

59639-97

4/12/2001

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U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (7505C)
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

EPA Reg.
Number:

59639-97

Date of Issuance:

APR 12 2001

NOTICE OF PESTICIDE:

X Registration
— Reregistration

Term of Issuance:

Conditional

Name of Pesticide Product:

Flumioxazin Technical

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

Valent U.S.A. Corporation
1333 N. California Blvd., Suite 600
Walnut Creek, CA 94596

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(C) provided that you:

1. Submit and/or cite all data required for registration/reregistration of your product when the Agency requires all registrants of similar products to submit such data.

2. Make the following label changes before you release the product for shipment:

a. Revise the EPA Registration Number to read, "EPA Reg. No. 59639-97".

b. Add the statement "Causes moderate eye irritation" to the Precautionary Statements.

c. In accordance with PR Notice 2001-1, revise the heading "Statement of Practical Treatment" to read "First Aid".

d. Revise the dermal first aid statement to read as follows:

"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."

Signature of Approving Official:

Date:

APR 12 2001

- e. Revise the eye first aid statement to read as follows:

"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.
- Call a poison control center or doctor for treatment advice."

- f. This product has been classified as Toxicity Category IV for inhalation. As a result, the statements regarding inhalation present in the Precautionary Statements and the First Aid section are optional. If you choose to keep the statements on the labeling, the inhalation first aid statement should be revised to read as follows:

"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."

- g. Revise the first sentence in the Environmental Hazards section to read "This product is toxic to non-target plants and aquatic invertebrates."

3. Submit the following data within two (2) years of the date of this notice:

- a. A more specific confirmatory analytical method for plant commodities (e.g., using MS detection) is required. Alternatively, an interference study showing whether other pesticides registered on soybeans and peanuts interfere with the analysis of flumioxazin may be submitted.
- b. Submit two aqueous photolysis studies (Guideline 161-2). One study should use the uniformly phenyl ring-labeled [¹⁴C]flumioxazin whereas the second study should use the tetrahydrophthalimido ring-labeled [1,2-¹⁴C]flumioxazin. These studies are required because major degradates comprising ≥10% of the applied were not properly identified in the submitted studies.
- c. Submit two anaerobic soil/aqueous metabolism studies (Guideline 162-2). One study should use the uniformly phenyl ring-labeled [¹⁴C]flumioxazin whereas the second study should use the tetrahydrophthalimido ring-labeled [1,2-¹⁴C]flumioxazin. These studies are also required because major degradates comprising ≥10% of the applied were not properly identified in the submitted studies.

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d. Submit two field dissipation studies (Guideline 164-1). One study should be conducted at the representative soybean growing area whereas the other study should be conducted at the representative peanut growing area. Major degradates identified in the fate laboratory studies must be included in the analysis.

4. Submit one copy of the revised final printed label for the record 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 sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

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

Joanne I. Miller
Product Manager (23)
Herbicide Branch
Registration Division (7505C)

Enclosure

DK: 305-7546: HB/PM23

		CONCURRENCES						
SYMBOL	7505C							
SURNAME	D. KENNY							
DATE	4/5/2001							



Flumioxazin[®] Technical

(HERBICIDE)

Active Ingredient

*Flumioxazin 97.9%

Inert Ingredients 2.1%

*2-[7-fluoro-3,4-dihydro-3-oxo-4-(2-propynyl)-2H-1,4-benzoxazin-6-yl]-4,5,6,7-tetrahydro-1H-isoindole-1,3(2H)-dione

KEEP OUT OF REACH OF CHILDREN

CAUTION

See below for additional Precautionary Statements

ACCEPTED
with COMMENTS
In EPA Letter Dated

APR 12 2001

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

59639-97

NET CONTENTS _____

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PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS & DOMESTIC ANIMALS
CAUTION

Harmful if inhaled or absorbed through the skin. Avoid breathing dust. Avoid contact with skin, eyes or clothing.

STATEMENT OF PRACTICAL TREATMENT

If inhaled: Remove victim to fresh air. If not breathing, give artificial respiration, preferably mouth-to-mouth. Get medical attention.

If on skin: Wash with plenty of soap and water. Get medical attention if irritation persists.

If in eyes: Wash eyes immediately with fresh water for at least 15 minutes. See a doctor if irritation persists.

Note to Physicians: Emergency information - call 1-800-892-0099.

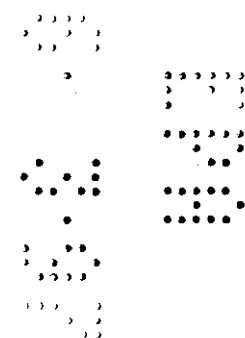
ENVIRONMENTAL HAZARDS

This product is toxic to aquatic invertebrates. 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.



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**DISCLAIMER, CONDITIONS OF SALE,
LIMITED WARRANTY
AND LIMITATION OF LIABILITY**

IMPORTANT: Read the entire Label including this Disclaimer, Limited Warranty and Limitation of Liability before using this product. If the terms are not acceptable, return the unopened product within 15 days of purchase.

RISKS OF USING THIS PRODUCT

It is impossible to eliminate all risks associated with the use of this product. Such 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, injury caused by drift, and injury to rotational crops caused by carryover in the soil. Such risks of crop injury, non-performance or other unintended consequences are unavoidable and may result because of such factors as weather, soil conditions, moisture conditions, irrigation practices, presence of other materials, cultural practices or the manner of use or application, all of which are factors beyond the control of Valent. All such risks shall be assumed by the Buyer. Valent shall not be responsible for losses or damages resulting from use of this product in any manner not set forth on the label. User 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 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 described above.

DISCLAIMER OF ALL OTHER WARRANTIES

VALENT MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR OF MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY. 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 EXCLUSIVE REMEDY OF THE USER OR 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 THIS PRODUCT.**

NO AMENDMENTS

Valent and Seller offer this product, and Buyer and User accept it, subject to the foregoing Disclaimer, Conditions of Sale, Limited Warranty and Limitation of Liability, which may not be modified by any oral or written agreement.

PROMPT NOTICE OF CLAIM

Valent must have prompt notice as soon as Buyer or User has reason to believe they may have a claim (not to exceed twenty-one days from date of application) so that an immediate inspection of the affected property and growing crops can be made. Unless Buyer and Users shall promptly notify Valent of any claims, they shall be barred from obtaining any remedy.

FOR FORMULATION OF FLUMIOXAZIN CONTAINING HERBICIDE PRODUCTS ONLY

This product is intended only for use in the formulation of Flumioxazin herbicide products. Products formulated with Flumioxazin 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):

CROP USE: Peanuts and Soybeans

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- (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.

STORAGE AND DISPOSAL

PROHIBITIONS

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

STORAGE

Keep pesticide in original container.

Store in a cool, dry, secure place.

Do not put formulation or dilute spray solution into food or drink containers.

Not for use or storage in or around the home.

Do not contaminate food or foodstuffs.

Do not store or transport near feed or food.

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

PESTICIDE DISPOSAL

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

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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Manufactured for:

Valent U.S.A. Corporation

Walnut Creek, CA 94596-8025

EPA Reg. No. 59639-xx

EPA Est. No.