

59639-112

1/29/2010

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Regiane Pereira
Product Registration
Valent U.S.A. Corporation
1600 Riviera Ave., Suite 200
Walnut Creek, CA 94596-8025

JAN 29 2010

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request General Label Change and Directions for Use (Request by State of
California)
EPA Reg. No. 59639-112
Application Dated December 21, 2009

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 12/21/09 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

20911

Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0080

Print Form



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 59639-112	2. EPA Product Manager Kay Montague	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) BOLERO 15 G	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Valent U.S.A. Corporation 1600 Riviera Ave, Suite 200 Walnut Creek, CA 94596-8025 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: <input checked="" type="checkbox"/> EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION JAN 29 2010
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.	
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.	

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification: Update Special Instructions for California only

Section - III

1. Material This Product Will Be Packaged In:

Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No * Certification must be submitted	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Package wgt No. per container	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container 50 lb & 1200 lb	5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other _____			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name Regiane Pereira	Title Project Manager	Telephone No. (Include Area Code) (925) 256-2786
2. Signature 		6. Date Application Received (Stamped)
3. Title Project Manager		
4. Typed Name Regiane Pereira	5. Date December 21, 2009	

Certification
I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

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December 21, 2009

**BOLERO 15 G (Herbicide)
EPA Reg. No. 59639-112
NOTIFICATION**

Ms. Kay Montague (Team 23)
Herbicide Branch (NOTIF)
Document Processing Desk (7504P)
U.S. Environmental Protection Agency
Room S4900 – One Potomac Yard
2777 S. Crystal Drive
Arlington, Virginia 22202

Dear Ms. Montague:

Valent USA Corporation would like to notify the agency of a change to our product label Bolero 15 G (59639-112). We have made the following change which falls under PR-Notice 98-10.

Update Special Instructions for California only

Enclosed are one copy of the redline version of the proposed label clearly marked in red, one copy of the clean version of the proposed label, a pesticide application form (8570-1), a certification statement consistent with the provisions of PR-Notice 98-10, a CD with an electronic version of the proposed label and a Certification Statement with Respect to Label Integrity.

If you have questions please contact me in the Walnut Creek Office at (925)256-2786 (925)256-2791 or email: rpere@valent.com or Ms. Linda Obrestad (925) 256-2791 or email: lobre@valent.com.

Sincerely yours,

Regiane Pereira
R&RA Project Manager
Registration and Regulatory Affairs
Valent USA Corporation

Enclosures

Handwritten notations and marks on the right side of the page, including several sets of small circles and lines.

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NOTIFICATION

JAN 29 2010

GROUP 8 HERBICIDE

**BOLERO® 15 G
(HERBICIDE)**

Active Ingredient	By Wt.
*Thiobencarb	15%
Other Ingredient.....	85%
Total.....	100%

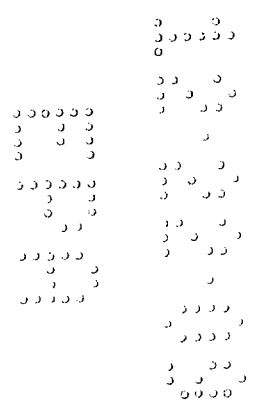
*S-[(4-chlorophenyl)methyl] diethylcarbamothioate

KEEP OUT OF REACH OF CHILDREN

CAUTION

SEE NEXT PAGE FOR ADDITIONAL PRECAUTIONARY STATEMENTS

NET WEIGHT 50 AND 1200 POUNDS



PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS & DOMESTIC ANIMALS CAUTION

Causes eye irritation. Avoid contact with eyes or clothing. Avoid breathing dust.

FIRST AID

- 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 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.
- 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 swallowed:**
 - 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.

NOTE TO PHYSICIAN

Thiobencarb is a cholinesterase inhibitor. If signs of cholinesterase inhibition appear, atropine is antidotal.

PERSONAL PROTECTIVE EQUIPMENT (PPE):

Applicators and other handlers must wear: long sleeved shirt and long pants, chemical-resistant gloves, such as Barrier Laminate or Butyl Rubber ≥14 mils or Nitril Rubber ≥14 mils or Viton ≥14 mils, chemical resistant apron when loading formulation into equipment or cleaning equipment and socks plus shoes.

Discard clothing or other absorbent material that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

Follow manufacturer's instructions for cleaning/maintaining PPE. If there are no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

All workers must wear: waterproof boots plus socks when entering flooded fields following treatment.

USER SAFETY RECOMMENDATIONS

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS:

This product is toxic to fish and shrimp. Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters.

In Louisiana, do not apply this product south of the Intercoastal Waterway.

In Texas, do not apply this product within two (2) miles from the shorelines of Matagorda Bay or within two (2) miles from the shorelines of Galveston Bay.

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.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 7 days.

