

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

OFFICE OF

PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

Mr. John Tice Loveland Products, Inc. P.O. Box 1286 Greeley, CO 80632-1286

APR 10 2008

Subject: Notification(s) for Label Revisions under PRN 98-10 and PRN 2007-4 Storage & Disposal and Other Changes – Warranty Statement

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 98-10 and 2007-4 dated March 24, 2008 for:

EPA Registration 34704-900 "Tebucon 3.6 Fungicide"

The Registration Division (RD) has conducted a review of the request(s) for applicability under PRN 98-10 and PRN 2007-4 and finds that the label changes requested fall within the scope of PRN-98-10 and PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on non-refillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

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

Sincerely,

Linda Arrington

Notifications & Minor Formulations Team Leader Registration Division (7505P)

Office of Pesticide Programs



Quality

Value

March 21, 2008

U. S. Environmental Protection Agency Document Processing Desk (NOTIF) OPP, Registration Division (7504-P) 2777 S. Crystal Drive Arlington, VA 22202

Subject: Notification for Tebucon 3.6, EPA Reg. No. 34704-900.

Dear Linda Arrington,

This letter transmits an application for a Notification for the product listed above. This notification changes the disposal language as directed in PR Notice 2007-4. Enclosed are two copies of the label; one with highlighted changes the other suitable for posting. Also included is an update of the warrantee statement which has been approved by EPA.

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and PR Notice 98-10 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 this 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.

If you have any questions, please feel free to contact me by email at <u>JOHN.TICE@UAP.COM</u> or call 970-347-1484.

Sincerely,

John T. Tice

Manager Registrations Loveland Products, Inc.

Enclosures

Please read instructions on reverse before compl	sting form.	Form Approve	d. OMB No. 2070-0	0060, Approvel expires 2-28-
EPA Environmenta	United States Il Protection Agency ington, DC 20460	✓	Registration Amendment Other	OPP Identifier Number
	Application for Pesti	ide - Section	1	
1. Company/Product Number 34704-900	2. EP.	A Product Manager Mary Waller	3	. Proposed Classification
4. Company/Product (Name) Tebucon 3.6	PM#	21		, meaning
5. Name and Address of Applicant (Include ZIP C Loveland Products, Inc. P.O. Box 1286 Greeley, Colorado 80632-1286 Check if this is a new address	(b)(i), to: EPA	my product is sin		rith FIFRA Section 3(c)(3) composition and labeling
	Section -	-11		
Amendment - Explain below. Resubmission in response to Agency latte Notification - Explain below. Explanation: Use additional page(s) if necessa This notification under PRN 98.10 upda 2007-4 updates the pesticide disposal s changes have been made to this label.	ry. (For section I and Section II.	Agency letter de "Me Too" Applic Other - Explain b EPA approved w	elow. varrantee statem	
	Section -	111		
1. Material This Product Will Be Packaged In:	W. A. Cababla	Parlia - in a	10.7	
Child-Resistant Packaging Yes ✓ No * Certification must be submitted Unit Packaging ✓ Yes ✓ No If "Yes" Unit Packaging wgt	Water Soluble Yes ✓ No No. per container Value of the service	No. per container	2. Type of Contain Meta V Plast Glass Pape Othe	il ic s
3. Location of Net Contents Information Label Container	4. Size(s) Retail Container 1 gal.	5. Lo	in the label boo	
6. Manner in Which Lebel is Affixed to Product	Lithograph Paper glued Stenciled	✓ Other Se	elf adhesive label b	ooklet
	Section -	IV		
1. Contact Point (Complete items directly below			essary, to process t	his application.)
Name John Tice	Title Manager Re		Teleph	one No. (Include Area Code) 47-1484
I certify that the statements I have made or I acknowledge that any knowlinglly false or both under applicable law.				Stamped)
2. Signature	3. Title Manager	Registrations		,
4. Typed Name John Tice John.Tice@uap	5. Date	March 24 20		6006



Foliar Fungicide For control of specified diseases on peanuts and grasses grown for seed.

ACTIVE INGREDIENT: Tebuconazole, alpha-[2-(4-chiorophenyl)ethyl]-alpha-(1,1-dimethylethyl)-1H-1,2,4-triazole-1-ethanol INERT INGREDIENTS TOTAL 100.0%

Contains 3.6 pounds tebuconazole per gallon

KEEP OUT OF REACH OF CHILDREN CAUTION

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 by mouth to an unconscious person.
If on skin	Take off contaminated clothing.
or clothing:	Rinse skin immediately with plenty of water for 15 to 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 to 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:	Move person to fresh air.
ļ	 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 further treatment advice.

