

19713-105

03-29-2004

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Luz G. Chan
Registration Manager
Drexel Chemical Company
P.O. Box 13327
Memphis, TN 38113-0327

MAR 29 2004

Subject: Sucker-Atak
EPA Reg. No. 19713-105
Amendment dated September 3, 2003

Dear Ms Chan:

The Agency has conducted a second review of the acute toxicity of this product as you requested in your letter of September 3, 2003. A copy of Memorandum D296101 is enclosed for your records. Based on this review, the Agency agrees that the proper Signal Word for this product is "Caution."

The amended label referred to above, resubmitted March 10, 2004 in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act as amended is acceptable.

One copy of the label stamped "Accepted" is enclosed for your records. Please submit one copy of the final printed label before the product is released for shipment.

If you have any questions, please contact Robert Westin by phone at (703) 305-5721 or via email at westin.robert@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to be "C/P" or similar initials, written over a horizontal line.

Cynthia Giles-Parker
Product Manager (22)
Fungicide Branch
Registration Division (7505C)

Enclosure

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Leven-38[®]

Tobacco Sucker Control Agent

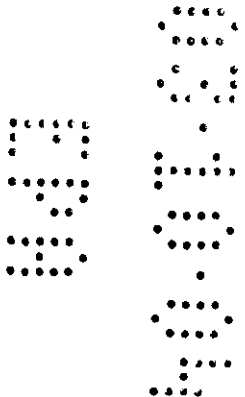
ACCEPTED

MAR 29 2004

Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under
EPA Reg. No. 199.3-105

• 105SP-0304++

Page 1 of 9



ACTIVE INGREDIENTS:

n-Decanol 38.3%

Potassium salt of 1,2-dihydro-3,
6-pyridazinedione* 11.1%

OTHER INGREDIENTS: 50.6%

TOTAL: 100.0%

Maleic hydrazide equivalent is 0.66 pound per gallon.

Weight of active ingredients is 4.0 pounds per gallon.

KEEP OUT OF REACH OF CHILDREN

CAUTION

See FIRST AID Below

SHAKE WELL BEFORE USING

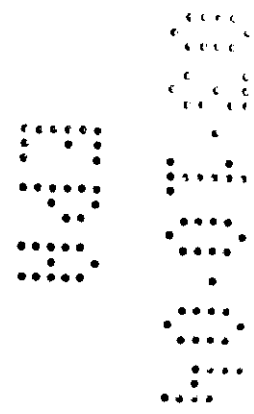
EPA Reg. No. 19713-105

EPA Est. No. 19713-GA-1^A

EPA Est. No. 19713-TN-1^B

Net Contents: _____

The letter prefix in Lot Number designates producing establishment.



FIRST AID

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 a poison control center or doctor.
- Do not give anything to an unconscious or convulsing person.

IF IN EYES:

- Hold eye open and rinse slowly and gently with water for 15 to 20 minutes.
- Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.

IF ON SKIN:

- Take off contaminated clothing.
- Rinse skin immediately with plenty of water for 15 to 20 minutes.

IF INHALED:

- Move person to fresh air.
- If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.

Call a poison control center or doctor for treatment advice. Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For information on this pesticide product, including health concerns, medical emergencies or pesticide incidents, call the National Pesticide Information Center at 1-800-858-7378.

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION: Harmful if swallowed or absorbed through skin. Causes moderate eye irritation. Avoid contact with eyes, skin, or clothing. Wash thoroughly with soap and water after handling.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category A on an EPA chemical-resistance selection chart.

(Continued)

PRECAUTIONARY STATEMENTS (Con't.)

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, and shoes plus socks.

Follow 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: 1) Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. 2) Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. 3) 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.

SURFACE WATER ADVISORY

Under some conditions, maleic hydrazide may have a significant potential for runoff into surface water (primarily via dissolution in runoff water) for several days post-application. Conditions favoring runoff include poorly drained soils or wet soils with readily visible slopes, frequently flooded areas, areas where an intense or sustained rainfall is forecast to occur within 48 hours, areas overlying extremely shallow groundwater and areas overlying tiles drainage systems that flow to surface water.

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ENVIRONMENTAL HAZARDS

For terrestrial uses, 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 washwaters.

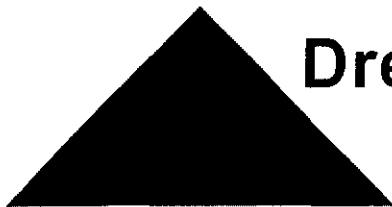
Note: Add this statement to all container sizes of 5 gallons and higher. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

PHYSICAL OR CHEMICAL HAZARDS

Keep away from heat and open flame.

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 through any type of irrigation system. 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.

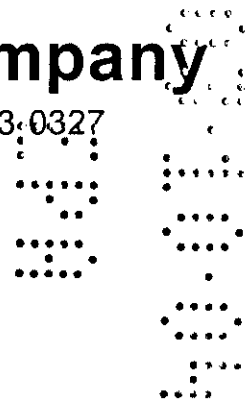


Manufactured By:

Drexel Chemical Company

P.O. BOX 13327, MEMPHIS, TN 38113-0327

SINCE 1972



AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard (WPS), 40 CFR Part 170. This standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, 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 (REI). The requirements in this box only apply to uses of this product that are covered by the WPS.

