# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460



OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

Nathan P. Ehresman Director of Regulatory Affairs Nufarm Americas Inc-AGT Division C/O Nufarm Americas Inc. 4020 Aerial Center Parkway Morrisville, NC 27560 AUG 2 0 2014

Subject:

Label Amendment – Alternate Brand Names and Required CDPR Changes

Product Name: NUP-13009

EPA Registration Number: 55146-148

Application Date: 7/24/2014 Decision Number: 493668

Dear Mr. Ehresman:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable.

A stamped copy of your labeling is enclosed for your records containing two alternate brand names:

1.) SALIENT 372 FS SEED TREATMENT

2.) SALIENT 372 FS SEED TREATMENT FUNGICIDE

And the revisions required by the State of California.

This labeling supersedes all previously accepted labeling. You must submit one copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. "To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). If you have any questions, please contact Maryam K. Muhammad by phone at 703-347-0301, or via email at Muhammad.maryam@epa.gov.

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Sincerely,

Tony Kish, Product Manager 22

Fungicide Branch
Registration Division (7505P)
Office of Pesticide Programs

Enclosure

# **NUP-13009**

#### **ALTERNATE BRAND NAMES:**

SALIENT 372 FS SEED TREATMENT SALIENT 372 FS SEED TREATMENT FUNGICIDE

A seed treatment for control of diseases (barley, canola\*, cotton, oats\*, rye\*, sweet corn, wheat, and triticale).

\*Not approved for use in California

<b>ACTIVE INGREDIENT</b>	:
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 Difenoconazole\*
 33.3%

 OTHER INGREDIENTS:
 66.7%

 TOTAL
 100.0%

\*CAS No. 119446-68-3

Contains 3.09 pounds difenoconazole per gallon.

# CAUTION / PRECAUCION

See inside label booklet for FIRST AID and PRECAUTIONARY STATEMENTS

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

	FIRST AID
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 do so by a 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>
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>
	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 information.

EPA REG. NO. 55146-148 EPA EST. NO		
Net Contents:	gallons (	liters

NUFARM AMERICAS INC.
AGT DIVISION
ACCEPTA SPIL 60803

MANUFACTURED FOR

AUG 2 0 2014

Under the Federal Insecticide, Pungicide, and Rodenticide Act, as amended, for the pestacide registered under EPA Reg. No. 55146-146



055146-00148.20140617.MASTER

# PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

# **CAUTION / PRECAUCION**

Harmful if swallowed, absorbed through the skin, or inhaled. Avoid contact with skin, eyes, or clothing. Avoid breathing vapor or spray mist. 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,
- Shoes plus socks,

Note: Persons involved in bagging treated seed, sewing or moving bags of treated seed, or cleaning up bagging areas or seed treatment equipment are pesticide handlers and must wear the PPE required on this label for pesticide handlers.

#### **USER SAFETY REQUIREMENTS**

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 clothing/PPE 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. Runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. DO NOT contaminate water by disposing of equipment washwater.

#### PHYSICAL AND CHEMICAL HAZARDS

Please do not store or heat near oxidizing agents, hazardous chemical reaction 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.

For use by commercial seed treaters only in liquid or slurry treaters. Not for use on agricultural establishments in hopper-box, planter-box, slurry-box or other seed treatment applications at or immediately before planting.

Mix thoroughly before use or use entire container at one time. All tank mixes should be pre-tested to determine physical compatibility between formulations. Observe the most restrictive use precautions and limitations on plabeling of the products used in mixtures.

eNOTE: ີ້ ກໍຄົ້ purchaser of this product is responsible for ensuring that all seed treated with this product is adequately dyed with a suitable colorant that imparts an unnatural color, to prevent its accidental use as food for aman or feed for animals. Refer to 21 CFR, Part 2.25. Any dye or colorant added to treated seed must be cleared for cuse under 40 CFR, Part 180.900. Federal regulations have established official tolerances for certain pesticide residues. In order that residues on food and forage crops will not exceed established tolerances, use only at specified rates.

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.

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#### SEED LABELING

THE FEDERAL SEED ACT REQUIRES THAT BAGS CONTAINING TREATED SEED MUST BE LABELED AS FOLLOWS:

"This seed has been treated with difenoconazole seed treatment fungicide. **DO NOT** use for food, feed, or oil processing. Store away from feeds and other foodstuffs."

"DO NOT allow children, pets or livestock to have access to treated seeds."

"Wear long pants, long-sleeved shirt, shoes, socks, and chemical-resistant gloves when opening this bag or loading/pouring the treated seed."

