

11656-104

12/01/2008

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Registration Division (7505C)
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

EPA Reg. Number:

11656-104

Date of Issuance:

DEC 1 - 2008

NOTICE OF PESTICIDE:

Registration
 Reregistration
(under FIFRA, as amended)

Term of Issuance:

Conditional

Name of Pesticide Product:

First Choice Foliar Supreme
Fungicide

Name and Address of Registrant (include ZIP Code):

Western Farm Service, Inc.
P.O. Box 1168
Fresno, CA 93715

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 section 3(c)(7)(A) provided that you:

- 1) Submit and/or cite all data required for registration 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 label change:
 - a) Revise the product registration number to read "EPA Registration Number 11656-104".

(continued on page 2)

Signature of Approving Official:

Mary L. Waller

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

Date:

12/1/08

3) **Submit the following data:**

- a) Guidelines 830.6317 (storage stability) and 830.6320 (corrosion characteristics) by November 19, 2010. It is recommended that the observations be made at 0, 3, 6, 9, and 12 month interval periods.
- b) An enforcement analytical method study (830.1800) is required and must be submitted by November 19, 2010 as well.

Submit one copy of the final printed labeling 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.



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

Enclosure: Label stamped "Accepted with Comments"
Acute toxicity review
Product Chemistry review



FOLIAR SUPREME FUNGICIDE

For the control of powdery mildew on apples, grapes, stone fruits, strawberries, vegetables and other crops including ornamentals

**KEEP OUT OF REACH OF CHILDREN
CAUTION/PRECAUCION**

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.)

READ ENTIRE CONTAINER LABEL BEFORE USING THIS PRODUCT

ACTIVE INGREDIENTS:

- * Mono Potassium Phosphate.....31.1%
- **Sulfur.....31.1%

INERT INGREDIENTS:.....37.8%
TOTAL 100.0%

- * Contains 4.1 lbs mono potassium phosphate per gallon
- ** Contains 4.1 lbs sulfur per gallon

First Aid

If Inhaled: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferable mouth to mouth, if possible. Call a poison control center or doctor for further treatment advice.

If on skin or clothing: 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: 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 swallowed: Call a 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.

For Emergency Medical Response and Hazard communications Only, Call the National Poison Control Center at (800) 222-1222.

EPA REG. NO. 11656-XXX

EPA EST. NO. 11656-CA-XX

Manufactured by:
Western Farm Service, Inc.
P.O. Box 1168
Fresno, CA 93715
(559) 438-6133

Net Contents: 2.5 Gallons

Net Weight: 13.1 lbs/gallon

First Choice® is a registered TM of Western Farm Service, Inc.

November 25, 2008

**ACCEPTED
with COMMENTS
In EPA Letter Dated
DEC 1 - 2008**

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

11656-104

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PRECAUTIONARY STATEMENTS
Hazards to Humans and Domestic Animals

CAUTION

Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Wear safety glasses or goggles when handling undiluted product. Once product is diluted, eye protection is no longer required. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical resistant gloves made of any waterproof material
- Shoes plus socks
- Protective eyewear
- Chemical-resistant headgear for overhead exposure

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

Engineering Controls Statements: When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40CFR 170.240 (d) (4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

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.

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. Do not contaminate water when disposing of equipment wash waters. Do not apply when weather conditions favor drift from the areas treated. Do not apply where runoff is likely to occur. Do not use in a manner or at a time other than in accordance with label directions because animal, plant or crop injury, or other undesirable results may occur.

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 responsible for pesticide regulation.

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 24 hours.

PPE required for the 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:

1. Coveralls
2. Chemical-resistant gloves made of any waterproof material
3. Shoes plus socks
4. Protective eyewear
5. Chemical-resistant headgear for overhead exposure

GENERAL INSTRUCTIONS

General: FIRST CHOICE Foliar Supreme is a foliar applied fungicide for control of powdery mildew. It is designed for foliar application and may be applied alone or in tank mixes containing pesticides. However, when use of an unfamiliar mix is made, a compatibility test is always recommended. FIRST CHOICE Foliar Supreme can be applied by ground or air. Foliage must be thoroughly covered with spray. Dense leaf canopies can prevent adequate spray coverage. To facilitate necessary coverage a super spreading agent such as First Choice Hi-Wett or First Choice BreakThru is suggested. Powdery mildew control is best when applications of FIRST CHOICE Foliar Supreme are made within three days of a conidia spore release.

