

55146-113

0311812009

1/7



U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Registration Division (7505C)
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

EPA Reg. Number:

55146-113

Date of Issuance:

MAR 18 2009

NOTICE OF PESTICIDE:

Registration
 Reregistration
(under FIFRA, as amended)

Term of Issuance:

Conditional

Name of Pesticide Product:

Sativa™ IM MAX

Name and Address of Registrant (include ZIP Code):

Nufarm Americas, Inc. AGT Division
150 Harvester Drive, Suite 200
Burr Ridge, IL 60527

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA section 3(c)(7)(A) provided that you:

1. Submit and/or cite all data required for registration/reregistration/registration review of your product when the Agency requires all registrants of similar products to submit such data.
2. The data requirements for storage stability and corrosion characteristics (Guidelines 830.6317 and 830.6320) are not satisfied. A one year study is required to satisfy these data requirements. You have 18 months from the date of registration to provide these data.

Continued on page 2

Signature of Approving Official:

 For

Venus Eagle, Product Manager
Insecticide-Rodenticide Branch, Registration Division (7505P)

Date:

MAR 18 2009

3. Make the following label changes before you release the product for shipment:
 - a. Revise the EPA Reg. No. so it reads, "EPA Reg. No. **55146-113.**"
 - b. On page 4, under the Seed Labeling section, add the following text before the first paragraph so it reads, "The Federal Seed Act requires that bags containing treated seed be labeled with the following information: "This seed has been treated with Sativa IM Max (imidacloprid, metalaxyl, tebuconazole) seed treatment. Do not use treated seed for feed, food, or oil purposes. Store away from feeds and foodstuffs." (*You may delete the third paragraph*).
 - c. On page 4, under the Seed Labeling section, modify the first statement so it reads, "Labels for commercially treated seed **must** include the following..."
4. For future submissions, make the following changes to your Confidential Statement of Formulation (EPA Form 8570-4):
 - a. Box 4: Revise the EPA Reg. No. so it reads, "EPA Reg. No. **55146-113.**"

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records. If you have any questions, please contact Julie Chao at 703-308-8735 or chao.julie@epa.gov.

Venus Eagle, Product Manager
 Insecticide-Rodenticide Branch
 Registration Division (7505P)

Enclosure

3/7

SATIVA™ IM MAX

Seed Treatment

EARLY SEASON PROTECTION OF SEEDLINGS AGAINST INSECT
INJURY AND SOILBORNE DISEASES FOR BARLEY AND WHEAT.

ACTIVE INGREDIENT:

Imidacloprid: 1-[(6-Chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine	11.374%
Metalaxyl: N-(2,6-dimethylphenyl)-N-(methoxyacetyl)alanine methyl ester	0.607%
Tebuconazole: Alpha-[2-(4-chlorophenyl)ethyl]-alpha-(1,1-dimethyl-ethyl)-1H-1,2,4-triazole-1-ethanol	0.455%

OTHER INGREDIENTS:	<u>87.564%</u>
TOTAL:	100.000%

Contains:

- 1.00 pound Imidacloprid per gallon (120.0 grams per liter).
- 0.05 pound Metalaxyl per gallon (6.4 grams per liter).
- 0.04 pound Tebuconazole per gallon (4.8 grams per liter).

KEEP OUT OF REACH OF CHILDREN

CAUTION / PRECAUCIÓN

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand the label, find someone to explain it to you in detail.)

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-RRG
EPA EST. NO.

Manufactured For
NUFARM AMERICAS INC.
AGT DIVISION
150 Harvester Drive
Burr Ridge, IL 60527



Net Contnets: Gal. (L)

055146-00RRG.20090317.EPA.Revised per EPAv2
NUP-08030

ACCEPTED
With COMMENTS
In EPA Letter Dated:
MAR 18 2009

Under the Federal Insecticide, Fungicide
and Rodenticide Act, As amended, for the
pesticide Registered under EPA Reg. No:

55146-113

[INFORMATION FROM THIS POINT ON CONTAINED IN THE BOOKLET]

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

Harmful if swallowed. Avoid contact with eyes, skin or clothing. Avoid breathing vapor or spray mist.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

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 selection chart.

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants,
- Shoes plus socks,
- Chemical-resistant gloves (such as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, polyvinyl chloride (PVC), Viton).

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:	
<ul style="list-style-type: none"> • Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. • Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. • 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. 	

FIRST AID	
IF SWALLOWED	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Do not induce vomiting unless told to do so by the poison control center or doctor. • Do not give any liquid to the person. • 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 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 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 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.
HOT LINE NUMBER	
<p>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 information.</p>	

ENVIRONMENTAL HAZARDS

This pesticide is highly toxic to birds and aquatic invertebrates. For terrestrial uses, 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 washwaters. Exposed treated seeds may be hazardous to birds. Cover or incorporate spilled treated seeds.

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

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.

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. 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.

Exception: If the seed is treated with the product and the treated seed is soil-injected or soil-incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated.

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 made of any waterproof material, shoes plus socks and protective eyewear.