Have a product container or label with you when calling a poison control center or doctor, or going for treatment. FOR A MEDICAL EMERGENCY INVOLVING THIS PROD-UCT CALL: 1-800-301-7976.

NOTE TO PHYSICIAN: No specific antidote. Treat symptomatically. SYMPTOMS OF POISONING: The compound does not cause any definite symptoms that would be diagnostic. Contact with the eyes may cause irritation.

EPA REG. NO. 34704-900

EPA EST. NO. 34704-MS-1

NET CONTENTS 1 GAL. (3.78 L)

013006 V2D 03B08

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION. Harmful if swallowed, inhaled or absorbed through skin. Avoid contact with skin, eyes, and clothing. Avoid breathing vapor or spray mist.

Personal Protective Equipment:

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

Applicators and other handlers must wear: Long-sleeved shirt and long pants, chemical-resistant gloves, such as barrier laminate, or butyl rubber or nitrile rubber or neoprene rubber or polyvinyl chloride or viton, and shoes plus socks.

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash 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 [40 CFR 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

This pesticide is toxic to estuarine and marine invertebrates. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Runoff may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment washwater or rinsate.

DIRECTIONS FOR USE

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

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 inter-

val (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, such as barrier laminate or butyl rubber or nitrile rubber or neoprene rubber or polyvinyl chloride or viton, and shoes plus socks.

Spray Volume: TEBUCON 3.6 may be applied in a minimum of 10 gallons of spray solution per acre by ground sprayer or in a minimum of 5 gallons of spray solution per acre by aircraft spray equipment. Check equipment calibration frequently. Complete coverage and uniform application are essential for the most effective results, especially when lower spray volumes are applied. If necessary, increase the spray volume per acre for completé crop coverage.

Chemigation: Do not apply this product through any type of irrigation system.

Mixing: Add recommended amount of TEBUCON 3.6 into the spray tank while filling with water to the desired level. Operate the agitator while mixing. If other materials are added to the spray tank, the TEBUCON 3.6 should be thoroughly dispersed prior to the addition of other materials.

Compatibility: To determine the compatibility of TEBUCON 3.6 with other products, the following procedure should be followed: Pour the recommended proportions of the products into a suitable container of water, mix thoroughly and allow to stand at least five (5) minutes. If the combination remains mixed or care base mixed readily, the mixture is considered physically compatible. For further infortination contact your local Loveland Products, Inc. representative.

TEBUCON 3.6 EPA REG. NO. 34704-900

RECOMMENDED APPLICATIONS

CROP	DISEASE	RATE OF TEBUCON 3.6			
Grasses Grown	Rusts (Puccinia spp.)	4 to 8 fl oz per acre			
for Seed	Apply the specified rate of TEBUCON 3.6 as soon as weather conditions are favorable for rust development or when first rust pustules are present. Repeat applications at 14 to 16 day intervals. Under heavy disease pressure use 6 to 8 fl oz/A and shorter spray intervals.				
	Powdery mildew	4 to 8 fl oz per acre			
	Apply specified rate of TEBUCON 3.6 when powdery mildew first appears on the leaves. Repeat applications at 14 to 16 day intervals. Under heavy disease pressure use 6 to 8 fl oz/A and shorter spray intervals.				

General Comments: Apply the specified rate in a minimum of 20 gallons of water per acre with ground sprayers or in a minimum of 10 gallons of water per acre with aircraft. Thorough coverage is important for optimum disease control.

For optimum benefit, the lowest recommended rate of a spray surfactant should be tank mixed with TEBUCON 3.6.

A maximum of 16 fluid ounces (1 pint) may be applied per acre per crop season. TEBU-CON 3.6 may be applied up to 4 days before harvest. Chaff, screenings and straw from treated areas may be used for feed purposes; however, do not forage, cut green crop, or use seed for feed purposes. Regrowth may be grazed starting 17 days after last application.

