

42519-33

4/9/2014

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

April 9, 2014

Luxembourg-Pamol, Inc.
C/o SciReg, Inc.
12733 Director's Loop
Woodbridge, VA 22192
Attn: Frederick T. Smith

Subject: Notification for revisions to the LBG-W label per PR Notice 98-10.

Product Brand Name: **LBG-W.**
EPA Reg. No: **42519-33**
Your submission dated April 3, 2014.

The changes include:

- Modifications to the referral statement.
- Deletion of specific container sizes.
- Correction of text in the Personal Protective Equipment and Compatibility sections.
- Use of directive text in the Chemigation section.
- Modifications to the container handling text.
- Revision of the warranty text.

Dear Mr. Smith:

The Biopesticides and Pollution Prevention Division is in receipt of your application for Notification under Pesticide Registration Notice (PRN) 98-10 dated above. A screen of this request has been conducted for its applicability under PRN 98-10, and it has been determined that the action requested falls within the scope of this Notice. Our records have been duly noted, and the label submitted with this application has been stamped "Notification Accepted" and will be placed accordingly in our records.

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Please read instructions on reverse before completing forms

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95

 United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 42519-33	2. EPA Product Manager L. Hollis,	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) LBG-W	PM# 91	
5. Name and Address of Applicant (Include ZIP Code) Luxembourg-Pamol, Inc. 3647 Willowbend Blvd., Suite 810 Houston, TX 77054 <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

Notification Accepted

<input type="checkbox"/> Amendment - Explain below. <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated <u>4/9/2014</u> <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other - Explain below.
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Date: 4/9/2014
Reviewer: Sylvester George

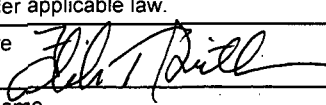
Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Revisions to referral statement, net contents, PPE, Compatibility, Chemigation, container handling instructions, adn warranty text. 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 <input type="checkbox"/> Other (Specify) _____	
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. Per Container	If "Yes" Package wgt	No. Per Container
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"/> On label. <input type="checkbox"/> On label accompanying product.	
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 Frederick T. Smith	Title Agent (SciReg, Inc.)	Telephone No. (Include Area Code) 703/494-6500
Certification I certify that the statements which 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. Date Application Received (Stamped) <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> Received (Stamped) </div>
2. Signature 	3. Title Agent (SciReg, Inc.)	
4. Typed Name Frederick T. Smith	5. Date 4/3/14	

SciReg, Inc.
Science and Regulatory Consultants

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April 3, 2014

Ms. Linda Hollis
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

Re: LBG-W (EPA Reg. No. 42519-33)
- Notification consistent with PR Notice 98-10

Dear Ms. Hollis:

On behalf of Luxembourg-Pamol, Inc., SciReg, Inc. is submitting a notification consistent with PR Notice 98-10 for revisions to the LBG-W label. The changes include:

- Modifications to the referral statement
- Deletion of specific container sizes
- Correction of text in the Personal Protective Equipment and Compatibility sections
- Use of directive text in the Chemigation section
- Modifications to the container handling text, and
- Revision of the warranty text

Redline and clean labels are provided herein.

Should you have any questions, please contact me.

Sincerely,



Frederick T. Smith
Senior Regulatory Specialist

Enclosures

Redlined Copy

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(Front Panel)

LBG-W

A systemic fungicide for the control of downy mildew, damping off, late blight, root rot, and suppression of bacterial blight in the transplant production of bedding plants, ornamentals and vegetables grown in greenhouses, production houses and nurseries

ACTIVE INGREDIENT:
 Potassium Phosphite* 54.50%
OTHER INGREDIENTS: 45.50%
TOTAL: 100.00%
 *Phosphorous acid equivalent: 34.30% (4.2 lbs/gal).

Notification Accepted

Date: 4/9/2014
Reviewer: *Sydney George*

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

FIRST AID	
If swallowed	<ul style="list-style-type: none"> • Call 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 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 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.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-424-9300 for emergency medical information.	
See <u>inside panel booklet</u> for additional precautionary <u>Precautionary statements</u> and for Directions For Use.	

