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

OCT #1 2009



# United States Environmental Protection Office of Pesticide Programs Adency

GB Biosciences Corporation P.O. Box 18300 Greensboro, N. C. 27419

Attention: Pat Dinnen

Subject: Tufficide 404 MUP

EPA Registration No. 50534-228 Amendment Dated August 31, 2009

This will acknowledge receipt of your notification of a label change per PR Notice 2007-4, submitted under the provisions of FIFRA Section 3(c)(9). Based on a review of the submitted material, the following comments apply.

The Notification is in compliance with PR Notice 98-10 and is acceptable. This information has been added to your file.

If you have any questions concerning this letter, please contact Demson Fuller at (703) 308-6217.

Sincerely

Marshall Swindell Product Manager 33

Regulatory Management Branch 1

Antimicrobials Division (7510P)

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		Uni	tates			Registi	1	OPP Identifier Number	
<b>\$EPA</b>	En	vironmental F	Protect	tion Agency		Amendmen	t	Notification	
		Washingto	on, DC 20	9460	×	Other		Notification	
	<del> </del>	Appl	licatio	n for Pesticide -	Sect	ion I			
1. Company/Product Number 50534-228				EPA Product Manager     Tony Kish					
4. Company/Product (Name) Tuffcide 404 MUP				PM# 2					
<ol> <li>Name and Address of Applicant (Include ZIP Code)         GB Biosciences Corporation         P. O. Box 18300</li> </ol>				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.					
Greensboro, NC 27419-8300				Product Name					
Check if this is a new address									
				Section - II					
Amendment - Explain below.  Resubmission in response to Agency letter dated					Final printed labels in response to Agency letter dated "Me Too" Application.				
X Notification - Explain below.					Other	- Explain below.			
Explanation: Use a	additional	page(s) if necessar	ry. (For	Section I and Section I	l.).		<del></del>		
CFR §§156.10, 156 enforcement action	.140, 156 and penal poration	1.144, 156.146, and lties under sections	156.156, 12 and 1	this product may be in	ı violat	ion of FIFRA	and I may	•	
				Section – III					
1. Material This Pro Child-Resistant Packa Yes* No *Certification must		Be Packaged In: Unit Packaging Yes X No	No. per	Water Soluble Pa	ockaging No. r		Gla		
be submitted	٠	Unit Packaging wgt.	•	1		- 1 ⊢		ner (Specify)	
3. Location of Net Contents Information 4. Si  X Label Container			i	<del> </del>			On Label	Directions ag accompanying product	
6. Manner in Which	Lithograph Paper glued Stenciled	lued							
		, , , , ,	11. 1184	Section – IV	1	***************************************		9 0 0 0 0	
Name	omplete ite	ems directly below for	identificat	ion of individual to be con Title	tacted,		Telephone	No. (Include Area Code)	
	at any kno			Label Group Leader cation Il attachments thereto are ment may be punishable				6. Date Application	
2. Signature Pat dinner			· ·	3. Title Regulatory Specialist				, 3338 , 3300 , 330	
4. Typed Name Pat Dinnen				5. Date August 31, 2009				ັ້ນ ນານ ນ	

#### Tuffcide® 404 MUP

# **Manufacturing Use Product**

Active Ingredient:	
Chlorothalonil (tetrachloroisophthalonitrile)	40.4%
Other Ingredients:	59.6%
Total:	100.0%

This product contains 4.17 lbs. of chlorothalonil per gallon.

## KEEP OUT OF REACH OF CHILDREN.

#### **CAUTION**

See additional precautionary statements and directions for use inside booklet.

EPA Reg. No. 50534-228

EPA Est. 50534-TX-001

SCP 50534-228A-L1 1007

Product of Japan Formulated in the U.S.

**Net Contents** 

FIRST AID				
If in eyes	<ul> <li>Hold eye open and rinse slowly and gently with water for 15-20 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>			
If swallowed	<ul> <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 by the poison control center or doctor.</li> <li>Do not give anything by mouth to an unconscious person.</li> </ul>			
If on skin or clothing	<ul> <li>Take off contaminated clothing.</li> <li>Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>			
If inhaled	<ul> <li>Move person to fresh air.</li> <li>If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.</li> <li>Call a poison control center or doctor for further treatment advice.</li> </ul>			

#### **NOTE TO PHYSICIAN**

This product may produce temporary irritation and side effects characterized by redness of the eyes, mild bronchial irritation and redness or rash on exposed skin areas. Persons having these reactions or an allergic reaction respond to treatment with antihistamines or steroid creams and/or systemic steroids.