"After the seeds have been planted, do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 12 hours. Exception: If 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, and chemical-resistant footwear. "

"Green wheat, oats, rye or triticale forage may not be grazed until 55 days after planting."

"Green barley forage may not be grazed until 30 days after planting."

"Do not plant any crop other than those on this label within 30 days to fields in which treated seeds were planted."

Excess treated seed may be used for ethanol production only if (1) by-products are not used for livestock feed and, (2) no measurable residues remain in ethanol by-products that are used in agronomic practice."

## PRODUCT INFORMATION ..

Apply as a seed treatment using standard slurry or mist-type seed treatment equipment. Uniform application to seed is necessary to ensure seed safety and best disease protection. Seed must be sound and well cured prior to treatment. Product must be diluted with sufficient water to ensure complete seed coverage. Consult a seed treatment specialist regarding slurry rates for the crop to be treated with this product.

When used in combination with other fungicides having a similar biological spectrum, this product will add to the systemic protection of the seed and seedling and improve control under high disease pressure.

**MIXTURES:** Prior to blending with other seed treatments confirm physical compatibility, seed safety, seed safety in stored seed, and biological efficacy before tank mixing with other seed treatment products. Follow the label directions for the most restrictive of label precautions and limitations.

The following table lists the maximum recommended total slurry volumes by crop.

Crop	Maximum Fl. Oz. Slurry / 100	lbs. of Seed
Wheat, Oats*, Rye*, and Barley	16	0 0 0 0 0 0 0
Canola*	23	66
Sweet Corn	8 to 16	00 0 0
Cotton	30	C CC CCC

<sup>\*</sup> Not approved for use in California

BARLEY	
DISEASE	RATE (Fl. Oz. / 100 lbs. of Seed)
Barley Stripe	
General Seed Rots (caused by saprophytic fungi such as <i>Penicillium</i> spp. and <i>Aspergillus</i> spp.)	
Covered Smut	0.5
Pythium Damping Off	0.5
Common Root Rot (Cochiliobolus spp.)1	
Fusarium Seed Scab <sup>1</sup>	1
Rhizoctonia Root Rot <sup>1</sup>	
Barley Stripe	
General Seed Rots (caused by saprophytic fungi such as <i>Penicillium</i> spp. and <i>Aspergillus</i> spp.)	
Fusarium Seed Scab	
Covered Smut	
Pythium Damping Off	1.0
Take-all <sup>1</sup>	
Common Root Rot (Cochiliobolus spp.) <sup>1</sup>	
Fusarium Root Rot <sup>1</sup>	
Fusarium Crown Rot <sup>1</sup>	
Rhizoctonia Root Rot <sup>1</sup>	
REMARKS	

<sup>1</sup> Partial control / suppression only: erratic control from good to poor, or control below that which is generally considered acceptable for commercial-disease control.

CANOLA (not approved for use in California)	
DISEASE	RATE (Fl. Oz. / 100 lbs. of Seed)
Seed-borne Blackleg (Leptosphaeria maculens)	1.0
REMARKS	· · · · · · · · · · · · · · · · · · ·
Tank mix NUP-13009 with seed treatment SPIRATO 480 FS for broad	anostrum protection against other disease.

Tank mix NUP-13009 with seed treatment SPIRATO 480 FS for broad spectrum protection against other diseases such as Fusarium and Rhizoctonia.

COTTON	
DISEASE	RATE (Fl. Oz. / 100 lbs. of Seed)
Preemergent and Postemergent damping off caused by <i>Rhizoctonia</i> spp. and <i>Fusarium</i> spp.	0.5 to 1.45
REMARKS	
Use higher rates where disease is expected to be severe. Apply in combina SEBRING 480 FS for activity against seed and seedling diseases cause by other instructions found on the SEBRING 318 FS or SEBRING 480 FS productions	Pythium spp. Follow application and

SWEET-CORN	
DISEASE	RATE (FI. Oz. / 100 lbs. of Seed)
For suppression of Die-back caused by <i>Penicillium</i> spp., <i>Fusarium</i> spp., eand <i>Aspergillus</i> spp.	0.5 – 1.24
REMARKS	
Confirm compatibility, seed safety, seed safety in stored seed, and biologica	l efficacy before tank mixing with othe
seed treatment products.	

