



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. Chris Mason
Loveland Products, Inc.
P.O. Box 1286
Greeley, CO 80632-1286

MAR 8 2010


SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request Alternate Brand Name "Sanction Fungicide"
EPA Reg. No. 34704-1040
Application Dated January 20, 2010

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 01/20/10 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" received and will be placed in our records.

If you have any questions, please call 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

20410



United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☐ Amendment
☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 34704-1040	2. EPA Product Manager <i>M. Walker</i> Michael McDavit, BPPD	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) First Choice Foliar Supreme Fungicide, EPA Reg. No. 34704-1040	PM# 21	
5. Name and Address of Applicant (Include ZIP Code) Loveland Products, Inc. P.O. Box 1286 Greeley, Colorado 80632-1286 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

NOTIFICATION**MAR 8 - 2010****Explanation: Use additional page(s) if necessary. (For section I and Section II.)**

We are submitting this notification to update add an alternate brand name for First Choice Foliar Supreme Fungicide, EPA Reg. No. 34704-1039. The new alternate brand name will be Sanction Fungicide. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of 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 this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, 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."

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	
				<input type="checkbox"/> Plastic	
				<input type="checkbox"/> Glass	
				<input type="checkbox"/> Paper	
* Certification must be submitted				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled				<input type="checkbox"/> Other _____	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)			
Name Chris Mason		Title Registration Manager	
Telephone No. (Include Area Code) 970-534-3425			
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.			6. Data Application Received (Stamped)
2. Signature <i>Chris Mason</i>		3. Title Registration Manager	
4. Typed Name Chris Mason		5. Date January 20, 2010	

40410

Sanction™

NOTIFICATION

F U N G I C I D E

MAR 8 - 2010

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

READ ENTIRE CONTAINER LABEL BEFORE USING THIS PRODUCT

ACTIVE INGREDIENTS:

* Mono Potassium Phosphate	31.1%
** Sulfur	31.1%
OTHER INGREDIENTS:	37.8%
TOTAL	100.0%

* Contains 4.1 lbs mono potassium phosphate per gallon

** Contains 4.1 lbs sulfur per gallon

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.)

FIRST AID

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.
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 swallowed:	<ul style="list-style-type: none">• 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 A MEDICAL EMERGENCY INVOLVING THIS PRODUCT, CALL: 1-866-944-8565

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

EPA REG. NO. 34704-1040
EPA EST. NO. 34704-MS-001
NET CONTENTS 2½ GALS. (9.46 L)

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081909 V1D 01G10

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SANCTION™ FUNGICIDE
EPA REG. NO. 34704-1040

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 wash PPE separately from other laundry.

Engineering Controls Statements: When handlers use dosed 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:

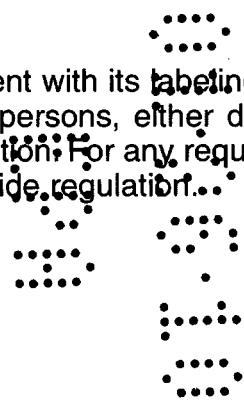
- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

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.



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SANCTION™ FUNGICIDE
EPA REG. NO. 34704-1040

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:

- Coveralls
- Chemical-resistant gloves made of any waterproof material
- Shoes plus socks
- Protective eyewear
- Chemical-resistant headgear for overhead exposure

GENERAL INSTRUCTIONS

General: Sanction™ Fungicide 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. Sanction Fungicide 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 Hi-Wett® or Widespread® Max is suggested. Powdery mildew control is best when applications of Sanction Fungicide are made within three days of a conidia spore release.

Mixing Directions: Fill the tank approximately 1/2 full with water before adding Sanction Fungicide. Agitate thoroughly while adding remaining water. Do not allow mixture to stand. Failure to maintain agitation will cause Sanction Fungicide to settle and may necessitate manual stirring to redisperse. When 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 Sanction Fungicide 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: Sanction Fungicide is compatible with most pesticides and can be 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 Sanction Fungicide to the spray solution can lower the pH of the finished spray solution.

SANCTION™ FUNGICIDE
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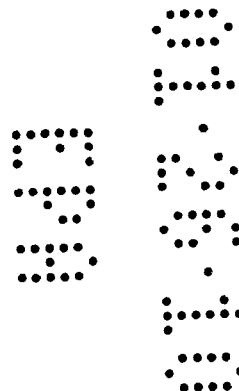
Adhere to pesticide manufacturer's recommendations regarding appropriate pH range.

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 Sanction Fungicide with oil or within 14 days of an oil application.
3. Do not Include Sanction Fungicide with copper sprays.
4. Do not mix with any spray materials that warn against low pH (<5.5) applications.
5. Sanction Fungicide is a contact fungicide. The use of a spreading agent such as Widespread Max or 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 Sanction Fungicide 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. 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.



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**SANCTION™ FUNGICIDE
EPA REG. NO. 34704-1040**

USE RATES (FOLIAR APPLICATION)¹

TREE AND VINE CROPS

CROP	RATE/ACRE	TIMING OF APPLICATIONS
Apples	3 to 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 to 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 to 6 pts	Start spraying in the spring when shoots are 1 to 2 inches (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 to 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 to 6 pts	Start spraying when disease is first observed. Repeat at 7 to 10 day intervals.
Dry Beans (including Kidney, Pinto and Lima)	3 to 6 pts	Apply at first flower. Apply 2 additional times during the main filling stage of pod development, 7 to 10 days apart. Do not use on sulfur sensitive varieties.
Carrots	3 to 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 to 6 pts	Apply 2 to 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 to 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.

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SANCTION™ FUNGICIDE
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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 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. If not recycled, then puncture and dispose of in a sanitary landfill, or incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

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. Turn the container over onto its other 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 recirculate 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 help with any spill, leak, fire or exposure involving this material, call day or night.

CHEMTREC – 1-800-424-9300.

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SANCTION™ FUNGICIDE
EPA REG. NO. 34704-1040

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 AND TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THIS PRODUCT IS SOLD "AS IS," AND 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 AND TO THE EXTENT REQUIRED BY APPLICABLE LAW, BUYER OR USER MUST SEND WRITTEN NOTICE OF ITS CLAIM TO THE FOLLOWING ADDRESS: LOVELAND PRODUCTS, INC., ATTENTION: LAW DEPARTMENT, P.O. BOX 1286, GREELEY, CO 80632-1286.

TO THE EXTENT CONSISTENT WITH 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 CONSISTENT WITH 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.

Hi-Wett® is a registered trademark of Elliott Chemicals, LTD.

Sanction™ is a trademark and Widespread® is a registered trademark of Loveland Products, Inc.

FORMULATED FOR



P.O. BOX 1286, GREELEY, COLORADO 80632-1286