Mixing Directions: Fill the tank approximately 1/2 full with water before adding FIRST CHOICE Foliar Supreme. Agitate thoroughly while adding remaining water. Do not allow mixture to stand. Failure to maintain agitation will cause FIRST CHOICE Foliar Supreme to settle and may necessitate manual stirring to redisperse. In used in combination with pesticides, add pesticides to the tank last. Sulfur in any form is a corrosive material. To reduce the effect, equipment should be flushed daily.

Application Information: Apply the specified rate of FIRST CHOICE Foliar Supreme listed in the table when directed. When disease pressure is low, use low per acre rates early in the season. The per acre rate must be increased as disease pressure increases.

1. Air Application Water Volume: Orchards – apply in no less than 10 gallons of water per acre; All other applications – Apply in 5 to 20 gallons of water per acre.
2. Ground Application (Concentrate) Water Volume: Orchards – Apply in 20 to 100 gallons of water; All other applications – Apply in no less than 5 gallons of water per acre.
3. Ground Application (Dilute) Water Volume: Orchards – Apply in 100 to 800 gallons of water per acre; All other applications – Apply in 20 to 60 gallons of water per acre.

Compatibility: FIRST CHOICE Foliar Supreme is compatible with most pesticides and can applied in existing spray programs. When using a chemical mixture that has not been used before, always try a small sample rate before application, or check compatibility by doing a jar test. Due to its acidic nature, adding

FIRST CHOICE Foliar Supreme to the spray solution can lower the pH of the finished spray solution. Adhere to pesticide manufacturer's recommendations regarding appropriate pH range.

Use Precautions:

1. Some plants are susceptible to injury from sulfur under certain climatic conditions. The user is advised not to use sulfur on any crop unless local use has proven that sulfur is safe in that locality. During periods of high temperature sulfur may burn foliage and fruit. Do not make applications of this product at excessively high temperatures (90°F or higher).
2. Do not use FIRST CHOICE Foliar Supreme with oil or within 14 days of an oil application.
3. Do not include FIRST CHOICE Foliar Supreme with copper sprays.
4. Do not mix with any spray materials that warn against low pH (<5.5) applications.
5. FIRST CHOICE Foliar Supreme is a contact fungicide. The use of a spreading agent such as FIRST CHOICE BreakThru or FIRST CHOICE Hi-Wett will aid in the distribution of product.
6. Do not use when plants are under severe stress conditions such as heat or water stress or pest pressure. Do not apply when temperatures exceed 90° F.
7. Use caution when applying FIRST CHOICE Foliar Supreme in combinations with pesticides and adjuvants during the fruiting stage.
8. Use minimal effective rates of adjuvants during ripening. Organosilicone or high analysis non-ionic surfactants are not recommended during the ripening process. FIRST CHOICE HI-Wett at minimum recommended rates is recommended during the ripening period.
9. For maximum product effectiveness, apply early morning or after dusk.
10. Do not apply this product through any type of irrigation system.
11. Do not tank mix with any pesticide product which contains a prohibition on tank mixing. Follow the most restrictive precautions and Directions for Use of any tank mix partner.

In addition to the above 'Use Precautions', the following conditions must be followed:

1. The operator of the property and the applicator must establish a buffer zone of enough distance to prevent drift onto non-target areas such as hospitals, clinics, residential areas, schools, and any other area designated by the county agricultural commissioner.
2. The operator of the property and the applicator must evaluate the method and equipment for each site to ensure proper and safe use. Evaluations shall include, but not be limited to the appropriateness of ground or air application.
3. This product must not be applied when the wind velocity exceeds 10 miles per hour. Applicators must be aware that in some areas, "dead calm" conditions are often associated with an inversion situation. In these areas, applying this product when there is a minimum air movement of 2 miles per hour will ensure that an inversion does not exist.
4. Before using this product, read and follow all applicable directions, restrictions and precautions on the EPA-registered label.