ROTATIONAL CROPS

Treated areas may be replanted with any crop specified on an imidacloprid label, or any crop for which a tolerance exists for the active ingredient, as soon as practical following the last application. The following plant-back intervals must be observed for listed crops:

ROTATIONAL PLANT-BACK INTERVALS*				
IMMEDIATE PLANT-BACK				30-DAY PLANT-BACK
Artichoke	Cucurbits	Pepinos	Strawberry	Cereals, including: buckwheat millet rice
Barley	Eggplant	Pepper	Sugarbeet	
Borage	Flax	(including bell, chili, cooking, pimento and sweet)	Sunflower	
Brassica (cole) leafy vegetable	Ground cherry		Tomatillo	
Canola	Leaf petiole vegetable		Tomato	
Cilantro	Leafy vegetable	Popcorn	Triticale	
Corn, Field	Legume vegetable	Potato	Turnip Greens	
Corn, Sweet	(succulent or dried, except soybean)	Rapeseed	Veg. Root and Tuber	
Cotton	Mustard Seed	Rye	Watercress	
Crambe	Oats	Safflower	Wheat	
Cranberry	Okra	Sorghum		
		Soybean		

* Cover crops for soil building or erosion control may be planted any time, but do not graze or harvest for food or feed.
* For all other crops not listed on an imidacloprid label, or for crops for which no tolerance for the active ingredient has been established, there is a 12-month plant-back interval.

NOTIFICATION of the crop rotational restriction must be conveyed to the grower by appropriate seed tag labeling or bag printing on all seed units.

SEED TREATMENT

This product is a combination of Imidacloprid insecticide and the systemic fungicides Metalaxyl and Tebuconazole. This product aids in the control or suppression of the following insects, seed, seedling and soilborne diseases of Barley and Wheat.

CROP	INSECT / DISEASE CONTROL	RATE
Barley	Insect Control: Early season protection of seedlings against injury by Aphids (including Bird cherry-oat, English grain, Greenbug, and Russian wheat aphid) and Wireworms. Disease Control: Early season disease control of <i>Pythium</i> damping-off and 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 and Early season suppression of barley leaf rust.	3.4 to 5.0 fluid ounces per 100 pounds of seed
Wheat	Insect Control: Early season protection of seedlings against injury by Aphids (including Bird cherry-oat, English grain, Greenbug, and Russian wheat aphid), Wireworms and Hessian fly. Disease Control: Early season disease control of <i>Pythium</i> damping-off, 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 and early season suppression of wheat leaf rust.	
APPLICATION DIRECTIONS: Apply prior to planting as a slurry treatment. This product is to be used in liquid or slurry treaters. Mix thoroughly before use or use entire container at one time. Ensure thorough coverage. All tank mixes should be pre-tested to determine physical compatibility between formulations. Observe all cautions and limitations on labeling of all products used in mixtures.		
RESTRICTIONS: Do not graze or feed livestock on treated areas for 45 days after planting to be planted.		

SEED LABELING

LABELS FOR COMMERCIALY TREATED SEED SHOULD INCLUDE THE FOLLOWING ADDITION TO THE ENVIRONMENTAL HAZARDS STATEMENTS:

"Exposed treated seed may be hazardous to birds. Dispose of all excess treated seed and seed packaging by burial away from bodies of water. Cover or incorporate spilled treated seeds."

The U.S. Environmental Protection Agency requires the following statements on containers containing treated seed:

- "Do not allow children, pets or livestock to have access to treated seeds."
- "Wear long pants, long-sleeved shirt and protective gloves when handling treated seed."
- "Exposed treated seed may be hazardous to birds and wildlife. Cover or collect treated seeds spilled during loading and planting."
- "Dispose of all excess treated seed by burying seed away from bodies of water."
- "Do not contaminate bodies of water when disposing of planting equipment wash water."
- "Dispose of seed packaging or containers in accordance with local requirements."
- "Do not graze or feed livestock on treated areas for 45 days after planting."

Treated seed must not be used for or mixed with food or animal feed or processed for oil. Seed commercially treated with this product must be labeled in accordance with all applicable requirements of the Federal Seed Act.

NOTE: If this product is undyed, the purchaser of this product is responsible for ensuring that all seed treated with this product are adequately dyed with a suitable color to prevent its accidental use as a food for man or feed for animals. Refer to 21 CFR, Part 2.25. Any dye added to treated seed must be cleared for use under 40 CFR, Part 180.1001.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in cool dry location. Do not store in direct hot sunlight. Do not store above 90°F for prolonged periods of time. After prolonged storage in intense cold, allow product to return to approximately 75°F before using.

PESTICIDE DISPOSAL: This pesticide's wastes are toxic. Improper disposal of excess pesticide, spray mixture, 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 DISPOSAL:

[Nonrefillable Containers 5 Gallons or Less:] Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. **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 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.

[Nonrefillable Containers Larger than 5 Gallons:] Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. Triple rinse or pressure rinse container (or equivalent) promptly after emptying. **Triple rinse as follows:** Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 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.

[Refillable containers larger than 5 gallons:] Refillable container. 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 a mix tank. Fill the container about 10% full with water and, if possible, spray all sides while adding water. If practical, agitate vigorously or recirculate water with the pump for two minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

7/7

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 MANUFACTURER OR SELLER AND ASSUMED BY 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.

LIMITATION OF LIABILITY

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER 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. 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.

(NEW)

Sativa is a trademark of Nufarm Americas Inc.