

59639-2

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MAR 13 1997

Eric D. Bruce
 Valent U.S.A. Corporation
 1333 N. California Blvd., Ste. 600
 Walnut Creek, CA 94596

Dear Mr. Bruce:

Subject: Revised Labeling and Confidential Statement of Formula;
 Revised Purity of Active Ingredient
 Clethodim Technical
 EPA Registration No. 59639-2
 Your Submission Dated December 17, 1996

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable with the following provisions:

- 1) Revise the statement reading "Avoid contact with skin, eyes, and clothing" in the Precautionary Statements to read "Do not get on skin or on clothing. Avoid contact with eyes."
- 2) Revise the second sentence in the eye statement in the Statement of Practical Treatment to read "Call a physician if irritation persists."
- 3) Revise the oral statement in the Statement of Practical Treatment to read "If swallowed: Call a doctor or get medical attention. Do not induce vomiting. Drink promptly a large quantity of milk, egg whites, gelatin solution, or if these are not available, drink large quantities of water. Avoid alcohol."
- 4) Add the statement "Probable mucosal damage may contraindicate the use of gastric lavage" to the Note to Physician at the end of the Statement of Practical Treatment.
- 5) Add the appropriate Container Disposal statement to reflect the proper return directions for bulk containers.
- 6) Add the appropriate Net Contents statement.

A stamped copy is enclosed for your records. Please submit one (1) final printed copy for the referenced label, incorporating the above changes, before releasing the product for shipment.

DK: 305-7546: FHB/PM23

CONCURRENCES

SYMBOL ▶	7505C							
SURNAME ▶	D. KENNY							
DATE ▶	3/13/97							

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The Agency has reviewed your submission for a revised Confidential Statement of Formula, and the following comment applies:

The Confidential Statement of Formula dated December 3, 1996 for the basic formulation agrees with the label claim in compliance with PR Notice 91-2 and is acceptable.

The Confidential Statement of Formula has been added to your file as part of the record.

Sincerely yours,

Joanne I. Miller
Product Manager (23)
Fungicide-Herbicide Branch
Registration Division (7505C)

Enclosure

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ACCEPTED
with COMMENTS
In EPA Letter Dated

MAR 13 1997

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

59639-2

Clethodim Technical

Active Ingredient	By Wt.
*Clethodim	93.4%
Inert Ingredients	6.6%
*(E)-2[1-[[[(3-Chloro-2-propenyl)oxy]imino]propyl]-5-[2-(ethylthio)propyl]-3-hydroxy-2-cyclohexen-1-one	

U.S. Pat. No. 4,440,566

KEEP OUT OF REACH OF CHILDREN

WARNING

SEE SIDE PANEL FOR ADDITIONAL
PRECAUTIONARY STATEMENTS

96 DEC 20 AM 12:20

REC'D ... /DPD1

TRANSPORTED IN BULK

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS & DOMESTIC ANIMALS

WARNING

Causes skin and eye irritation. Harmful if swallowed or inhaled. Avoid contact with skin, eyes, and clothing. Avoid breathing vapors. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse. Keep out of reach of children.

STATEMENT OF PRACTICAL TREATMENT

- If on skin: Wash with plenty of soap and water. Get medical attention.
- If in eyes: Hold eyelids open and flush with a gentle stream of water for 15 minutes. If irritation continues, see a doctor.
- If swallowed: Drink 1 or 2 glasses of water (or milk) and induce vomiting by touching the back of the throat with finger. If possible, contact a physician, Poison Control Center, or emergency center before inducing vomiting. Do not induce vomiting or give anything by mouth to an unconscious person. Take person and product container to the nearest emergency treatment center.
- If inhaled: Remove victim to fresh air. If not breathing, give artificial respiration, preferably mouth-to-mouth. Get medical attention.

BEST AVAILABLE COPY

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NOTE TO PHYSICIANS: Emergency Information 1-800-892-0099.

ENVIRONMENTAL HAZARDS

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.

PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame.

