

59639-2

12-14-2007

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

12-14-07

James Pensyl
Valent U.S.A. Corporation
1600 Riviera Avenue
PO Box 8025
Walnut Creek, CA 94596-8025

Dear Mr. Pensyl:

Subject: Revised Labeling and Add Field Corn Formulation
Clethodim Technical
EPA Registration No. 59639-2
Your Submission Dated October 2, 2006 and Your E-Mail Dated
December 13, 2007

The amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended is acceptable provided that you submit one (1) copy of your final printed labeling before you release the product for shipment.

A stamped copy of the labeling is enclosed for your records.

If you have any questions concerning this letter, please contact Mr. James Stone at 703-305-7391.

Sincerely yours,

Erik Kraft
Acting Product Manager (23)
Herbicide Branch
Registration Division (7505P)

Enclosure

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ACCEPTED
with COMMENTS
in EPA Letter Dated

12-14-07

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.....	95.3 %
Other Ingredients	4.7 %
Total	100.0%

*(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

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**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.

FIRST AID	
If on skin:	<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. • Call a poison control center or doctor for 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 by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
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	
Have the product container or label with you when calling poison control center or doctor, or going for treatment. You may also contact 1-800-892-0099 for emergency medical treatment information.	
NOTE TO PHYSICIAN	
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.

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**DISCLAIMER, RISKS OF USING THIS PRODUCT,
LIMITED WARRANTY
AND LIMITATION OF LIABILITY**

IMPORTANT: Read the entire Label including this Disclaimer, Risks of Using this Product, Limited Warranty, and Limitation of Liability before using this product. If the terms are not acceptable THEN DO NOT USE THE PRODUCT; rather, return the unopened product within 15 days of purchase for a refund of the purchase price.

RISKS OF USING THIS PRODUCT

The Buyer and User (referred to collectively herein as "Buyer") of this product should be aware that there are inherent unintended risks associated with the use of this product which are impossible to eliminate. These 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 of the target pest or weeds to this product, injury caused by drift, and injury to rotational crops caused by carryover in the soil. Such risks of crop injury, non-performance, resistance or other unintended consequences are unavoidable and may result because of such factors as weather, soil conditions, disease, moisture conditions, irrigation practices, condition of the crop at the time of application, presence of other materials either applied in the tank mix with this product or prior to application of this product, cultural practices or the manner of use or application, (or a combination of such factors) all of which are factors beyond the control of Valent. The Buyer should be aware that these inherent unintended risks may reduce the harvested yield of the crop in all or a portion of the treated acreage, or otherwise affect the crop such that additional care, treatment and expense are required to take the crop to harvest. If the Buyer chooses not to accept these risks, THEN THIS PRODUCT SHOULD NOT BE APPLIED. By applying this product Buyer acknowledges and accepts these inherent unintended risks AND TO THE FULLEST EXTENT ALLOWED BY LAW, AGREES THAT ALL SUCH RISKS ASSOCIATED WITH THE APPLICATION AND USE ARE ASSUMED BY THE BUYER.

Valent shall not be responsible for losses or damages (including, but not limited to, loss of yield, increased expenses of farming the crop or such incidental, consequential or special damages that may be claimed) resulting from use of this product in any manner not set forth on the label. Buyer 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 only 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 as described above. To the extent consistent with applicable law AND AS SET FORTH ABOVE, VALENT MAKES NO OTHER WARRANTIES, EITHER EXPRESSED OR IMPLIED. No agent or representative of Valent or Seller is authorized to make or create any other express or implied warranty.

LIMITATION OF LIABILITY

To the fullest extent allowed by law, Valent or Seller is not liable for any incidental, consequential, indirect or special damages resulting from the use or handling of this product. The limitation includes, but is not limited to, loss of yield on all or any portion of the treated acreage, increased care, treatment or other expenses required to take the crop to harvest, increased finance charges or altered finance ratings, emotional or mental distress and/or exemplary damages. TO THE FULLEST EXTENT ALLOWED BY LAW, THE EXCLUSIVE REMEDY OF THE 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 THIS PRODUCT OR, AT THE ELECTION OF VALENT OR SELLER, THE REPLACEMENT OF THE PRODUCT.

PROMPT NOTICE OF CLAIM

To the extent consistent with applicable law allowing such requirements Valent must be provided notice as soon as Buyer has reason to believe it may have a claim, but in no event later than twenty-one days from date of planting, or twenty-one days from the date of application, whichever is latter, so that an immediate inspection of the affected property and growing crops can be made.

To the extent consistent with applicable law if Buyer does not notify Valent of any claims, in such period, it shall be barred from obtaining any remedy.

NO AMENDMENTS

Valent and Seller offer this product, and Buyer accepts it, subject to the foregoing Disclaimer, Risks of Using This Product, Limited Warranty and Limitation of Liability, which may not be modified by any oral or written agreement.

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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:

- Crop Subgroup 1 B Root Vegetables (except Sugar Beet)
- Crop Subgroup 1 C Tuberous and Corm Vegetables
- Crop Subgroup 4 A Leafy Greens
- Crop Subgroup 4 B Leaf Petioles
- Crop Subgroup 5 A Head and Stem Brassica
- Crop Subgroup 5 B Leafy Brassica Greens
- Crop Group 6 Legume Vegetables (Dried and Succulent), except Soybean
- Crop Group 8 Fruiting Vegetables (except Cucurbit)
- Crop Subgroup 9 A Melon
- Crop Subgroup 9 B Squash/Cucumber
- Crop Subgroup 19 A Herbs

Individual Food Crops: Alfalfa; Asparagus; Canola; Clover; Cotton; Cranberry; Flax; Field Corn, Hops; Mint; Mustard Seed; Onion, Dry Bulb; Onion, Green; Peanut (including perennial); Safflower; Sesame; Soybean; Strawberry; Sugar Beet; Sunflower and Turnip

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.

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STORAGE AND DISPOSAL

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

PESTICIDE 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 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. Open dumping is prohibited.

Copyright® 2007 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.

EPA Reg. No. 59639-2

EPA Est. 8655-AR-01