

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

PM 23

59639-2

11-30-99

10/5

James W. Pensyl
 Valent U.S.A. Corporation
 1333 N. California Blvd., Suite 600
 Walnut Creek, CA 94596

NOV 30 1999

Dear Mr. Pensyl:

Subject: Revised Labeling - Update Label to Include Addition of New Uses
 Clethodim Technical
 EPA Registration No. 59639-2
 Your Submission Dated September 1, 1999

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable. A stamped copy is enclosed for your records. Please submit one (1) final printed copy for the above mentioned label before releasing the product for shipment.

The Agency has recently revised its recommended First Aid statements for pesticide products and intends to issue a PR Notice announcing the changes in the near future. In the interim we are encouraging registrants to begin using the new statements. The new statements were developed as part of the Consumer Labeling Initiative in close cooperation with poison control center personnel and other medical experts. While it is not mandatory that you revise your label at this time, you are strongly encouraged to substitute the revised statements (below) for those statements currently on the label at your next label printing:

"FIRST AID

| | |
|---------------|--|
| 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 by a poison control center or doctor. |
| If in eyes: | <ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing. • Call a poison control center or doctor for treatment advice. |

DK: 305-7546: HB/PM23

CONCURRENCES

| | | | | | | | | |
|---------|----------|--|--|--|--|--|--|--|
| SYMBOL | 7505C | | | | | | | |
| SURNAME | D. KENNY | | | | | | | |
| DATE | 11/30/99 | | | | | | | |

| | |
|-------------|---|
| If on skin: | <ul style="list-style-type: none">• Take off contaminated clothing.• Rinse skin immediately with plenty of water for 15-20 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 mouth-to-mouth if possible.• Call a poison control center or doctor for further treatment advice. |

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

Sincerely yours,

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

Enclosure



ACCEPTED
 NOV 30 1999
 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% |
| Other 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; RE-32,489

KEEP OUT OF REACH OF CHILDREN

WARNING

SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

TRANSPORTED IN BULK

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS & DOMESTIC ANIMALS

WARNING

Causes skin and eye irritation. Harmful if swallowed or inhaled. Do not get on skin or on clothing. Avoid contact with eyes. 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. Call a physician if irritation persists.
- 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.
- If inhaled:** Remove victim to fresh air. If not breathing, give artificial respiration, preferably mouth-to-mouth. Get medical attention.

Note to Physicians: Emergency Information 1-800-892-0099. Probable mucosal damage may contraindicate the use of gastric lavage.

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.

| |
|--|
| <p>DISCLAIMER: CONDITIONS OF SALE, LIMITED WARRANTY AND LIMITATION OF LIABILITY</p> |
| <p>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.</p> |
| <p>RISKS OF USING THIS PRODUCT <i>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.</i></p> |
| <p>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.</p> |
| <p>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.</p> |
| <p>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.</p> |
| <p>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.</p> |

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.

DIRECTIONS FOR USE

Only for Formulation Into Herbicide Products Intended For:

(1) The Following Use(s):

TERRESTRIAL, FOOD USES: Alfalfa, Cotton, Dry Beans, Peanuts, Soybeans, Sugar Beets, Tomatoes, Onions (dry bulb), Shallots (dry bulb), Garlic.

GREENHOUSES, SHADEHOUSES, LATHHOUSES, AND OUTDOORS, NON-FOOD USES: Ornamentals, Non-Bearing Food Crops, Conifer Trees, Fallow Land (and other non-producing agricultural areas), 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.

Copyright® 1999 by Valent U.S.A. Corporation

Manufactured for:

Valent U.S.A. Corporation

P.O. Box 8025

Walnut Creek, CA 94596-8025

Made in U.S.A.

Form 0990901-CLTHD-3.PND

EPA Reg. No. 59639-2

EPA Est. 8655-AR-01