EPA Reg. No.: 42519-33
EPA Est. No.: 42519-ISR-002
Batch No. XXXX-XX

Net Contents: 1, 2.5, 250 gallons

Manufactured for:
LUXEMBOURG – PAMOL, INC.
3647 Willowbend Blvd., Suite 810
Houston, Texas 77054, U.S.A.
Customer Service (713) 661-8800

FOR CHEMICAL SPILL, LEAK,
FIRE OR EXPOSURE CALL
TOLL FREE: 1-800-424-9300

AGRICULTURAL CHEMICAL
DO NOT SHIP OR STORE WITH FOODS,
FEEDS, DRUGS OR CLOTHING

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(Back Panel)

PRECAUTIONARY STATEMENTS

Hazard to Humans and Domestic Animals:

CAUTION. Harmful if swallowed or if absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

PERSONAL PROTECTIVE EQUIPMENT (PPE):

Applicators and other handlers must wear:

- long-sleeved shirt and long pants
- waterproof gloves
- 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 wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. 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.

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 highwater mark. 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 labeling. For any requirements specific to your State or Tribe, consult the State or tribal agency responsible for pesticide regulation. 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.

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 intervals (REI). 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 of 4 hours unless wearing appropriate PPE.

PPE requirement 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

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- waterproof gloves
- shoes plus socks

Chemigation:

General Chemigation Information

1. Apply this product only through drip (trickle), microjet, center pivot, solid set, hand move, or moving wheel irrigation system that does not contain aluminum components. Do not apply this product through any other type of irrigation system.
2. Crop injury, lack of effectiveness, or illegal pesticide residues in the crop can result from non-uniform distribution of treated water.
3. If you have questions about calibration, you should contact State Extension Service specialists, equipment manufacturers or other experts.
4. Do not connect an irrigation system (including greenhouse systems) used for pesticide application to a public water system unless the pesticide label-prescribed safety devices for public water systems are in place.
5. A person knowledgeable of the chemigation system and responsible for its operation or under the supervision of the responsible person, shall shut the system down and make necessary adjustments should the need arise.
6. Equip ~~The pesticide supply tank should be equipped with a means for continuous agitation either recirculation or mechanical agitator. Fill the supply tank with half the appropriate amount of water and add the LBG-W slowly followed by any other products that are compatible and labeled for chemigation. Add the remaining amount of water. Observe all cautions and limitations on the label of all products used in the mixtures. For fixed position irrigation systems such as center pivot etc., apply the pesticide should be applied toward the end of the irrigation cycle. Exact timing will depend upon the desired LBG-W application rate and the calibration of the system. For moving systems, apply the LBG-W continuously. In all cases, maintain thorough coverage of the crop.~~

For Chemigation Systems Connected to Public Water Systems:

1. Public water system means a system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year.
2. Chemigation systems connected to public water systems must contain a functional, reduced-pressure zone (RPZ), back flow preventer, or the functional equivalent in the water supply line upstream from the point of pesticide introduction. As an option to the reduced-pressure zone, discharge ~~the water from the public water system should be discharged into a reservoir tank prior to pesticide introduction. There shall be a complete physical break (air gap) between the flow outlet end of the fill pipe and the top or overflow rim of the reservoir tank of at least twice the inside diameter of the fill pipe.~~
3. The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the flow of fluid back toward the injection water source.
4. The pesticide injection pipeline must contain a functional, normally closed, solenoid-operated valve located on the intake side of the injection pump and connected to the interlock to prevent fluid from being withdrawn from the supply tank when the system is either automatically or manually shut down.
5. The system must contain functional interlocking controls to automatically stop pesticide injection pump when the water pump motor stops, or in cases where

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water pump, when the water pressure decreases to the point where pesticide distribution is adversely affected.

6. Systems must use a metering pump, such as a positive displacement injection pump (e.g., diaphragm pump) effectively designed and constructed of materials that are compatible with pesticides and capable of being fitted with a system interlock.