Peanut

Sclerotium stem and pod rot (white mold, southern blight, southern stem rot)
Rhizoctonia limb rot
Rhizoctonia pod rot (Virginia and North Carolina only)
FOLIAR:
Early leaf spot
Late leaf spot
Leaf rust
Web blotch (Phoma)

Pepper spot (Leptosphaerulina)

SOILBORNE:

7.2 fl oz per acre

FOUR-APPLICATION SPRAY PROGRAM: Apply the specified rate in a preventive spray schedule. See table below for proper timing of applications. Applications of chlorothalonil should be made prior to and following applications of TEBUCON 3.6 to discourage development of resistant strains of fungi. For optimum control of foliar diseases such as leaf rust, web blotch, and pepper spot, the lowest label recommended rate of a spray surfactant should be tank-mixed with TEBUCON 3.6.

LEAF SPOT ADVISORY SCHEDULE: For control of soilborne diseases in an advisory schedule, apply TEBUCON 3.6 in the first advisory spray in July and continue TEBUCON 3.6 applications at 14-day intervals. Applications after August 15

management purposes.

GENERAL DIRECTIONS: For optimum control of the specified soilborne diseases, four consecutive applications of TEBUCON 3.6 must be made at 14-day intervals.

A maximum 28.8 fluid ounces of TEBUCON 3.6 may be applied per crop season. TEBUCON 3.6 may be applied up to 14 days before harvest. Do not feed hay or threshings or allow livestock to graze in treated areas.

should be tank mixed with chlorothalonil for resistance

TEBUCON 3.6 is a sterol demethylation inhibitor (DMI) fungicide. Chlorothalonii may be tank mixed at the rate of 12 ounces of active ingredient with TEBUCON 3.6 as a leaf spot resistance management strategy. A spray surfactant is not necessary when TEBUCON 3.6 is tank mixed with chlorothalonii. Mixing or alternating TEBUCON 3.6 with other DMI fungicides may lead to resistance.

TEBUCON 3.6 must be carried by rainfall or irrigation into the root and pod zone for control of root and pod rots caused by *Sclerotium rolfsii* and *Rhizoctonia solani*. Drought conditions will decrease the effectiveness of TEBUCON 3.6 against the root and pod rots. Use TEBUCON 3.6 in conjunction with cultural practices that are known to reduce the

severity of soilborne diseases, such as proper crop rotation practices.

Timing of TEBUCON 3.6 Application for Optimum Control of White Mold and

Rhizoctonia Limb and Pod Hot					
Spray Program	TEBUCON 3.6 Application No.	Chlorothalonil Application No.			
7 applications	3, 4, 5 and 6	1, 2 and 7			

OBSERVE THE FOLLOWING PRECAUTIONS WHEN SPRAYING IN THE VICINITY OF AQUATIC AREAS SUCH AS LAKES, RESERVOIRS, RIVERS, PERMANENT STREAMS, MARSHES OR NATURAL PONDS, AND ESTUARIES.

Apply only during alternate years in fields adjacent to aquatic areas listed above.

Do not apply by ground or air within 100 feet of aquatic areas listed above.

Do not cultivate within 10 feet of an aquatic area to allow growth of a vegetative filter strip.

Spray Drift Management: For aerial applications, the spray boom should be mounted on the aircraft so as to minimize drift caused by wing tip vortices. The minimum practical boom length should be used, and must not exceed 75% of the wing span or rotor diameter.

Use the largest droplet size consistent with pest control. Formation of very small droplets may be minimized by appropriate nozzle selection, by orienting nozzles away from the air stream as much as possible and by avoiding excessive spray boom pressure. Apply in a minimum of 5 gallons of spray solution per acre by aircraft spray equipment.

Spray should be released at the lowest possible height consistent with good pest control and flight safety. Applications more than 10 feet above the crop canopy should be avoided.

Make aerial and ground applications when wind velocity favors on-target product deposition (approximately 3 to 10 mph). Do not apply when wind velocity exceeds 15 mph. Avoid applications when wind gusts approach 15 mph.

Risk of exposure to sensitive aquatic areas can be reduced by avoiding applications when wind direction is toward the aquatic area.

Low humidity and high temperatures increase the evaporation rate of spray droplets and therefore the likelihood of spray drift to aquatic areas. Avoid spraying during conditions of low humidity and/or high temperature.

Do not make aerial or ground applications during temperature inversions. Inversions are characterized by stable air and increasing temperatures with height above the ground. Mist or fog may indicate the presence of an inversion in humid areas. The applicator may detect the presence of an inversion by producing smoke and observing a smoke layer near the ground surface.

