

59639-40

9-4-2003

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

SEP 4 2003

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

James Pensyl
Project Manager
Registration and Regulatory Affairs
Valent Corporation
P.O. Box 8025
Walnut Creek, CA 94516-8025

Subject: Label Amendment: First Aid, etc.
Valent Premium Ag 100
EPA Reg. No. 59639-40
Submission dated June 3, 2003

Dear Mr. Pensyl:

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 comments.

- 1) State under the product name " Manufacturing Use Product" or that the product is for formulating use only.
- 2) Delete Herbicide (top of page 5).
- 3) Add to the Precautionary Statements "Wash thoroughly with soap and water....."

A stamped copy "accepted with comments" of the label is enclosed for your records.

Please submit five (2) copies of the final printed label for our records. If you have any questions please call me at (703) 308-8328.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Akiva Abramovitch".

Akiva Abramovitch, Ph.D.

Chemist

Insecticide-Rodenticide Branch
Registration Division (7505C)

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VALENT[®] Premium Ag 100

Active Ingredient By Wt.
Petroleum Oil **ACCEPTED** 100%

Contains petroleum distillates.

ACCEPTED
with COMMENTS
In EPA Letter Dated:

SEP 24 2003

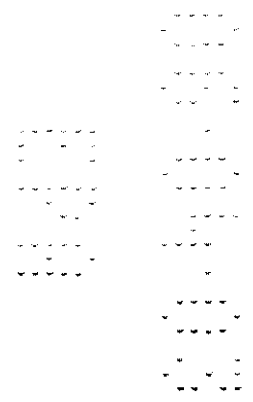
KEEP OUT OF REACH OF CHILDREN

**Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
59639-40**

CAUTION

SEE NEXT PAGE FOR ADDITIONAL PRECAUTIONARY STATEMENTS.

TRANSPORTED IN BULK



PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS & DOMESTIC ANIMALS

CAUTION

Harmful if swallowed. Avoid contact with eyes, skin and clothing. Wash thoroughly after handling.

FIRST AID

- If swallowed:**
 - Immediately call a poison control center or doctor.
 - Do not induce vomiting unless told to do so by a 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:**
 - 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 eye.
 - Call a poison control center or doctor for treatment advice.

- If on skin or clothing:**
 - 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:**
 - 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 a 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

Ingestion of this product or subsequent vomiting can result in aspiration of light hydrocarbon liquid, which can cause pneumonitis.

ENVIRONMENTAL HAZARDS:

This product is toxic to fish. 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 Board or Regional Office of the Environmental Protection Agency.

PHYSICAL OR CHEMICAL HAZARDS:

Do not weld heat or drill container. Residue may ignite with explosive violence if heated sufficiently.

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, 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 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. EXCEPT 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

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 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. **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

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.

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.

AN INSECTICIDE-MITICIDE-HERBICIDE FOR FORMULATING USE ONLY. THIS PRODUCT IS FOR USE IN THE FURTHER PREPARATION OF INSECTICIDE-MITICIDE-HERBICIDE PRODUCTS. CONTACT VALENT U.S.A. CORPORATION FOR SPECIFIC FORMULATING INFORMATION. DO NOT USE FOR ANY OTHER PURPOSES. Pesticide formulated with VALENT Premium Ag 100 will require registration with the Environmental Protection Agency.

DIRECTIONS FOR USE

Only For Formulation Into Insecticide-Miticide Products Intended For:

(1) The Following Use(s):

Terrestrial Food Crops Use: Seed Alfalfa, Almonds, Apples, Apricots, Cherries, Figs, Grapefruit, Grapes, Lemons, Navel Oranges, Olives, Nectarines, Peaches, Plums, Prunes, Pears, Valencia Oranges and Walnuts.

Terrestrial Feed Crops: Almonds, Apples, Grapefruit, Grapes, Lemons, Navel Oranges, Plums, Valencia Oranges.

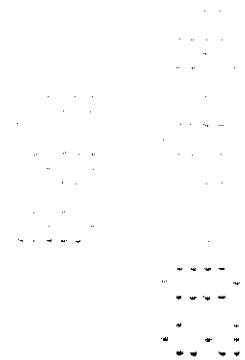
Terrestrial Non-Food Crops: Ornamentals, Shade Trees.

Greenhouse Non-Food Crops: Ornamentals, Shade Trees.

Indoor Residential Crops: Ornamentals, Shade Trees.

(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

PROHIBITIONS

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

PESTICIDE STORAGE

For help with any spill, leak, fire or exposure 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

P.O. Box 8025

Walnut Creek, CA 94596-8025

Made in U.S.A.

EPA Reg. No. 59639-40

EPA Est. No. 66196-CA-01

059639-000040.20030603.VPAG100.04.doc.

