

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

WASHINGTON, D.C. 20460

MAR 26 2009

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Ms. Julie B. Schlekau
Valent U.S.A. Corporation
1600 Riviera Avenue, Suite 200
Walnut Creek, CA 94596

Subject: Label Amendment to Add New Uses: Stone Fruit, Tree Nuts, Pistachio, Caneberries, Olive, Avocado, Black Sapote, Canistel, Mamey sapote, Mango, Papaya, Sapodilla, and Star Apple

EPA Reg. No. 59639-76
Danitol[®] Technical

Dear Ms. Schlekau;

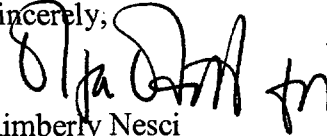
The amendment referred to above, submitted in connection with registration under Section (3) (c) (7) (b) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable subject to the comments and terms for conditional registration listed below. Two (2) copies of the finished labeling must be submitted prior to releasing the product for shipment. A stamped copy of the label is enclosed for your records.

1. You will submit and/or cite all data required for registration/reregistration of your product under FIFRA Section 3(c) (5) when the Agency requires all registrants of similar products to submit such data; and submit responses required for reregistration of your product under FIFRA Section 4.
2. You will make the following label changes:
 - a) On page 5, revise Tropical and Sub Tropical Fruit (inedible peel) to read:
"Tropical and Sub Tropical Fruit (inedible peel): Avocado, Black Sapote, Canistel, Mamey sapote, Mango, Papaya, Sapodilla, and Star Apple."
 - b) The container disposal statements for pesticides have been revised. Refer to PR Notice 2007-4 and modify your label accordingly.

You should note that if you fail to satisfy any of the conditions imposed on this registration, e.g., you fail to submit the required data by the specified deadlines or the

data submitted were not generated in accordance with applicable test guidelines, EPA may issue notice to cancel these uses under FIFRA 6(e).

If you have questions regarding this action, please contact Olga Odiott at 703-308-9369.

Sincerely,

Kimberly Nesci
Interim Product Manager 13
Insecticide Branch
Registration Division (7505P)

Enclosure

3/8



DANITOL[®] Technical (INSECTICIDE-MITICIDE)

Active Ingredient	
Fenpropathrin (<i>alpha</i> -Cyano-3-phenoxybenzyl 2,2,3,3-tetramethylcyclopropanecarboxylate)	92%
Other Ingredients	8%
Total	100%

KEEP OUT OF REACH OF CHILDREN



DANGER

NET CONTENTS: 250 GALLONS

**ACCEPTED
with COMMENTS
In EPA Letter Dated
MAR 26 2009**
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
59639-76

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS & DOMESTIC ANIMALS
DANGER**

Fatal if swallowed. May be fatal if absorbed through skin. Causes moderate eye irritation. Do not get in eyes, on skin or clothing. Avoid inhalation of vapors. Wash thoroughly after each use. Wear protective clothing and chemical-resistant gloves, such as Barrier Laminate or Viton ≥ 14 mils. Wash thoroughly with soap and water after handling and before eating, drinking, or using tobacco. Remove contaminated clothing and wash before reuse.

FIRST AID

- If swallowed:**
 - 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 on skin or clothing:**
 - 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:**
 - 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 inhaled:**
 - 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.

HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor or going for treatment. Emergency Information - call 1-800-892-0099.

NOTE TO PHYSICIANS

Possible mucosal damage may contraindicate the use of gastric lavage. This product may pose an aspiration pneumonia hazard. Treatment is supportive and symptomatic. Diazepam has been recommended to reduce the CNS effects of fenproprathrin.

ENVIRONMENTAL HAZARDS

This product is extremely toxic to fish and other aquatic organisms. 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 to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the sewage treatment plant authority. For guidance, contact your State Board or Regional Office of the Environmental Protection Agency.

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.

FOR FORMULATION OF FENPROPATHRIN CONTAINING INSECTICIDE-MITICIDE PRODUCTS ONLY

This product is intended only for use in the formulation of DANITOL and TAME insecticide-miticide products. Products formulated with DANITOL Technical will require registration with the Environmental Protection Agency.

6/8

**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

To the extent permitted by law Valent or Seller shall not 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 later, 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.

DIRECTIONS FOR USE

Only For Formulation Into Insecticide-Miticide Products Intended For:

(1) The Following Use(s):

COMMERCIAL NON-FOOD USE ON INDOOR AND OUTDOOR ORNAMENTAL AND NURSERY

PLANTINGS:

- Terrestrial Non-food
- Greenhouse Non-food
- Indoor Non-food

CROP USE:

Terrestrial Food
 Cotton, Grapes, Olive, Peanuts, Strawberries

- Berries (Crop Group 13)
- Citrus Fruits (Crop Group 10)
- Cucurbit Vegetables (Crop Group 9)
- Fruiting Vegetables (Crop Group 8)
- Head and Stem Brassica (Subgroup 5A)
- Melons (Crop Group 9A),
- Pea (Succulent) (Subgroup 6B)
- Pome Fruit (Crop Group 11)
- Stone Fruit (Crop Group 12)
- Tree Nuts (Crop Group 14)
- Tropical and Sub Tropical Fruit (Inedible Peel)

Terrestrial Feed

(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.

8/8

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 a cool, dry place.
Protect from excessive heat.
For help with any spill, leak, fire or exposure involving this material, call day or night 1-800-892-0099.

PESTICIDE DISPOSAL

This product is acutely hazardous. Improper disposal of excess pesticide or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use 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 DISPOSAL

Triple rinse (or equivalent). Do not reuse container. Offer for recycling or reconditioning or puncture and dispose of in a sanitary landfill or dispose of by other procedures allowed by State and local authorities.

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Danitol is a registered trademark of Sumitomo Chemical Company, LTD for fenprothrin insecticide-miticide.

Manufactured for:

Valent U.S.A. Corporation
P.O. Box 8025
Walnut Creek, CA 94596-8025
www.valent.com

EPA Reg. No. 59639-76
EPA Est. No. 10308-JP-03

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