

19713-105

27-19-2010

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs  
Registration Division (7504P)  
Ariel Rios Building  
1200 Pennsylvania Ave., NW  
Washington, D.C. 20460

EPA Reg. Number:

19713-105

Date of Issuance:

7-19-10

NOTICE OF PESTICIDE:

Registration  
 Reregistration  
(under FIFRA, as amended)

Term of Issuance:

Name of Pesticide Product:

Leven 38

Name and Address of Registrant (include ZIP Code):

Drexel Chemical Company  
P.O. Box 13327  
Memphis, TN 38113-0327

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 reregistered in accordance with FIFRA provided that you:

- 1) Submit and/or cite all data required for registration/reregistration review of your product when the Agency requires all registrants of similar products to submit data.

Signature of Approving Official:

Tony Kish  
Product Manager 22  
Fungicide Branch  
Registration Division (7504P)

Date:

7-19-10

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2) The PPE section must be revised to read:

“Some materials that are chemical-resistant to this product are barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, polyvinyl chloride or viton. If you want more options, follow the instructions for category C on an EPA chemical-resistance selection chart.

Mixers, loaders, applicators and other handlers must wear:

- Long-sleeved shirt and long pants,
- Shoes plus socks, and
- Chemical-resistant gloves.

3) The Environmental Hazards text currently on the label must be revised to read:

“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 **by cleaning of equipment** or disposal of wastes.”

4) The REI must be revised to read:

“Do not enter or allow worker entry into treated areas during the REI of **48** hours.”

5) The early entry PPE must be revised to read:

“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, soils, or water is:

- Coveralls
- Shoes plus socks
- Chemical-resistant gloves made of any waterproof material
- **Protective eyewear**”

6) Update the Container Disposal language to be in compliance with PR Notice 2007-4.

A stamped copy of the label is enclosed for your records. You must submit one copy of the final printed label before you release the product for shipment. Products shipped after 12 months from the date of this letter or the next round of printing must bear the new revised label. If these EPA conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA. Your release for shipment of the product constitutes acceptance of these EPA Reg. conditions. This label supersedes all other previously accepted labels. If you have any questions please call Erik Kraft at 703-308-9358 or email at Kraft.Erik@epa.gov.

Enclosure: Product Chemistry Review  
Acute Toxicology Review

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# Leven-38<sup>®</sup>

Tobacco Sucker Control Agent

**ACTIVE INGREDIENTS:**

n-Decanol .....	38.3%
Potassium salt of 1,2-dihydro-3,6-pyridazinedione* .....	11.1%
<b>OTHER INGREDIENTS:</b> .....	<u>50.6%</u>
<b>TOTAL:</b> .....	100.0%

\*Maleic hydrazide equivalent is 0.66 pound per gallon.  
This product contains 4 pounds of active ingredients 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-001<sup>A</sup>  
EPA Est. No. 19713-TN-001<sup>B</sup> Net Content: \_\_\_\_\_  
The letter prefix in Lot Number designates producing establishment.

FIRST AID	
<b>IF SWALLOWED:</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious or convulsing person.</li> </ul>
<b>IF IN EYES:</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15 to 20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<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 to 20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>IF INHALED:</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>
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.

**Mixers, loaders, applicators and other handlers must wear:** Long-sleeved shirt and long pants, 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.  
Discard clothing and other absorbent material that have been drenched or heavily contaminated with the product's concentrate. Do not reuse them.

**USER SAFETY RECOMMENDATIONS**

**Users should:** 1) Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. 2) Remove clothing/PPE 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 postapplication. 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.

**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 or disposal of wastes.

**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.

**ACCEPTED**  
**with COMMENTS**  
**In EPA Letter Dated:**  
**JUL 19 2010**  
 Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No. 19713-105

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: Coveralls, chemical-resistant gloves made of any waterproof 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 one-third to one-half 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.

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

### 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.

### 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.

### DARK, MARYLAND, AND CIGAR TOBACCO

As soon as the plants are in full flower, top, remove all suckers from early maturing plants and spray this product uniformly within 24 hours (3 days for PA Cigar) after topping at the rate of 3 gallons in 30 to 50 gallons of water per acre. This product may be applied with either a tractor or with a compressed air shoulder sprayer.

### THIS PRODUCT IN TANK MIXTURE WITH PRODUCTS CONTAINING FLUMETRALIN (SUCH AS DREXALIN PLUS)

#### TANK MIXTURE WITH DREXALIN PLUS

DREXALIN PLUS is a product containing flumetralin as active ingredient. Other products containing flumetralin approved for use on tobacco by EPA can also be tankmixed with this product. Follow precautions and label restrictions on these labels and the label of this product. Always follow the most restrictive label.

#### Flue Cured Tobacco

Remove by hand all suckers which are over one inch long. The plants should be sprayed within 72 hours or before the suckers reach one-half inch.

Following two applications of a contact fatty alcohol tobacco sucker control agent such as Sucker-Plucker®, apply 3 gallons of this product plus 2 quarts of Drexalin Plus in 46.5 gallons of water per acre about 5 to 7 days after the second ap-

plication of contact fatty alcohol this by adding 3 gallons of this product and 2 quarts of Drexalin Plus to 10 to 20 gallons of water. 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 coarse spray covering the top one-third to one-half of the plant and allow the liquid to run down the stalk to the bottom of each plant using only about 20 pounds of pressure.

#### Burley, Dark, Maryland, and Cigar Tobacco

Remove by hand all suckers which are over one inch long. The plants should be sprayed within 72 hours or before the suckers reach one-half inch.

Apply this product in tank mixture with Drexalin Plus at the early button stage 5 to 7 days after application of a contact fatty alcohol tobacco sucker control agent such as Sucker-Plucker.

For powered spray equipment, add 3 gallons of this product and 2 quarts of Drexalin Plus to 10 to 20 gallons of water. With the mixer running, add more water to bring the volume 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 coarse spray covering the top one-third to one-half of the plant and allow the liquid to run down the stalk to the bottom of each plant using only about 20 pounds of pressure.

For compressed air shoulder sprayer, use 23 fluid ounces of this product and 3.75 fluid ounces of Drexalin Plus per 3 gallons of water. 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.

#### USE PRECAUTION

Do not use contact fatty alcohols and maleic hydrazide products unless they are EPA registered.

**Make sure the content 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 tank mix this product with any other chemicals or agents other than what is recommended on this label. 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.

## 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

The directions 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. To the extent consistent with applicable law, Buyer assumes all risks of use, storage and handling of this material not in strict accordance with directions given herewith.

To the extent consistent with applicable law, 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.