PPE required for entry within 24 hours after application to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil or water is: coveralls, chemical-resistant gloves and waterproof boots plus socks.

PPE required for entry from 24 hours until 7 days following application to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil or water is: long pants, sleeved shirt and waterproof boots plus socks.

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**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 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.

TANK MIXES

NOTICE: Combination or use of this product with any other product which is not specifically and expressly authorized by the label shall be the exclusive risk of user, applicator and/or application advisor, to the extent allowed by applicable law.

Read and follow the entire label of each product to be used in combination with this product.

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RESISTANCE MANAGEMENT

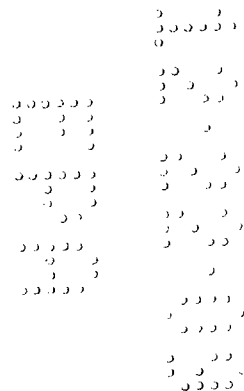
Bolero 15 G herbicide is a Group 8 herbicide (lipid synthesis inhibition). Any weed population may contain or develop plants naturally resistant to *Bolero* 15 G and other Group 8 herbicides. Resistant biotypes weed species with acquired resistance to Group 8 may eventually dominate the weed population if Group 8 herbicides are used repeatedly in the same field or in successive years as the primary method of control for targeted species. These resistant biotypes may not be adequately controlled by herbicides in a mode of action class for which resistance has developed. This may result in partial or total loss of control of those species by *Bolero* 15 G or other Group 8 herbicides.

Other resistance mechanisms that are not linked to site of action, such as enhanced metabolism, may also exist. Appropriate resistance management strategies should be followed. If poor performance occurs and cannot be attributed to adverse weather or application conditions, a resistant biotype may be present. Contact your local extension specialist or certified crop advisor for additional pesticide resistance management and/or integrated weed management recommendations for specific crops and weed biotypes.

To delay herbicide resistance consider:

- Avoiding the consecutive use of *Bolero* 15 G or other target site of action Group 8 herbicides that have a similar target site of action, on the same weed species.
- Using tank mixtures or premixes with herbicides from different target site of action Groups as long as the involved products are all registered for the same use, have different sites of action, and are both effective at the tank mix or prepack rate on the weed(s) of concern.
- Basing herbicide use on a comprehensive Integrated Pest Management (IPM) program.
- Monitoring treated weed populations for loss of field efficacy.
- Contacting your local extension specialist, certified crop advisors and/or manufacturer for herbicide resistance management and/or integrated weed management recommendations for specific crops and resistant weed biotypes.

For further information or to report suspected resistance, you may contact Valent U.S.A Corporation at 800-6-VALENT (682-5368).



DIRECTIONS FOR USE

CROP	WEEDS	AMOUNT <i>BOLERO</i> 15 G
Rice	Barnyardgrass (Watergrass) Smallflower Umbrellaplant Sprangletop	20.0 to 26.7 lbs/A Use the higher rate when weed pressure is high or when the weed growth stage is near the upper application limit. Use the lower rate when weed pressure is lower and weeds are smaller in size.

SPECIAL INSTRUCTIONS

Apply after flooding when rice is in the expanded two-leaf stage (first open leaf). Do not apply if rice exhibits symptoms of stress. The variety Cal Pearl may react adversely to some stress conditions more than other varieties.

Barnyardgrass beyond the two-leaf stage and Smallflower Umbrellaplant beyond the three-leaf stage may not be controlled. Smallflower Umbrellaplant must be submerged for optimum control. Cold weather during the planting season may result in decreased weed control due to prolonged period of weed seed germination.

Do not drain *Bolero* 15 G treated fields for a minimum of 14 days after application, except where state regulation may allow shorter water holding periods for hydrologically isolated fields or for fields associated with systems designed to isolate discharged water from natural bodies of water. Examples of such systems include tailwater recovery systems for single or multiple fields, and use of fallowland for ponding discharge water. Contact your Department of Pesticide Regulation for further information on acceptable water management practices.

SPECIAL INSTRUCTIONS FOR CALIFORNIA ONLY:

Do not drain *Bolero* 15 G treated fields for a minimum of 30 days after application, except where state regulation may allow shorter water holding periods for hydrologically isolated fields, or for fields associated with systems designed to isolate discharged water from natural bodies of water. Examples of such systems include tailwater recovery systems for single or multiple fields, and use of fallow land for ponding discharge water. Contact your Department of Pesticide Regulation for further information on acceptable water management practices

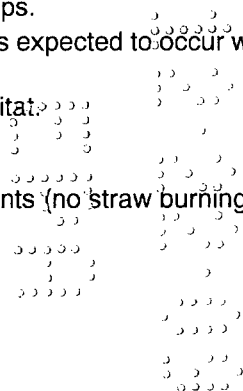
Water level in the checks should be maintained at 3 to 4 inches with no exposed soil. Water flow should be maintained at a minimum during and up to four days after application for good weed control.