USE RATES (FOLIAR APPLICATION)¹

TREE & VINE CROPS

CROP	RATE/ACRE	TIMING OF APPLICATIONS
Apples	3-6 pts	Start spraying at tight cluster and continue spraying every 7 to 10 days until terminal shoots cease their vegetative growth. The rate of product per acre will vary depending upon the tree size

		(canopy development) and volume of water. Use on sulfur tolerant varieties only. Macintosh, Golden Delicious, Jonathan and certain other varieties may be injured by sulfur under certain climatic conditions.
Stone Fruits (Cherries, Nectarines, Peaches and Plums)	3-6 pts	Follow local recommendations for powdery mildew control timings, or apply when disease first appears and repeat every 7 to 14 days.
Grapes	3-6 pts	Start spraying in the spring when shoots are (1-2 inch) 3 to 5 cm in length and when disease pressure is anticipated. Repeat every 10 to 14 days. For improved appearance on table grapes, use lower application rates.

VEGETABLE CROPS

CROP	RATE/ACRE	TIMING OF APPLICATIONS
Melons	3-6 pts	Start spraying when plants begin to run or when disease pressure is anticipated. Repeat at 7 to 14 day intervals. Do not use on sulfur sensitive varieties.
Tomatoes	3-6 pts	Start spraying when disease is first observed. Repeat at 7 to 10 day intervals.
Dry Beans (including Kidney, Pinto and Lima)	3-6 pts	Apply at first flower. Apply 2 additional times during the main filling stage of pod development, 7 - 10 days apart. Do not use on sulfur sensitive varieties.
Carrots	3-6 pts	Start spraying when disease is first observed. Repeat at 7 to 10 day intervals.

OTHER CROPS

CROP	RATE/ACRE	TIMING OF APPLICATIONS
Strawberries	3-6 pts	Apply 2-4 times during the harvest period on a 7 to 14 day schedule. Do not apply during hot weather. Sulfur may injure strawberries during certain climatic conditions. Do not use on sulfur sensitive varieties.

ORNAMENTALS

CROP	RATE/ACRE	TIMING OF APPLICATIONS
Ornamentals (including woody and herbaceous ornamentals)	3-6 pts	Start spraying when conditions become favorable for disease development, or when disease is first observed and continue spraying on a 7 to 14 day schedule for the entire season.

1. Use low rates per acre when disease pressure is low and high use rates when disease pressure increases.
2. Rates suggested are for standard spray volumes of per acre. For higher volume sprays, rate should be adjusted.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in cool dry area under lock and key. Post as a pesticide storage area. Always store pesticides in the original container. Store away from food, pet food, feed, seed, fertilizers and veterinary supplies. Avoid extreme variations in temperature. A reversible separation of ingredients may occur after prolonged storage. This separation has no effect on quality or effectiveness of product and agitation will resuspend mixture.

Pesticide Disposal: To avoid wastes, use all material in this container by application, according to label directions. If wastes cannot be avoided, offer remaining product to a waste disposal facility or pesticide disposal program (often such programs are run by state or local governments or by industry).

Container Handling: Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling if available, or puncture and dispose of in a sanitary landfill or by incineration. Do not burn unless allowed by state and local ordinances.

WARRANTY STATEMENT

Western Farm Service warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for purposes stated on such label only when used in accordance with directions under normal use conditions. It is impossible to eliminate all risks inherently associated with use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials or the manner of use or application, all of which are beyond the control of Western Farm Service. To the fullest extent permitted by law, Western Farm Service shall not be liable for consequential, special or indirect damages resulting from the use or handling of this product. All such risks shall be assumed by the Buyer. The exclusive remedy of any buyer or user of this product for any and all losses, injuries, or damages resulting from or in any way arising from the use, handling, or application of this product, whether in contract, warranty, tort, negligence, strict liability, or otherwise, shall not exceed the purchase price paid for this product or at Western Farm Service election, the replacement of this product. Western Farm Service MAKES NO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

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