Do not enter or allow worker entry into treated areas during the REI of 24 hours.

PPE required for early entry to treated areas that is permitted under the WPS and that involves contact with anything that has been treated, such as plants, soils or water is: Long-sleeved shirt and long pants, chemical-resistant gloves made of any water-proof material, and shoes plus socks.

LEVEN-38 is a contact and systemic sucker control agent which with one application kills small suckers on contact within one-half to one hour after application and then works systemically on the Tobacco plant to control cell subdivisions and the formation of new suckers. This product is formulated exclusively for the control of Tobacco suckers.

This product can be applied by conventional spray mechanisms. Use a semi-coarse spray and spray one or more rows at a time wetting only the upper 0.33 to 0.5 of the Tobacco plant and allowing the liquid to run down the stalk of each plant, using only about 20 pounds of pressure. Plants that are leaning must be straightened so that the spray flows down the stalk evenly and contacts each sucker.

This product should be applied during the early morning after the dew dries, all day on cloudy days, avoiding late afternoon or night applications. Spraying during the bright noon day sun at atmospheric temperatures above 90°F should be avoided since injury to the top tender leaves may result.

Do not apply this product when the wind velocity is high enough to turn over the top leaves since injury may result from the application to the tender underside of the Tobacco leaf. Do not apply during a rain or when the leaves are still wet or when rain is predicted during the period of 12 hours following application. The contact agent in the formulation is effective within one hour after spraying, but the systemic agent requires about 6 hours for absorption throughout the entire plant and rain within that period may reduce effectiveness. If applied during drought, the contact portion of the formulation continues to function normally, but the systemic sucker control action may be reduced because of the diminished absorption capabilities of the Tobacco plant under drought conditions.

BURLEY TOBACCO

Top the Tobacco plants when they are at about the full-flower stage and remove, by hand, all suckers which are over one inch. The plants should be sprayed promptly (within one day after topping). Add 9 quarts of this product to 10 to 20 gallons of water and with the mixer running, add more water to bring the volume up to a total of 50 gallons. Operate the sprayer at a speed of 2.5 to 3 miles per hour and apply 50 gallons of diluted emulsion per acre of Tobacco. Use a semi-coarse spray covering the top one-third to one-half of the plant and allowing the liquid to run down the stalk to the bottom of each plant using only about 20 pounds of pressure. For the compressed air shoulder sprayer, use 1 pint of this product per 3 gallons of water and mix well before using. Apply at a rate of 3 gallons of diluted emulsion per 667 plants, agitating the solution from time to time during spraying.

Make sure the container of this product is well-mixed and shaken before measuring.

FLUE-CURED TOBACCO

Apply this product, after topping, at early flower (one week after button). Remove, by hand, all suckers which are over one inch. The plants should be sprayed promptly. Add 12 quarts of this product to 10 to 20 gallons of water and with the mixer running, add more water to bring the volume up to a total of 50 gallons. Operate the sprayer at a speed of 2.5 to 3 miles per hour and spray 50 gallons of diluted emulsion per acre to Tobacco. Use a semi-coarse spray covering the top one-third to one-half of the plant and allowing the liquid to run down the stalk to the bottom of each plant, using only about 20 pounds of pressure.

Make sure the container of this product is well-mixed and shaken before measuring.

NOTES:

1. Do not apply within 7 days prior to harvest to minimize residue. It is recommended that no more than one application be applied to assure low residue levels.
2. Do not mix this product with any other chemicals or agents. Apply separately and do not apply to plants which have been recently treated with insecticides.
3. Mix well prior to use and, if allowed to stand during the use, mix again before applying since the diluted emulsion may separate on standing.
4. Do not use on Burley tobacco during periods of high heat and humidity or under conditions which favor the spread of Tobacco diseases.
5. Make sure that the spray equipment is clean before use. Do not contaminate water by cleaning of equipment or disposal of wastes.
6. Do not use on seed Tobacco.
7. Do not allow drift to nearby crops.
8. Usage according to the directions outlined has resulted in adequate sucker control with very little or no leaf injury. Application not in accordance with the directions may lead to injury of leaves or improper sucker control.
9. This label must be in the possession of the user at the time of pesticide application.
10. Seller's guarantee shall be limited to the terms of the label and subject thereto. The Buyer assumes any risks to persons or property arising out of the use or handling and accepts the product on these conditions.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Do not store near food or feedstuffs and keep away from heat and open flames.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

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.

WARRANTY—CONDITIONS OF SALE

OUR RECOMMENDATIONS FOR USE of this product are based upon tests believed reliable. Follow directions carefully. Timing and method of application, weather and crop conditions, mixtures with other chemicals not specifically recommended and other influencing factors in the use of this product are beyond the control of the Seller. Buyer assumes all risks of use, storage and handling of this material not in strict accordance with directions given herewith.

In no case shall the Manufacturer or the Seller be liable for consequential, special or indirect damages resulting from the use or handling of this product when such use and/or handling is not in strict accordance with directions given herewith. The foregoing is a condition of sale by the Seller and is accepted as such by the Buyer.