7. Do not apply when wind speed favors drift beyond the area intended for treatment.

For Drip (Trickle) Chemigation and Sprinkler Chemigation Systems:

1. The system must contain a functional check valve, vacuum relief valve, and low pressure drain appropriately located on the irrigation pipeline to prevent water source contamination from back flow.

2. The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the flow of fluid back toward the injection pump.

3. The pesticide injection pipeline must also contain a functional, normally dosed, solenoid-operated valve located on the intake side of the injection pump and connected to the system interlock to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down.

4. The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops.

5. The irrigation line or water pump must include a functional pressure switch which will stop the water pump motor when the water pressure decreases to the point where pesticide distribution is adversely affected.

6. Systems must use a metering pump, such as a positive displacement injection pump (e.g., diaphragm pump) effectively designed and constructed of materials that are compatible with pesticides and capable of being fitted with a system interlock.

7. Do not apply when wind speed favors drift beyond the area intended for treatment.

General Information:

LBG-W is a systemic product, which contains phosphorous acid. Phosphorous acid is effective in prevention and control of diseases by activation of the plants' natural resistance mechanism, as well as by direct activity on the fungus. LBG-W is intended for use as part of an Integrated Pest Management (IPM) system. When used in conjunction with good cultural management practices and as part of a complete disease control program, LBG-W will control downy mildew, damping off, root rot and late blight, and suppression of bacterial blight in the transplant production of bedding plants, ornamentals and vegetables grown in greenhouses, production houses and nurseries. In order to achieve maximum results in controlling the disease, spraying should be carried out before the appearance of the disease or when disease is first observed. Applications should be initiated when environmental conditions are favorable for disease development. The preharvest interval is 0 days for this product.

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Mixing and Application Instructions:

Apply in sufficient water to ensure thorough coverage. Fill spray tank halfway with clean water. Add the required amount of LBG-W to the tank as indicated in the table below. While agitating, add the remaining amount of water. Apply solution directly to foliage, unless directed otherwise in the application rate table. For optimum control, thorough coverage is required. Avoid mixing LBG-W with products that are either strongly acidic (pH < 5.5) or strongly alkaline (pH > 7.8).

Compatibility:

LBG-W is believed to be compatible with most commonly used pesticides. Consult specific product labels for additional information. ~~It is always advisable to e~~Conduct a tank spray compatibility test when you plan to mix this product with other products. To determine the physical compatibility of this product with other products, use a jar test. Using a quart jar, add the proportionate amounts of the products to approximately one quart of water with agitation. Add dry formulations first, then flowables, and then emulsifiable concentrates last. After thorough mixing, allow this mixture to stand for 5 minutes. If the combination remains mixed or can be readily remixed, it is physically compatible. Once compatibility has been proven, use the same procedure for adding products to the spray tank.

LBG-W and LBG-W tank-mix combinations have been evaluated for phytotoxicity on a large variety of crops under normal greenhouse and nursery conditions. However, testing all plant species in all mixtures and combinations is not feasible. Test a small portion of the area to be treated for phytotoxicity, before treating the entire area.

Important:

Do not apply on plants when they are under water stress, or during severe weather conditions such as ~~periods of very high or very low temperatures~~. Begin spraying when environmental conditions are favorable for the development of disease or as indicated below.

Application Instructions:

Do not apply more than the following application rates. Unless specified, there is no limit to the number of applications. When applying LBG-W, be sure the spray solution has a **pH between 5.5 and 7.8** to limit the possibility of phytotoxicity to the crop, and that it is applied in sufficient water (**> 30 gal/acre** for ground applications to small fruits and vegetables).