USE PRECAUTIONS

- Do not make more than one application per year.
- Do not plant subsequent crops in treated fields within 6 months of last application.
- Do not apply to rice paddies where commercial catfish or crayfish farming will be practiced.
- Do not use adjacent to catfish ponds.
- Water drained directly from treated fields must not be used to irrigate other crops.
- Avoid application of this product within 24 hours of rainfall, or when heavy rain is expected to occur within 24 hours.
- Do not mix/load or otherwise handle this product within 100 feet of aquatic habitat.

SUGGESTED MANAGEMENT PRACTICES

Bolero 15 G use in rice fields which have received spring incorporation of high amounts (no straw burning or removal) of straw and/or green organic matter, may reduce plant stand and yield.



Suggested management practices which will help promote soil conditions conducive for the production of healthy rice treated with *Bolero* 15 G include:

- Burn crop residue where state regulations allow, or remove straw.
- Fall plowing/discing of crop straw.
- Chemical "burndown" of green vegetation after fall plowing/discing prior to final seed bed preparation.
- Uniform flood depth of 3 to 4 inches.

Water seeded rice fields treated with *Bolero* 15 G post flood should be inspected regularly during tillering. If the following symptoms (associated with decomposition of crop/weed residues) occur:

1. Dark green foliage, and/or
2. Reduced plant height, and/or
3. Plant deformation, immediately drain the field (if recirculating systems or water impoundment allows) for 7 to 14 days or until the soil starts to crack. Low spots which do not drain completely may continue to display symptoms.

**SUGGESTED MANAGEMENT PRACTICES
POST-FLOOD WATER-SEEDED USES OF *BOLERO* 15 G Herbicide**

Bolero 15 G use in rice fields which develop anaerobic (low oxygen content) soil conditions following planting may reduce plant stand and yield. Anaerobic soil conditions are likely to occur when: (1) green matter and crop residue is plowed or worked into the soil prior to planting, (2) internal soil drainage is slow (poor percolation), (3) there is a continuous flood, and (4) there are areas in the field which retain water during periods of prescribed flood removal.

Management practices which will help to minimize the development of anaerobic soil conditions and thereby promote good soil conditions for the production of healthy rice treated with *Bolero* 15 G are:

- Removal of previous crop and weed residues, or
- Destruction of previous crop and weed residues by:
 - burning (where state regulations allows)
 - fall and winter plowing
 - use of chemical "burndown" (glyphosate or paraquat) to prevent vegetation buildup after initial ground preparation (fall and winter plowing) and prior to final seedbed preparation.
- Application of fertilizer based on soil test results -- do not apply excess phosphorous.
- Uniform leveling practices which eliminate low spots in the field and ensure that the field can be entirely drained, if necessary (This is far more difficult to achieve with the use of contour levees. Fields which have been precision leveled for perimeter ditches or straight levees are more suited to rapid removal of flood water.)
- Uniform flood depth of 3 to 4 inches.
- Do **NOT** exceed labeled rates of *Bolero* 15 G. Accurately calibrate application equipment and minimize or eliminate application overlap.
- Do **NOT** use *Bolero* 15 G on water seeded rice grown in fields which have been land leveled, resulting in severe cuts and heavily filled areas (does not apply to normal maintenance leveling) in the past 18 months.

Fields with a "loose" seedbed may also exhibit severe injury.

- Do **NOT** use *Bolero* 15 G on rice grown in fields which have received chicken litter or had large amounts of green vegetative residue incorporated in the past 10 months.
- Do **NOT** use *Bolero* 15 G on rice fields which cannot be drained as necessary due to water holding restrictions, should phytotoxic symptoms occur.
- If a post flood *Bolero* 15 G program is used in water seeded rice, **DO NOT PLANT ADAIR, MILLIE OR L-201 RICE VARIETIES.**

Water seeded rice fields treated with *Bolero* 15 G (post flood) should be inspected regularly through the stand establishment and tillering stages. If phytotoxic symptoms (see Further Instructions above) occur, immediately drain the field (if recirculating systems or water impoundment allows or the field is hydrologically isolated) for 7 to 14 days or until the soil starts to crack to allow the soil to oxygenate; then reflood. Low spots which do not drain completely may continue to display phytotoxic symptoms.

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 cool, dry place. Protect from excessive heat. 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 may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL

Nonrefillable outer bag. Do not reuse or refill the outer bag. Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

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Bolero is a registered trademark of Kumiai Chemical Industry Co., Ltd.

Manufactured for
Valent U.S.A. Corporation
P.O. Box 8025
Walnut Creek, CA 94596-8025
www.valent.com

Made in U.S.A.

EPA Reg. No. 59639-112
EPA Est.

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