WINTER WHEAT and TRITICALE		
DISEASE	RATE (Fl. Oz. / 100 lbs. of Seed)	
Common Bunt <sup>1</sup>	,	
Dwarf Bunt	•	
Flag Smut		
Seed-borne Septoria		
Loose Smut	2.5	
General Seed Rots <sup>2</sup>	0.5	
Fusarium Seed Scab		
Early Season Disease Control		
Common Root Rot (Cochiliobolus spp.)		
Rhizoctonia Root Rot		
Common Bunt <sup>1</sup>		
Dwarf Bunt		
Loose Smut		
Flag Smut		
Seed-borne Septoria		
General Seed Rots <sup>2</sup>		
Fusarium Seed Scab	<u> </u>	
Early Season Disease Control	·	
Common Root Rot (Cochiliobolus spp.)	1.0	
Fusarium Root Rot		
Fusarium Crown Rot		
Take-all		
Rhizoctonia Root Rot		
Fall Season Foliar Disease Control <sup>3</sup>		
Fall Season Powdery Mildew		
Fall Season Leaf Rust		
Fall Season Septoria Leaf Blotch		
REMARKS		

NUP-13009 controls both seed-borne and soil-borne common bunt.

<sup>2</sup> General seed rots controlled include those cause by saprophytic fungi such as *Penicillium* spp. and *Aspergillus* spp.

spp.

NUP-13009 provides control of fall season powdery mildew, fall season leaf rust, and fall season Septoria leaf blotch in winter wheat for the first 6 weeks after planting. For full season control of these foliar diseases, use a propiconazole fungicide labeled for this use.

DISEASE	RATE (Fl. Oz. / 100 lbs. of Seed)
Common Bunt <sup>1</sup>	0 0000
Seed-borne Septoria	000 c
Loose Smut	0 0
Flag Smut	
General Seed Rots <sup>2</sup>	0.5
Fusarium Seed Scab	
Early Season Disease Control	
Common Root Rot (Cochiliobolus spp.)	ا د د د د د د د د د د د د د د د د د د د
Rhizoctonia Root Rot	t
Common Bunt <sup>1</sup>	( (
Loose Smut	(
Flag Smut	ت پردر
Seed-borne Septoria	1.0 ဝင္ခ်င
General Seed Rots <sup>2</sup>	
Fusarium Seed Scab	
Early Season Disease Control	

Common Root Rot (Cochiliobolus spp.)	
Fusarium Root Rot	
Fusarium Crown Rot	
Take-all	
Rhizoctonia Root Rot	
REMAR	RKS
NUP-13009 controls both seed-borne and soil-borne com	imon bunt.
<sup>2</sup> General seed rots controlled include those cause by sapro	ophytic fungi such as Penicillium spp. and Aspergillus
spp.	

DISEASE	RATE (Fl. Oz. / 100 lbs. of Seed)	
General Seed Rots <sup>1</sup>		
Seedling Blight caused by seed- and soil-borne Fusarium and soil-borne Pythium		
Seedling Root Rot caused by seed- and soil-borne Fusarium and soil-borne Pythium	0.5 – 1.0	
Pythium and Fusarium Damping-Off		
Covered Smut		
Loose Smut		
Common Root Rot (Cochliobolus spp.) <sup>2</sup>		
REMARKS		
General seed rots controlled include those cause by saprophytic fungi su	ch as <i>Penicillium</i> spp. and <i>Aspergillus</i>	
spp.	, ,	
<sup>2</sup> Suppression only (control at a level below optimum but still of commercial	benefit).	

DISEASE	RATE (Fl. Oz. / 100 lbs. of Seed)
General Seed Rots <sup>1</sup>	0.5 – 1.0
Seedling Blight caused by seed- and soil-borne Fusarium and soil-borne Pythium	
Seedling Root Rot caused by seed- and soil-borne Fusarium and soil- borne Pythium	
Seed-borne Septoria	
Pythium and Fusarium Damping-Off	
Common Bunt	
Dwarf Bunt	
Common Root Rot (Cochliobolus spp.) <sup>2</sup>	
Fusarium Crown and Foot Rot <sup>2</sup>	
Take-All <sup>2</sup>	
REMARKS	
General seed rots controlled include those cause by saprophytic fungi sur	ch as Penicillium spp. and Aspergillus
Spp.	,
Suppression only (control at a level below optimum but still of commercial	henefit)

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## STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in original container in a dry, temperature controlled, secure place.

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these wastes cannot be used 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:**

[[Note to Reviewer: The following statement will be included on all Final Printed Labels bearing multiple Container Handling statements] "NOTE: This product is available in multiple containers. Refer to the Net Contents section of this product's labeling for the applicable "Nonrefillable" or "Refillable" designation. Follow the container handling instructions below that apply to your container type / size."]

#### [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. 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. 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 containers]

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. 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.

#### 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.

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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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