CROP	DISEASE	RATE/100 gal.	REMARKS
Brassica vegetables, such as, broccoli, cabbage, cauliflower, kale, mustard greens	Pythium	0.75-1.5 pints	Drench*
	Downy mildew	4 pints	Make preventative sprays on a 7 day interval.
Bulb vegetables, such as, garlic, onion, shallot	Pythium	0.75-1.5 pints	Drench*
	Downy mildew	4 pints	Make preventative sprays on a 7 day interval.
Citrus seedlings Note: Do not apply before or after a severe pruning.	Phytophthora root rot	2 gallons	Drench using ½ pint per square foot of bench every 2 months. Do not combine with other products.
Conifers	Pythium, or Phytophthora	4 pints	Pre-plant dip. Thoroughly wet the root mass and plant. Thereafter, spray to run-off every 4-6 weeks.
Cucurbits, such as cucumber, melon, squash, pumpkin	Pythium	0.75-1.5 pints	Drench*
	Downy mildew	4 pints	Make preventative sprays on a 7 day interval, in combination with protectant (maneb or mancozeb).
Fruiting vegetables, such as, eggplant, tomato, pepper	Pythium	0.75-1.5 pints	Drench*
	Late blight, or Bacterial blight <i>Xanthomonas</i> spp.	4 pints	Make preventative sprays on a 7 day interval, in combination with maneb or mancozeb. Suppression when used in conjunction with Kocide® 3000 + mancozeb.
Herbs and Spices	Pythium	0.75- 1.5 pints	Drench*
	Downy mildew	4 pints	Make preventative sprays on a 7 day interval. Due to the numerous kinds of herbs and spices, it is recommended that a phytotoxicity trial be initiated on a limited area of the crop, first.

CROP	DISEASE	RATE/100 gal.	REMARKS
Leafy vegetables , such as, lettuce, spinach	Pythium	0.75-1.5 pints	Drench*
	Downy mildew	4 pints	Make a preventative spray at the 2-leaf stage, repeat on a 7 day interval. The performance can be improved with the addition of maneb.
Strawberry.	Pythium, Phytophthora leather rot, or Red steele	4 pints	Pre-plant dip followed by foliar applications on a 14-28 day schedule.
Ornamentals Foliage plants Woody plants, Roses	Pythium, or Phytophthora	2-4 pints	Spray to thoroughly wet, using no more than 400 gallons per acre. Do not exceed one application every 30 days.
	Downy mildew	4 pints	Make preventative sprays on a 7 day interval. Activity can be improved with the addition of a protectant (maneb or mancozeb).
	Bacterial blight <i>Xanthomonas</i> spp.	4 pints	Preventative sprays on a 7 day schedule will provide suppression of these bacterial diseases.
Bedding plants	Pythium	0.65 –1.25 pints	Drench*

*Drench 3/4 pint of spray solution per square foot of bench for media up to 3 inches in depth.

Use the higher rate when conditions favor disease development and/or with increased disease pressure.

Begin spraying when environmental conditions are favorable for the development of disease. Do not apply LBG-W with liquid fertilizers in the spray solution.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in a dry, cool place.

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/Handling {1 or 2.5 gallon}: Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying.

Container sizes of 5 gallons or less: Triple rinse as follows: Empty the remaining contents into the 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 or dispose of in a sanitary landfill, or by incineration. Do not burn unless allowed by state and local ordinances.

Container Disposal {250 gallons} Container sizes of greater than 5 gallons: Nonrefillable container. Do not reuse or refill this container. Triple rinse (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into the 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.

~~Then offer for recycling, if available, or puncture or dispose of in a sanitary landfill, or by incineration. Do not burn unless allowed by state and local ordinances.~~ 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 Limitations and Disclaimer

To the extent consistent with applicable law, Luxembourg warrants that at the time of delivery, the product will conform to its chemical description on the label, that it will pass without objection in the trade under the contract description, that seller will convey good title thereto, and that such product will be delivered free from any lawful security interest, lien or encumbrance.

This is the only warranty made on this product. Luxembourg EXPRESSLY DISCLAIMS ANY IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE AND, EXCEPT AS SET FORTH IN THE ABOVE PARAGRAPH, ANY OTHER EXPRESS OR IMPLIED WARRANTIES. To the extent consistent with applicable law, Buyer assumes all risk of use of this material when such use is contrary to label instructions. Read and follow the label directions carefully.

Kocide® is a registered trademark of E.I. DuPont de Nemours and Co., Inc.