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

#### **HOT LINE NUMBER**

For 24 Hour Medical Emergency Assistance (Human or Animal) or Chemical Emergency Assistance (Spill, Leak, Fire, or Accident)

1-800-888-8372

#### PRECAUTIONARY STATEMENTS

#### **Hazards to Humans and Domestic Animals**

#### **CAUTION**

Harmful if inhaled. Harmful if swallowed or absorbed through the skin. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Avoid breathing spray mist. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals.

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**Note to User:** Exposure to formulations containing chlorothalonil may produce temporary irritation and side effects characterized by redness of the eyes, mild bronchial irritation and redness or rash on exposed skin. Persons having these reactions or allergic symptoms should contact a physician.

Follow manufacturer's instructions for cleaning/maintaining Personal Protective Equipment (PPE). If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

# User Safety Recommendations User's 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.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

#### **Environmental Hazards**

This pesticide is toxic to fish and wildlife. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the Environmental Protection Agency.

**Wildlife:** This pesticide is toxic to aquatic invertebrates and wildlife. Do not contaminate water when disposing of equipment washwater or rinsate.

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#### CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

**NOTICE:** Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product must be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather, presence of other materials or other influencing factors in the use of the product, which are beyond the control of GB Biosciences or Seller. To the extent permitted by applicable law, Buyer and User agree to hold GB Biosciences and Seller harmless for any claims relating to such factors.

GB Biosciences 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, subject to the inherent risks referred to above, when used in accordance with directions under normal use conditions. To the extent permitted by applicable law: (1) this warranty does not extend to the use of the product contrary to label instructions or under conditions not reasonably foreseeable to or beyond the control of Seller or GB Biosciences, and, (2) Buyer and User assume the risk of any such use. TO THE EXTENT PERMITTED BY APPLICABLE LAW, GB BIOSCIENCES MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS WARRANTED BY THIS LABEL.

To the extent permitted by applicable law, in no event shall GB Biosciences be liable for any incidental, consequential or special damages resulting from the use or handling of this product. TO THE EXTENT PERMITTED BY APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF GB BIOSCIENCES AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF GB BIOSCIENCES OR SELLER, THE REPLACEMENT OF THE PRODUCT.

GB Biosciences and Seller offer this product, and Buyer and User accept it, subject to the foregoing Conditions of Sale and Limitation of Warranty and Liability, which may not be modified except by written agreement signed by a duly authorized representative of GB Biosciences.

### **DIRECTIONS FOR USE**

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

Formulators using this product are responsible for obtaining EPA registration for their formulated product which may be labeled for the use patterns as listed on this label.

This product is intended for formulation and repacking into a fungicide/mildewicide for the following uses:

Additive for water- and solvent-based paints, stains, and coatings, adhesives, caulks, sealants, grouts, joint compounds, composite wood products, wood preservative stains, and wood treatment fungicides for control of mold and decay in lumber and timber.

This product must not be formulated into a mildewicidal paint additive product for direct sale and use by retail consumers, e.g., in a 'pillow pack' or other small volume or one-use package.

This product must not be used to formulate products for use as in-container preservatives.

This product may only be formulated into mildewcidal paint additive products that are labeled as follows: This product may only be added to paint products that are labeled A) with product-specific instruction for the use of a respirator during application, or B) as follows "When applying with a sprayer, wear a dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C), or a NIOSH approved respirator with any R, P, or HE filter. If oil is not present in the paint product or recommended for use as an additive in the paint product add "N" as an additional respirator type."

This product may be used to formulate product for any additional use(s) not listed on the MP label if the formulator, user group, or grower has complied with the U.S. EPA submission requirements regarding support of such use(s).

This product may be used for experimental purposes that are in compliance with U.S. EPA requirements.

#### STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited.



### **Pesticide Storage**

Store in a cool place. Protect from excessive heat.

### **Pesticide Disposal**

Pesticide wastes are toxic. Improper disposal of excess pesticide, pesticide formulation 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 Handling**

Refillable container. Refill this container with pesticide only. Do not use 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 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. Then offer for recycling if available 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.

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For non-emergency (e.g., current product information) call Syngenta Crop Protection at 1-800-334-9481.

Manufactured for:
GB Biosciences Corporation
410 Swing Road
P.O. Box 18300
Greensboro, North Carolina 27419-8300

SCP 50534-228A-L1 1007

TUF 404 MUP 50534-228A-L1 1007 - bb - 11-26-07 (pd 08/25/09 accept COO change), 11-25-07 (pd 08/25/09 accept COO c