



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

December 19, 2016

Robert L. Hamilton
Sr. Regulatory Scientist
Valent U. S. A. Corporation
1600 Riviera Ave., Suite 200
P.O. Box 8025
Walnut Creek, CA 94596-8025

Subject: PRIA Label Amendment – **New Uses** on Clover Grown for Seed; Citrus Group 10-10; Brassica, Head and Stem Subgroup 5A; Caneberry Subgroup 13-07A; and **Crop Group Expansion** for Fruiting Vegetable Group 8-10; Low Growing Berry Subgroup 13-07G; Nut Tree Group 14-12; Onion Bulb Subgroup 3-07A; Pome Fruit Group 11-10; Small Fruit, Vine Climbing, Except Fuzzy Kiwifruit Subgroup 13-07F; and Stone Fruit Group 12-12.

Product Name: Flumioxazin Technical
EPA Registration Number: 59639-97
Application Dates: May 01, 2015 and February 9, 2015
Decision Numbers: 508431, 508433, and 500697

Dear Mr. Hamilton:

The application referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable under FIFRA Section 3(c)(7)(A), subject to the following conditions:

1. You must submit and/or cite all data required for registration/reregistration/registration review of your product under FIFRA when the Agency requires all registrants of similar products to submit such data.
2. You are required to comply with the data requirements described in the DCI Order identified below:
 - a. Flumioxazin GDCI-129034-1236

You must comply with all of the data requirements within the established deadlines. If you have questions about the Generic DCI listed above, you may contact the Chemical Review Manager in the Pesticide Reevaluation Division:

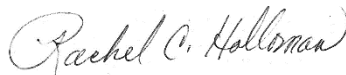
<http://iaspub.epa.gov/apex/pesticides/f?p=chemicalsearch:1>

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one (1) copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. "To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

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.

Your release for shipment of the product constitutes acceptance of these conditions. If you fail to satisfy these data requirements, EPA will consider appropriate regulatory action including, among other things, cancellation under FIFRA section 6(e). If you have any questions, please contact Driss Benmhend by phone at (703) 308-9525, or via email at Benmhend.driss@epa.gov.

Sincerely,

A handwritten signature in cursive script that reads "Rachel C. Holloman".

Rachel C. Holloman, Chief
Fungicide & Herbicide Branch,
Registration Division,
Office of Pesticide Programs

Enclosure



Flumioxazin Technical

(HERBICIDE)

THIS HERBICIDE FOR FORMULATING USE ONLY.

Active Ingredient

*Flumioxazin 97.9%

Other Ingredients 2.1%

Total 100.0%

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

KEEP OUT OF REACH OF CHILDREN

CAUTION

See next page for additional Precautionary Statements

NET CONTENTS _____

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS & DOMESTIC ANIMALS
CAUTION

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

FIRST AID	
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 mouth-to-mouth if possible.• Call a poison control center or doctor for further treatment advice.
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 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 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 do so by a 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 center or doctor or going for treatment. You may also contact 800-892-0099 for emergency medical treatment information.	

ENVIRONMENTAL HAZARDS:

This product is toxic to non-target plants and 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.

**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 prompt 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.

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.

FOR FORMULATION OF FLUMIOXAZIN CONTAINING HERBICIDE PRODUCTS ONLY.

This product is intended only for use in the formulation of flumioxazin herbicide containing 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 The Following Uses

Terrestrial Food Uses On

Individual Crop Uses: Alfalfa, Artichoke, Asparagus, Cactus (Prickly Pear), Citrus Oil, Clover, Cotton, Field Corn, Hops, Mint, Olive, Peanut, Pomegranate, Soybean, Sugarcane and Wheat.

Crop Group Uses:

Tuberous and Corm Vegetables (Subgroup 1C): arracacha; arrowroot; Chinese artichoke; Jerusalem artichoke; edible canna; bitter and sweet cassava; chayote (root); chufa; dasheen; ginger; leren; potato; sweet potato; tanier; turmeric; yam bean and true yam.

Bulb Onion (Subgroup 3-07A): bulb daylily; bulb fritillaria; bulb garlic; bulb great-headed garlic; bulb serpent; bulb lily; bulb onion; bulb Chinese onion; pearl onion; bulb potato onion; bulb shallot; cultivars, varieties and/or hybrids of these.

Leaf Petioles (Subgroup 4B): cardoon; celery; celery, Chinese; celtuce; fennel, Florence; rhubarb; Swiss chard

Brassica Head and Stem Vegetable Group 5-16: broccoli; Brussels sprouts; cabbage; cabbage, Chinese, napa; cauliflower; cultivars, varieties and/or hybrids of these.

Dried Shelled Pea and Bean (except soybean) Subgroup 6C: Dried cultivars of bean (*Lupinus* includes grain lupin, sweet lupin and white sweet lupin); bean (*Phaseolus*) (includes field bean, kidney bean, lima bean (dry), navy bean, pinto bean, tepary bean); bean (*Vigna*) (includes adzuki bean, blackeyed pea, catjang, cowpea, crowder pea, moth bean, mung bean, rice bean, southern pea, urd bean); broad bean (dry); chickpea; guar; lablab bean; lentil; pea (*Pisum*) (includes field pea); pigeon pea.

Fruiting Vegetables (Crop Group 8-10): African eggplant; bush tomato; bell pepper; cocona; carrant tomato; eggplant; garden huckleberry; goji berry; groundcherry; martynia; naranjilla; okra; pea eggplant; pepino; nonbell pepper; roselle; scarlet eggplant; sunberry; tomatillo; tomato; tree tomato; cultivars, varieties and/or hybrids of these.