ROTATIONAL CROPS

Treated areas may be replanted with any crop specified on this label as soon as practical after last application. Any crop not specified on this label may be planted into treated areas 120 days after last application.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Store in original container and out of the reach of the children, preferably in a locked storage area. Handle and open container in a manner as to prevent spillage. If container is leaking invert to prevent leakage. If the container is leaking or material is spilled for any reason or cause, carefully dam up spilled material to prevent runoff. Refer to Precautionary Statements on label for hazards associated with the handling of this material. Do not walk through spilled material. Absorb spilled material with absorbing type compounds and dispose of as directed for pesticides below. In spill or leak incidents, keep unauthorized people away. For help with any spill, leak, fire or exposure involving this material, call day or night CHEMTREC — 1-800-424-9300.

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 this container to hold materials other than pesticides or dilute pesticides (rinsate). After emptying and cleaning, it may be allowable to temporarily hold rinsate or other pesticide-related materials in the container. Contact your state regulatory agency to determine allowable practices in your state. Once cleaned, some agricultural plastic pesticide containers can be taken to a container collection site or picked up for recycling. To find the nearest site, contact your chemical dealer or manufacturer, or contact The Agricultural Container Recycling Council (ACRC) at www.acrecycle.org.

Triple rinse or pressure rinse container (or equivalent) promptly after emptying. For packages up to 5 gallons: Triple rinse as follows: Empty the 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. Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

For packages greater than 5 gallons and less than 56 gallons: Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

For packages greater than 56 gallons: To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or reculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

For refillable containers: Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate the could refir refirmulate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

46

TEBUCON 3.6 EPA REG. NO. 34704-900

CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY BEFORE BUYING OR USING THIS PRODUCT, read the entire Directions for Use and the following Conditions of Sale and Limitation of Warranty and Liability. By buying or using this product, the buyer or user accepts the following Conditions of Sale and Limitation of Warranty and Liability, which no employee or agent of LOVELAND PRODUCTS. INC. or the seller is authorized to vary in any way.

Follow the Directions for Use of this product carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Crop or other plant injury, ineffectiveness, or other unintended consequences may result from such risks as weather or crop conditions, mixture with other chemicals not specifically identified in this product's label, or use of this product contrary to the label instructions, all of which are beyond the control of LOVELAND PRODUCTS, INC. and the seller. The buyer or user of this product assumes all such inherent risks.

Subject to the foregoing inherent risks, LOVELAND PRODUCTS, INC. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use when the product is used in strict accordance with such Directions for Use under normal conditions of use. EXCEPT AS WARRANTED IN THIS LABEL, THIS PRODUCT IS SOLD AS IS TO THE EXTENT ALLOWED BY APPLICABLE LAW. LOVELAND PRODUCTS, INC. MAKES NO OTHER WARRANTY, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, OR ELIGIBILITY OF THIS PRODUCT FOR ANY PARTICULAR TRADE USAGE.

IN THE UNLIKELY EVENT THAT BUYER OR USER BELIEVES THAT LOVELAND PRODUCTS, INC. HAS BREACHED A WARRANTY CONTAINED IN THIS LABEL, BUYER OR USER MUST SEND, TO THE EXTENT REQUIRED BY APPLICABLE LAW, WRITTEN NOTICE OF SUCH CLAIM TO THE FOLLOWING ADDRESS: LOVELAND PRODUCTS, INC., ATTENTION: LAW DEPARTMENT, 7251 WEST 4TH STREET, GREELLY, CO 80634.

TO THE EXTENT ALLOWED BY APPLICABLE LAW, THE BUYER'S OR USER'S EXCLUSIVE REMEDY FOR ANY INJURY, LOSS, OR DAMAGE RESULTING FROM THE HANDLING OR USE OF THIS PRODUCT, INCLUDING BUT NOT LIMITED TO CLAIMS OF BREACH OF WARRANTY OR CONTRACT, NEGLIGENCE, STRICT LIABILITY, OR OTHER TORTS, SHALL BE LIMITED TO ONE OF THE FOLLOWING, AT THE ELECTION OF LOVELAND PRODUCTS, INC. OR THE SELLER: DIRECT DAMAGES NOT EXCEEDING THE PURCHASE PRICE OF THE PRODUCT OR REPLACEMENT OF THE PRODUCT, TO THE EXTENT ALLOWED BY APPLICABLE LAW, LOVELAND PRODUCTS, INC. AND THE SELLER SHALL NOT BE LIABLE TO THE BUYER OR USER OF THIS PRODUCT FOR ANY CONSEQUENTIAL, SPECIAL, OR INDIRECT DAMAGES, OR DAMAGES IN THE NATURE OF A PENALTY.

FORMULATED FOR

