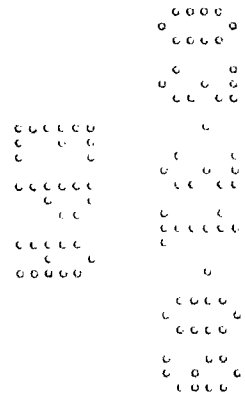
- Application for Pesticide (EPA Form 8570-1)
- Proposed Label (1 marked copy)

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for the 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 the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, 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.

Thank you in advance for your efforts. If you have any questions or concerns, please do not hesitate to contact me via e-mail at KHengl@gowanco.com, or by phone at (928) 819-1526.

Sincerely,

Krystal Hengl
Registration Specialist

Enclosures



Moncut[®] 70-DF

FUNGICIDE

For Use on Potatoes

6/4

ACTIVE INGREDIENT: Flutolanil

N-[3-(1-methylethoxy) phenyl]-2-(trifluoromethyl) benzamide

% By Wt.

70.0%

OTHER INGREDIENTS

30.0%

TOTAL 100.0%

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

NOTIFICATION

MAY 01 2009

FIRST AID

If on skin or clothing	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
If in eyes	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.

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.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical resistant gloves made of any waterproof material such as polyethylene or polyvinyl chloride
- Shoes plus socks

If you want more options for chemical-resistant materials, follow the instructions for category A on an EPA chemical-resistance category selection chart.

USER SAFETY REQUIREMENTS

Follow the manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

USER SAFETY RECOMMENDATIONS

- Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Users should remove clothing/PPE immediately if pesticide gets inside, then wash thoroughly and put on clean clothing.
- Users should 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

This pesticide is toxic to shrimp. For terrestrial uses, do not apply to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment wash waters.

DIRECTIONS FOR USE

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

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 in your state responsible for pesticide regulation.

NET CONTENTS _____ POUNDS



EPA Reg. No. 10163-301
EPA Est. No. 67545-AZ-1

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

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

- Coveralls
- Chemical-resistant gloves made of any waterproof material such as polyethylene or polyvinyl chloride
- Shoes plus socks

GENERAL INFORMATION

Moncut® 70-DF is a systemic fungicide for suppression of powdery scab, *Spongospora subterranea*, and control of black scurf, *Rhizoctonia solani*, in potatoes.

Moncut 70-DF is not for sale, sale into, distribution, and or use in Nassau and Suffolk counties of New York State.

MIXING INSTRUCTIONS

- Buffer the water in the spray tank.
- Fill the spray tank ¾ full. Turn on spray tank agitation. Pour recommended amount of this material on the surface of water in the spray tank.
- Add balance of water to spray tank.
- Keep agitation running during filling and spraying operations.

USE PRECAUTIONS

Do not use oil as carrier or add other additives to the finished spray.

Do not plant rotational crops other than peanuts, rice, or potatoes for 12 months following last application of Moncut 70-DF, with the following exceptions:

- Soybeans or wheat may be planted 30 days after the last application.
- Leafy vegetables (such as lettuce, spinach, or celery), or small grain crops other than wheat (such as barley, rye, or oats) may be planted 150 days after the last application.
- Corn (such as field, sweet, or popcorn), ~~soybeans~~, sorghum, or cotton may be planted 240 days following the last application of Moncut 70-DF.

APPLICATION DIRECTIONS FOR POTATOES

(In-furrow use only)

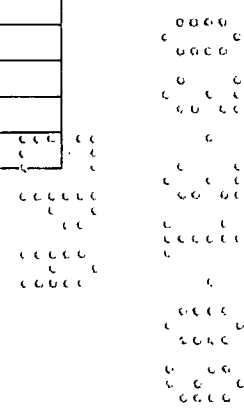
Do not apply this product through any type of irrigation system on potatoes

CROP	DISEASE	RATE PER ACRE (lb./a)	APPLICATION DIRECTIONS
Potatoes	Black scurf (<i>Rhizoctonia solani</i>) Powdery Scab (<i>Spongospora subterranea</i>) suppression only	0.71 to 1.1 lbs per acre (see reference chart below)	Apply 0.71 to 1.1 lbs. of Moncut 70-DF per acre (see reference chart) as an in-furrow spray by directing spray uniformly around and over the seed piece in a 4-8 inch band prior to covering with soil. Use a minimum of 3 gallons of spray volume per acre. Use the higher rate where disease pressure is expected to be severe, or if field has a history of infestation.

IN-FURROW APPLICATION RATES

0.71 lb. rate per acre 1.1 lb. rate per acre

ROW SPACING	OUNCES PRODUCT/ 1000 ROW FT.	OUNCES PRODUCT/ 1000 ROW FT.
40" Row	0.87 oz.	1.31 oz.
38" Row	0.83 oz.	1.24 oz.
36" Row	0.79 oz.	1.18 oz.
34" Row	0.74 oz.	1.11 oz.
32" Row	0.70 oz.	1.04 oz.



ENDANGERED SPECIES

Restrictions in the State of Arkansas:

Use is prohibited in the following areas of Arkansas:

Mississippi County: Within the basin that drains directly into the Right Hand Chute of Little River, south of Big Lake National Refuge.

Poinsett County: Between Crowley's Ridge and the levee east of the Right Hand Chute of Little River and the St. Francis Floodway. Use is also prohibited west of Rt. 140 and north of Rt. 63 at the SIPHON near Marked Tree, except that the prohibited area does not include the area bounded by Arkansas Highway 373 on the west, Highway 63 on the east, and Highway 14 on the south.

Cross, St. Francis, and Lee Counties: Between Crowley's Ridge and the levee east of the Right Hand Chute of Little River and the St. Francis Floodway as far south as the confluence of L'Anguille River (Lee County).

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage and disposal

PESTICIDE STORAGE: Store in a cool, dry, secure place.

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. Offer for recycling, if available. Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

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

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

NOTICE ON CONDITIONS OF SALE

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. To the extent consistent with applicable law, all such risks are 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. 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.

This product is sold only for uses stated on its label. No express or implied license is granted to use or sell this product under any patent in any country except as specified. Country: United States of America.

®Moncut is a Trademark of Nichino America
Chemtrec® is a registered trademark of American Chemistry Council, Inc.

EPA Text: Moncut 70-DF (by NOTIF 3-27-09)

NOTIFICATION

MAY 01 2009

