



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

July 15, 2016

Maya Ramsey
Project Manager
Valent U.S.A. Corporation
1600 Riviera Avenue, Suite 200
Walnut Creek, CA 94596-8025

Subject: PRIA Label Amendment – Adding New Food Use on Soybeans
Product Name: Etoxazole Technical, Zeal SC Miticide
EPA Registration Number: 59639-107, 59639-202
Petition Number: 5F8398
Application Date: 08/14/2015
Decision Number: 508309, 508310, 508312

Dear Ms. Ramsey:

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)(B), subject to the following conditions:

1. You must submit and/or cite all data required for registration/registration review of your product under FIFRA when the Agency requires all registrants of similar products to submit such data.
2. Be aware that proposed data requirements have been identified in a Work Plan. For more information on these proposed data requirements, 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 Marianne Lewis by phone at (703) 308-8043 or via email at lewis.marianne@epa.gov.

Sincerely,



Meredith F. Laws
Branch Chief
Invertebrate & Vertebrate Branch 3
Registration Division (7505P)
Office of Pesticide Programs

Enclosure



ACCEPTED

Jul 15, 2016

Under the Federal Insecticide, Fungicide
and Rodenticide Act as amended, for the
pesticide registered under
EPA Reg. No. 59639-107

Etoxazole Technical

| Active Ingredient | By Wt. |
|-------------------------|--------|
| *Etoxazole | 97.2% |
| Other Ingredients | 2.8% |
| Total | 100.0% |

*2-(2-6-difluorophenyl)-4-[4-(1, 1-dimethylethyl)-2-ethoxyphenyl]-4,5-dihydrooxazole

KEEP OUT OF REACH OF CHILDREN

CAUTION

SEE NEXT PAGE FOR ADDITIONAL PRECAUTIONARY STATEMENTS

EPA Reg. No. 59639-107

EPA Est. No.

TRANSPORTED IN BULK

NET WEIGHT _____ KG _____ LB

| 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 to 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 ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. • Call a poison control center or doctor for further treatment advice |
| If swallowed: | <ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. Have a 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 to an unconscious person. |
| If in eyes: | <ul style="list-style-type: none"> • 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 eye. • Call a poison control center or doctor for further treatment advice. |
| HOTLINE NUMBER | |
| <p>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.</p> | |

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS & DOMESTIC ANIMALS

CAUTION

Harmful if absorbed through skin. Harmful if inhaled. Harmful if swallowed. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Avoid breathing dust. Wash thoroughly after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove contaminated clothing and wash clothing before reuse.

ENVIRONMENTAL HAZARDS

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 (NDPES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the Environmental Protection Agency.

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.

**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 with prompt notice of any claim so that an immediate inspection of the affected property or plants can be made. To the extent applicable law allows such requirement, notice of a claim shall be given promptly to Valent, whether the claim is based on contract, negligence, strict liability, or other tort or otherwise be barred from 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 ETOXAZOLE CONTAINING MITICIDE/OVICIDE PRODUCTS ONLY.

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

Only for Formulation into Miticide/Ovicide Products Intended for:

Terrestrial Non-Food Uses on: Indoor (Greenhouses, Shadehouses, Lathhouses and Interiorscapes) and Outdoor Ornamentals (including: Christmas Trees, Flowering and Foliage Crops, Ground Covers, Shrubs and Ornamental Trees and Non-Bearing Fruit and Nut Trees).

Terrestrial Food Use on:

Corn (field, pop, seed)

Cotton

Hops

Mint

Soybean

Tomato (indoor use only)

| Crop Group | Commodity |
|---|---|
| Subgroup 8-10B: Pepper/Eggplant | african eggplant, eggplant, pea eggplant, pepino, roselle, scarlet eggplant, bell pepper, martynia, non-bell pepper, okra, cultivars, varieties and/or hybrids of these |
| Crop Group 9: Cucurbit Vegetables | chayote (fruit); Chinese waxgourd (Chinese preserving melon); citron melon; cucumber; gherkin; gourd, edible (includes hyotan, cucuzza, hechima, Chinese okra); <i>Momordica</i> spp. (includes balsam apple, balsam pear, bittermelon, Chinese cucumber); muskmelon (includes cantaloupe); pumpkin; squash, summer; squash, winter (includes butternut squash, calabaza, hubbard squash, acorn squash, spaghetti squash); watermelon |
| Crop Group 11: Pome Fruit | apple; crabapple; loquat; mayhaw; pear; pear, oriental; quince |
| Crop Group 12: Stone Fruit | apricot; cherry, sweet; cherry, tart; nectarine; peach; plum; plum, Chickasaw; plum, Damson; plum, Japanese; plumcot; prune (fresh) |
| Subgroup 13-07 A: Caneberry | blackberry; loganberry; raspberry, black and red; wild raspberry; cultivars, varieties, and/or hybrids of these |
| Subgroup 13-07 F: Small Fruit Vine Climbing Subgroup, except Fuzzy Kiwifruit | Amur river grape; gooseberry; grape; kiwifruit, hardy; maypop; schisandra berry; cultivars, varieties, and/or hybrids of these |
| Subgroup 13-07 G: Low-growing Berry Subgroup | bearberry; bilberry; blueberry, lowbush; cloudberry; cranberry; lingonberry; muntries; partridgeberry; strawberry; cultivars, varieties, and/or hybrids of these |
| Crop Group No. 14: Tree Nuts | almond; beech nut; Brazil nut; butternut; cashew; chestnut; chinquapin; filbert (hazelnut); hickory nut; macadamia nut; pecan; walnut, black and English |
| Crop Group: Tropical and Sub-Tropical (Inedible Peel) | avocado, papaya, star apple, black sapote, mango, sapodilla, canistel, mamey sapote |

- 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 cool, dry place. Protect from excessive heat.

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 800-892-0099.

PESTICIDE DISPOSAL

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

CONTAINER HANDLING

Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available.

Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into manufacturing 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 manufacturing equipment or a mix tank or store

rinsate for later use or disposal. Repeat this procedure two more times.

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Manufactured for:

Valent U. S. A. Corporation

P.O. Box 8025

Walnut Creek, CA 94596-8025

www.valent.com

EPA Reg. No. 59639-107

EPA Est.

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