INSTRUCTIONS FOR FORMULATION

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

READ ENTIRE LABEL. USE STRICTLY IN ACCORDANCE WITH PRECAUTIONARY STATEMENTS AND DIRECTIONS, AND WITH APPLICABLE STATE AND FEDERAL REGULATIONS.

**DISCLAIMER: CONDITIONS OF SALE,
LIMITED WARRANTY
AND LIMITATION OF LIABILITY**

IMPORTANT: Read the entire Label including this Disclaimer, Limited Warranty and Limitation of Liability before using this product. If the terms are not acceptable, return the unopened product within 15 days of purchase.

RISKS OF USING THIS PRODUCT

It is impossible to eliminate all risks associated with the use of this product. Such risks include, but are not limited to, injury to plants and crops to which this product is applied, lack of control of the target pests or weeds, resistance, injury caused by drift, and injury to rotational crops caused by carryover in the soil. Such risks of crop injury, non-performance or other unintended consequences are unavoidable and may result because of such factors as weather, soil conditions, moisture conditions, irrigation practices, presence of other materials, cultural practices or the manner of use or application, all of which are factors beyond the control of Valent. All such risks shall be assumed by the Buyer. Valent shall not be responsible for losses or damages resulting from use of this product in any manner not set forth on the label. User assumes all risks associated with the use of this product in any manner or under conditions not specifically directed or approved on the label.

LIMITED WARRANTY

Valent warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the label, under average use conditions, when used strictly in accordance with the label and subject to the Risks of Using This Product described above.

DISCLAIMER OF ALL OTHER WARRANTIES: VALENT MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR OF MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY. No agent or representative of Valent or Seller is authorized to make or create any other express or implied warranty.

LIMITATION OF LIABILITY

In no event shall Valent or Seller be liable for any incidental, consequential, indirect or special damages resulting from the use or handling of this product. **THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE MAXIMUM LIABILITY OF VALENT OR 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 VALENT OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

NO AMENDMENTS

Valent and Seller offer this product, and Buyer and User accept it, subject to the foregoing Disclaimer, Conditions of Sale, Limited Warranty and Limitation of Liability, which may not be modified by any oral or written agreement.

PROMPT NOTICE OF CLAIM

Valent must have prompt notice as soon as Buyer or User has reason to believe they may have a claim (not to exceed twenty-one days from date of application) so that an immediate inspection of the affected property and growing crops can be made. Unless Buyer and Users shall promptly notify Valent of any claims, they shall be barred from obtaining any remedy.

A HERBICIDE FOR FORMULATION

THIS PRODUCT IS FOR USE IN FURTHER PREPARATION OF HERBICIDE PRODUCTS. DO NOT USE FOR ANY OTHER PURPOSES. Products formulated with Clethodim Technical will require registration with the Environmental Protection Agency.

BEST AVAILABLE COPY

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DIRECTIONS FOR USE

Only for Formulation Into Herbicide Products Intended For:

(1) The Following Use(s):

TERRESTRIAL, FOOD USES: Cotton, Soybeans, Sugar Beets, Onions (dry bulb), Shallots (dry bulb), Garlic.

GREENHOUSES, SHADEHOUSES, LATHHOUSES, AND OUTDOORS, NON-FOOD USES: Ornamentals, Non-Bearing Food Crops, Christmas Trees, and Non-Crop or Non-Planted Areas.

(2) Uses for Which USEPA Has Accepted The Required Data And/Or Citations of Data That The Formulator Has Submitted In Support of Registration; and

(3) Uses for Experimental Purposes That Are in Compliance with USEPA Requirements.

STORAGE AND DISPOSAL

PROHIBITIONS

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

STORAGE

Keep pesticide in original container.

Do not put concentrate or dilute into food or drink containers.

Store in cool dry place.

Emergency Response: For help with any spill, leak, or fire involving this material, call day or night 1-800-892-0099.

PESTICIDE DISPOSAL

Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

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Manufactured for:

Valent U.S.A. Corporation

Walnut Creek, CA 94596-8025

Made in U.S.A.

EPA Reg. No. 59639-2

EPA Est. 8655-AR-01 Form R3050A0.1961216