

55146-101

03-18-2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Nathan P. Ehresman
Product Registration Manager
Nufarm Americas, Inc.
150 Harvester Drive, Suite 200
Burr Ridge, IL 60527

MAR 18 2010

Subject: Sativa™ 309 FS Fungicide
EPA Reg. No. 55146-101
Your amendment dated September 16, 2009
EPA Decision Number 421599

Dear Mr. Ehresman:

The revised amended label referred to above, submitted January 12, 2010 in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act as amended is acceptable provided the following changes made:

1. Move the FIRST AID block to above the PRECAUTIONARY STATEMENTS.
2. On pages 4 and 5 correct the word spacing in the second through fourth lines of the APPLICATION DIRECTIONS. [3 occurrences]
3. On pages 4 and 5 delete "fluid ounce per 100 pounds of seed" from the RATE column for Wheat/Triticale and Barley/Oats.

One copy of the label stamped "Accepted with comments" is enclosed for your records. This label supersedes all labels previously accepted for this product. Please submit one copy of the final printed label that incorporates the required changes before the product is released for shipment.

If you have any questions, please contact Robert Westin by phone at (703) 305-5721 or via email at westin.robert@epa.gov.

Sincerely,

A handwritten signature in black ink that reads "Mary L. Waller".

Mary L. Waller
Product Manager (21)
Fungicide Branch
Registration Division (7505P)

Enclosure

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SATIVA™ 309 FS

Fungicide

ACCEPTED
with COMMENTS
in EPA Letter Dated
MAR 18 2010

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.

FOR USE ONLY BY COMMERCIAL SEED TREATERS
FOR CONTROL OF SPECIFIED DISEASES ON CORN, WHEAT, BARLEY, TRITICALE
AND OATS

55146-101

ACTIVE INGREDIENT:

Tebuconazole: Alpha-[2-(4-Chlorophenyl)ethyl]-alpha-(1, 1-dimethylethyl)-1 H-1, 2,4-triazole-1-ethanol 28.3%

OTHER INGREDIENTS: 71.7%

TOTAL: 100.0%

Contains 2.6 pounds tebuconazole per gallon.

STOP — READ THE LABEL BEFORE USE

KEEP OUT OF REACH OF CHILDREN
CAUTION
SEE INSIDE BOOKLET FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300
For Medical Emergencies Only, Call (877) 325-1840

EPA REG. NO. 55146-101

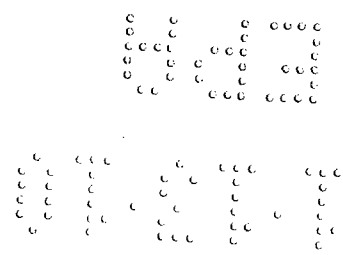
EPA EST. NO. 37429-GA-2

Manufactured For
NUFARM AMERICAS INC
AGT DIVISION
150 Harvester Drive



NET CONTENTS

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**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION**

Harmful if swallowed, absorbed through skin or inhaled. Avoid contact with skin, eyes or clothing. Avoid breathing vapor or spray mist. Wear long sleeved shirt, long pants or coveralls, shoes and socks, and chemical-resistant gloves made of waterproof material. 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.

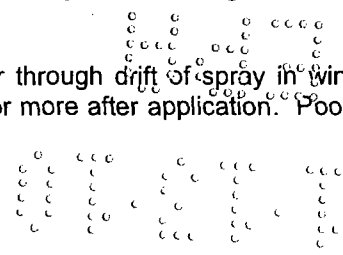
FIRST AID	
IF ON SKIN OR CLOTHING	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 to 20 minutes. • Call a poison control center or doctor for treatment advice.
IF IN EYES	<ul style="list-style-type: none"> • Hold eye open and rinse 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	<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 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.
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 1-877-325-1840 for emergency medical treatment	

ENVIRONMENTAL HAZARDS

This pesticide is toxic to mammals, fish and aquatic invertebrates. 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 EPA.

Groundwater Advisory: Tebuconazole is known to leach through soil into groundwater under certain conditions as a result of label use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

Surface Water Advisory: This product may contaminate water through drift of spray in wind. This product has a high potential for runoff for several months or more after application. Poorly



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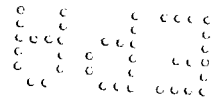
draining soils and soils with shallow water tables are more prone to runoff that contains this product. A level, well maintained vegetative buffer strip between areas to which this product is applied and surface water features such as ponds, streams, and springs will reduce the potential for contamination of water from rainfall-runoff. Runoff of this product will be reduced by avoiding applications when rainfall is forecasted within 48 hours.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Not for use on agricultural establishments in hopper-box, planter-box, slurry-box or other seed treatment applications at or immediately before planting.

For use by commercial seed treaters only.

