

10163-302

10/16/2008

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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 Registration Number:

10163-302

Date of Issuance:

OCT 16 2008

NOTICE OF PESTICIDE:

Registration
 Reregistration
(under FIFRA, as amended)

Term of Issuance:

Conditional

Name of Pesticide Product:

Fenarimol Technical

Name and Address of Registrant (include ZIP Code):

Gowan Company
P.O. Box 5569
Yuma, California 85366-5569

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/reregistered 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 Sec. 3(c)(7)(A) provided that you:

1. Submit and/or cite all data required for registration/reregistration of your product under FIFRA Sec. 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 changes to the label:
 - a. Change the product registration number to "EPA Reg. No. 10163-302".

Signature of Approving Official:

Mary L. Waller

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

Date:

10/16/2008

- b. Delete the word "Fungicide" which appears in the First Aid box below the heading.
 - c. Revise the signal word under the "Keep Out of Reach of Children" statement to read "WARNING".
 - d. Revise the Precautionary Statements to read as follows: "Causes substantial but temporary eye injury. Harmful if swallowed, inhaled or absorbed through the skin. Avoid breathing dust. Do not get in eyes or on clothing. Wear goggles, face shield, or safety glasses and protective clothing such as coveralls, a long-sleeved shirt, and pants. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse."
 - e. Move the sentence "It is a violation of Federal law to use this product in a manner inconsistent with its labeling." so that it appears immediately below the heading "Directions for Use".
 - f. In the Storage and Disposal Box, revise the subheading "Storage" to read "Pesticide Storage".
 - g. In the "Storage and Disposal" Box, revise the storage instructions to read "Store in a cool, dry secure place. . .".
 - h. On page 2 of the label, revise the first sentence of the second paragraph to read "Our directions for use for this product are based on. . .".
3. Submit one copy of the revised final printed label before the product is released 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. A stamped copy of the label is enclosed for your records.

Sincerely,



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

Enclosure: Label stamped "Accepted with Comments"

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**ACCEPTED
with COMMENTS
In EPA Letter Dated:**

10/16/2008

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

Fenarimol Technical

10163-302

% By Wt.

ACTIVE INGREDIENT

Fenarimol: a-(2-chlorophenyl)-a-(4-chlorophenyl)-5-pyrimidinemethanol.....98.8%

OTHER INGREDIENTS.....1.2%

TOTAL 100.0%

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 FUNGICIDE	
If swallowed	<ul style="list-style-type: none"> • Call poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
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.
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.
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 WARNING - AVISO

Causes eye irritation. Harmful if swallowed, inhaled or absorbed through the skin. Avoid breathing dust and contact with eyes, skin, or clothing. Use eye protection and protective clothing such as coveralls, a long-sleeved shirt, and impermeable gloves when handling. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not discharge effluent containing this product directly into lakes, streams, ponds, estuaries, oceans, or other water 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 sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

DIRECTIONS FOR USE For Manufacturing Use Only

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. This product may be used only for formulation into a fungicide for use on: apples, cherries, grapes and pears; commercial or residential turf grasses; field, landscape or container grown ornamentals. Formulators should develop their own use and precautionary labeling, based on the properties and intended uses of their own finished formulations, and are responsible for obtaining EPA registration of these products.

STORAGE AND DISPOSAL

Storage: Store in a cool, dry place. Store in original container. In case of leak or spill, contain material and dispose as waste.
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: Completely empty container by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into manufacturing equipment. Crush or puncture and dispose of in a sanitary landfill or by incineration if allowed by state and local authorities.

NET CONTENTS: _____ POUNDS

EPA Reg. No. 10163-XXX
EPA Est. No.



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

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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 recommendations 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 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. 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 FULLEST EXTENT PERMITTED BY 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.

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Fenarimol Tech: EPA Text Pending (to EPA 10-16-08)