



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

April 13, 2020

Mr. Robert L. Hamilton
Senior Regulatory Scientist
Registration & Regulatory Affairs
Valent U.S.A. LLC
1600 Riviera Ave., Suite 200
Walnut Creek, CA 94596-8025

Subject: Notification per PRN 98-10 – Revise Storage and Handling Language
Product Name: Flumiclorac Pentyl Technical
EPA Registration Number: 59639-81
Application Date: March 13, 2020
Decision Number: 561622

Dear Mr. Hamilton:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above referenced product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10.

The label submitted with the application has been stamped "Notification" and will be placed in our records.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

If you have any questions, you may contact BeWanda Alexander at (703)347-0313 or by email at alexander.bewanda@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Erik Kraft", with a stylized flourish at the end.

Erik Kraft, Product Manager 24
Fungicide and Herbicide Branch
Registration Division (7505P)
Office of Pesticide Programs



NOTIFICATION

59639-81

The applicant has certified that no changes, other than those reported to the Agency have been made to the labeling. The Agency acknowledges this notification by letter dated:

04/13/2020

NOTIFICATION

[Bracketed text is optional.]

REDLINE COPY

Flumiclorac Pentyl Technical

(A TECHNICAL HERBICIDE PRODUCT)

Active Ingredient	By Wt.
*Flumiclorac pentyl ester	98.6%
Other Ingredients	1.4%
Total	100.0%

*pentyl [2-chloro-4-fluoro-5-(1,3,4,5,6,7hexahydro-1,3-dioxo-2H-isoindol-2yl)phenoxy]acetate

KEEP OUT OF REACH OF CHILDREN

CAUTION

SEE BELOW FOR ADDITIONAL PRECAUTIONARY STATEMENTS.

NET WEIGHT [130 KG]
[250 KG]

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS & DOMESTIC ANIMALS
CAUTION

Harmful if absorbed through the skin. Avoid contact with skin, eyes or clothing. When handling the product wear waterproof gloves, long-sleeved shirt, long pants and socks and shoes. Wash thoroughly with soap and water after handling. Remove and launder contaminated clothing before reuse.

FIRST AID	
If on skin or clothing	<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 by mouth-to-mouth, if possible. • 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 15-20 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 swallowed	<ul style="list-style-type: none"> • Call 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 do so by the poison control center or doctor. • Do not give anything by mouth to an unconscious person.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control or doctor, or going for treatment. You may also contact 800-892-0099 for emergency medical treatment information.	

ENVIRONMENTAL HAZARDS:

This pesticide is toxic to shrimp. 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 treatment systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or the 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.

FLUMICLORAC PENTYL TECHNICAL IS A TECHNICAL HERBICIDE PRODUCT FOR FORMULATION USE ONLY.

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

**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 prompt 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.

DIRECTIONS FOR USE

Only for formulation into herbicide products intended for the following uses:

- (1) Terrestrial, food uses on: Field Corn, Soybeans and Cotton.
- (2) Non-crop areas, such as: industrial sites, airports, military installations, fence rows, roadsides and associated right-of-way, lumberyards, petroleum tank farms, pipeline installations, railroads, storage areas, utility plant sites, and other similar areas.
- (3) Uses for which US EPA has accepted the required data and/or Citations of Data that the formulator has submitted in support of registration, and
- (4) Uses for experimental purposes that are in compliance with US EPA requirements.

STORAGE AND ~~DISPOSAL~~HANDELING

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

Open dumping is prohibited.

PESTICIDE STORAGE

Store in a cool dry place.

Keep pesticide in original container.

Keep container closed when not in use.

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

Do not store next to feed or food, or transport in or on vehicles containing foodstuffs or feeds.

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

PESTICIDE ~~DISPOSAL~~HANDELING

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

CONTAINER ~~DISPOSAL~~HANDELING

[Nonrefillable container. Do not reuse or refill this container. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Offer for recycling, if available; otherwise dispose of in a sanitary landfill or incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.]

[Nonrefillable container. Do not reuse or refill this container. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into mixing equipment. Dispose of liner in a sanitary landfill or by incineration if allowed by state and local authorities. If drum is contaminated and cannot be reused¹, dispose of in the same manner.

¹Manufacturer may replace this phrase with one indicating whether and how fiber drum may be reused.]

[Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment, then offer for recycling if available or dispose of empty bag in a sanitary landfill or by incineration.]

Copyright© 2020 by Valent U.S.A. LLC

Manufactured for:

Valent U.S.A. LLC

P.O. Box 8025

Walnut Creek CA 94596-8025

~~www.valent.com~~

EPA Reg. No. 59639-81

EPA Est. No. ~~10308-JP-3~~

059639-00081.20200313.flumicloractech.NOTIF.Red