IMPORTANT: Read these entire Directions and Warranty before using this product

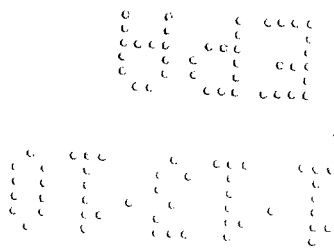


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SEED TREATMENT

This product controls or suppresses certain designated seed and soilborne diseases of corn, wheat, barley, triticale, and oats.

CROP	DISEASE	RATE Fl. oz./100 lbs. of Seed	APPLICATION DIRECTIONS
Corn Field corn, Field corn grown for seed, popcorn, sweet corn	Soilborne and Seedborne <i>Fusarium</i>	0.075-0.1	Apply this product as a water-based slurry through standard slurry or mist-type commercial seed treatment equipment. Uniform application of seed is necessary to ensure seed safety and best disease protection. Seed must be sound and well cured before treatment. Dilute product with sufficient water to ensure seed is completely covered. Add dye** to the resulting slurry. Consult a seed treatment specialist regarding slurry rates specified for the crop to be treated. The length of control will vary depending on the rate used.
	Soilborne and Seedborne Head Smut (<i>Sphacelotheca reiliana</i>)	0.37-0.74	
Wheat Triticale	Stinking Smut, Flag Smut, Loose Smut, Early Season <i>Septoria</i> Disease Complex, Early Season <i>Rhizoctonia</i> Root Rot, Early Season Common Root Rot, Early Season <i>Fusarium</i> Foot Rot, Early Season Suppression of Powdery Mildew, Early Season Suppression of Wheat Leaf Rust	0.08 to 0.10 fluid ounce per 100 pounds of seed	Apply this product as a water-based slurry through standard slurry or mist-type commercial seed treatment equipment. Prepare a slurry by mixing the specified dosage in 9 to 20 fluid ounces of water per 100 pounds of seed. Add dye** to the resulting slurry. Mix the slurry thoroughly with the seeds to provide uniform coverage.



SEED TREATMENT (Continued)

This product controls or suppresses certain designated seed and soilborne diseases of corn, wheat, barley, triticale, and oats.

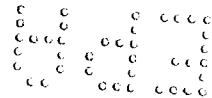
CROP	DISEASE	RATE Fl. oz./100 lbs. of Seed	APPLICATION DIRECTIONS
Barley	Covered Smut, Loose Smut, Barley Stripe (suppression), Early Season <i>Rhizoctonia</i> Root Rot, Early Season Common Root Rot, Early Season <i>Fusarium</i> Foot Rot, Early Season Suppression of Powdery Mildew, Early Season Suppression of Barley Leaf Rust	0.08 to 0.10 fluid ounce per 100 pounds of seed	Apply this product as a water-based slurry through standard slurry or mist-type commercial seed treatment equipment. Prepare a slurry by mixing the specified dosage in 9 to 20 fluid ounces of water per 100 pounds of seed. Add dye** to the resulting slurry. Mix the slurry thoroughly with the seeds to provide uniform coverage.
Oats	Loose Smut, Pythium Damping-off, Early Season <i>Rhizoctonia</i> Root Rot, Early Season Common Root Rot, Early Season <i>Fusarium</i> Foot Rot, Early Season Suppression of Powdery Mildew, Early Season Suppression of Crown Rust		

**21 CFR Chapter I, Section 2.25 requires grain seed treated with poisonous substances in excess of recognized tolerances be suitably colored with an EPA approved dye, such as one of the dyes listed in 40 CFR Section 180.910 and 180.920, to prevent their subsequent inadvertent use as a food for man or feed for animals.

SEED LABELING REQUIREMENTS

To meet U.S. Federal Seed Act requirements, all seed treated with Sativa™ 309 FS Fungicide must be labeled:

"Treated with Tebuconazole, alpha-[2-(4-chlorophenyl)ethyl]-alpha-(1,1-dimethylethyl)-1 H-1,2,4-triazole-1-ethanol. Do not use treated seed for feed, food or oil purposes. Barley, wheat and oat green forage may be grazed or harvested for hay 31 days after seeding."



STORAGE AND DISPOSAL

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

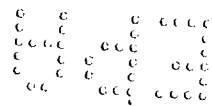
PESTICIDE STORAGE: Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Store in original container and out of the reach of children, preferably in a locked storage area.

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 or refill this container. Triple rinse (or equivalent) promptly after emptying. 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 1/4 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 or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

Refillable Container: Refill this container with pesticide only. Do not reuse this container for any other purpose. Close all openings and replace all caps. Contact Nufarm's Customer Service Department at 1-800-345-3330 to arrange for return of the empty refillable container.



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WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF THE MANUFACTURER OR SELLER AND TO THE EXTENT CONSISTENT WITH APPLICABLE LAW ARE ASSUMED BY THE BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

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TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, MANUFACTURER OR SELLER SHALL NOT BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR ARISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

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