Cucurbit Vegetables (Crop Group 9): chayote (fruit); Chinese Waxgourd (Chinese preserving melon); citron melon; cucumber; gherkin; gourd, edible (includes hyotan, cucuzza, hechima, Chinese okra); *Momordica* spp. (includes balsam apple, balsam pear, bittermelon, Chinese cucumber); muskmelon (includes cantaloupe); pumpkin; summer squash; winter squash (includes butternut squash, calabaza, hubbard squash, acorn squash, spaghetti squash); watermelon.

Citrus Fruit (Crop Group 10-10): Australian desert lime; Australian finger-lime; Australian round lime; Brown River finger lime; calamondin; citron; citrus hybrids; grapefruit; Japanese summer grapefruit; kumquat; lemon; lime; Mediterranean mandarin; mount white lime; New Guinea wild lime; sour orange; sweet orange; pummelo; Russell River lime; satsuma mandarin; sweet lime; tachibana orange; Tahiti lime; tangelo; tangerine (mandarin); tangor; trifoliolate orange; uni fruit; cultivars, varieties and/or hybrids of these.

Pome Fruit (Crop Group 11-10): apple, azarole; crabapple, loquat, mayhaw, medlar; pear, Asian pear; quince; Chinese quince; Japanese quince; tejocote; cultivars, varieties and/or hybrids of these.

Stone Fruit (Crop Group 12-12): apricot, Japanese apricot; capulin; black cherry; Nanking cherry; sweet cherry, tart cherry, Chinese Jujube; nectarine, peach, plum, American plum; beach plum; Canada plum; cherry plum; chickasaw plum, Damson plum, Japanese plum, Klamath plum; prune plum; plumcot; sloe; and cultivars, varieties and/or hybrids of these.

Caneberry (Subgroup 13-07A): blackberry; loganberry; red and black raspberry; wild raspberry; cultivars, varieties, and/or hybrids of these.

Bushberry (Subgroup 13-07B): aronia berry; highbush blueberry; lowbush; blueberry; buffalo currant; Chilean guava; highbush cranberry; currant, black; currant, red; elderberry; European, barberry; gooseberry; honeysuckle, edible; huckleberry; jostaberry; Juneberry (Saskatoon berry); lingonberry; native currant; salal; sea buckthorn; cultivars, varieties, and/or hybrids of these.

Small Fruit Vine Climbing, except fuzzy kiwifruit (Subgroup 13-07F): Amur river grape; gooseberry; grape; hardy kiwifruit; maypop; schisandra berry; cultivars, varieties and/or hybrids of these.

Low Growing Berry (Subgroup 13-07G): bearberry; bilberry; lowbush blueberry; cloudberry; cranberry; lingonberry; muntries; partridgeberry; strawberry; cultivars, varieties and/or hybrids of these.

Tree Nut (Crop Group 14-12): African nut-tree; almond; beechnut; Brazil nut; Brazilian pine; bunya; bur oak; butternut; Cajou nut; candlenut; cashew; chestnut; chinquapin; coconut; coquito nut; dika nut; ginkgo; Guiana chestnut; hazelnut (filbert); heartnut, hickory nut; Japanese horse-chestnut; macadamia nut; mongongo nut; monkey-pot; monkey puzzle nut; Okari nut; Pachira nut; peach palm nut; pecan; pequi; Pili nut; pine nut, pistachio; Sapucaia nut; tropical almond; black walnut black; English walnut, yellowhorn; cultivars, varieties, and/or hybrids of these.

Rapeseed (Subgroup 20A): borage, crambe, cuphea, echium, flax seed, gold of pleasure, hare's ear mustard, lesquerella, lunaria, meadowfoam, milkweed, mustard seed, oil radish, poppy seed, rapeseed (canola varieties only), sesame, sweet rocket, cultivars, varieties and/or hybrids of these.

Sunflower (Subgroup 20B): calendula, castor oil plant, Chinese tallowtree, euphorbia, evening primrose, jojoba, niger seed, rose hip, safflower, stokes aster, sunflower, tallowwood, tea oil plant, vernonia, cultivars, varieties and/or hybrids of these.

Terrestrial Non-Food Uses On:

Conifers and Deciduous Trees and Ornamental Plants Including: Christmas Trees; Dormant Turfgrass; Fallowland, Flowering Plants, Foliage Plants, Forestry including Conifer Reforestration and Poplar Plantations; Golf Courses; Ground Covers, Non-Bearing Fruit Trees, Ornamentals, Ornamental Trees, Outdoor Residential including Dormant Warm Season Turfgrass; Sod Farms; Shrubs and to maintain bare ground non-crop areas of farms and Vineyards.

Aquatic Non-Food Uses On:

Bayous, Canals, Drainage Ditches, Lakes, Marshes, Ponds, Reservoirs and other slow moving or quiescent bodies of water.

- **Uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and**
- **Uses for experimental purposes that are in compliance with USEPA requirements.**

STORAGE AND DISPOSAL

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

PESTICIDE 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 HANDLING

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.

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Manufactured for:

Valent U.S.A. Corporation

P. O. Box 8025

Walnut Creek, CA 94596-8025

EPA Reg. No. 59639-97

EPA Est.

059639-00097.20161216.FlumiTech_AMEND_IR4