

59639-83

5/12/2010

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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Joseph L. Powell
Valent U.S.A. Corporation
1600 Riviera Avenue, Suite 200
Walnut Creek, CA 94596-8025

MAY 12 2010

Dear Mr. Powell:

Subject: Add Artichoke, Bushberry, Caneberry and Peach Formulating Uses
Select 37% M.U.P.
EPA Registration No. 59639-83
Your Submission Dated December 12, 2008

The amendment referred to above, submitted in connection with registration under section 3(c)(7)(A) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), is acceptable provided that you:

1. Submit/cite all data required for registration/reregistration of your product under FIFRA section 3(c)(5) or 4(a) when the Agency requires all registrants of similar products to submit such data.

2. Submit by May 13, 2012 the following Studies conducted on accordance with the Good Laboratory Practice Standards, 40 CFR Part 160 and appropriate test guidelines as referenced in EPA's Data Requirements for Registration Regulations, 40 CFR Part 158:

- Acute and Subchronic Neurotoxicity Studies (OPPTS 870.6200)
- Immunotoxicity Study (OPPTS 780.7800)
- Plant Metabolism Study on a fruit crop [Caneberry, bushberry or peach is recommended] (OPPTS 860.1300)

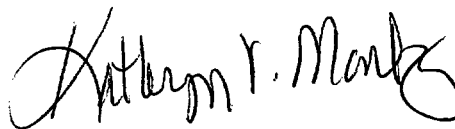
3. Submit one (1) copy of your final printed labeling before you release the product for shipment. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product bearing the amended labeling constitutes acceptance of these conditions.

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

2007

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

Sincerely yours,



Kathryn V. Montague
Product Manager 23
Herbicide Branch
Registration Division (7505P)

Enclosure

3087



ACCEPTED
with COMMENTS
In EPA Letter Dated:
MAY 12 2010

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

59639-83

SELECT® 37% M.U.P.

Active Ingredient	By Wt.
*Clethodim	37%
Other Ingredients	63%
Total	100%

*(E)-2-[1-[[[(3-chloro-2-propenyl)oxy]imino]propyl]-5-[2-(ethylthio)propyl]-3-hydroxy-2-cyclohexen-1-one

Contains petroleum distillates.

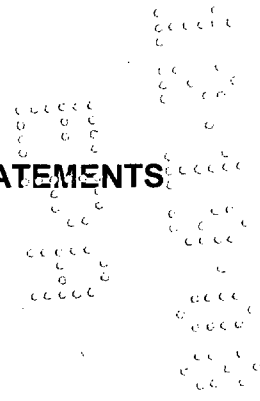
KEEP OUT OF REACH OF CHILDREN

WARNING

SEE OTHER PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

TRANSPORTED IN BULK

NET CONTENTS



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

Causes skin irritation and moderate eye irritation. Harmful if swallowed or absorbed through skin. May cause allergic skin reaction. Do not get on skin or clothing. Avoid contact with eyes. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

FIRST AID

- 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 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 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 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 **800-892-0099** for emergency medical treatment information.

NOTE TO PHYSICIAN

This product contains a light petroleum hydrocarbon solvent, and an aspiration hazard may exist. 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 and 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 system without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

5027

PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame.

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. 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 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

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

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.

This product may be used to formulate products for specific use(s) not listed on the Select 37% M.U.P. label if the formulator, user group or grower has complied with the U.S. EPA data submission requirements regarding the support of such use(s).

**Only for Formulation Into Herbicide Products Intended For:
The Following Use(s):**

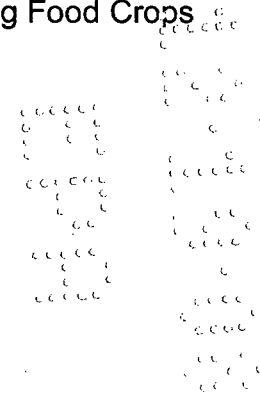
Terrestrial, Food Uses On:

- Crop Group 1 - Root and Tuber Vegetables
- Crop Group 2 - Leaves of Root and Tuber Vegetables
- Crop Group 3 - Bulb Vegetables
- Crop Group 4B - Leaf Petioles Subgroup
- Crop Group 5 - Brassica (Cole) Leafy Vegetables
- Crop Group 8 - Fruiting Vegetables (except cucurbits)
- Crop Group 9 - Cucurbit Vegetables
- Crop Subgroup 13-07A - Caneberry
- Crop Subgroup 13-07B - Bushberry

Terrestrial, Individual Food Uses On:

Alfalfa, Artichoke (Globe), Canola, Clover, Cotton, Cranberry, Dry Beans, Flax, Garlic, Leaf Lettuce, Mint, Mustard Seed, Peach, Peanut, Soybean, Sunflower, Strawberry

Terrestrial, Non-Food Uses On: Conifers, Christmas Tress, Fallow Land (and other non-producing agricultural areas), Ornamentals, Non-Bearing Food Crops and Non-Crop or Non-Planted areas.



STORAGE AND DISPOSAL

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

PESTICIDE STORAGE

Keep pesticide in original container.

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

Store in a 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

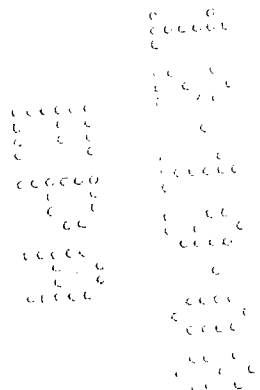
Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

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EPA Reg. No. 59639-83
EPA Est.



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