

59639-123

09/10/2004

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Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 2-28-95



United States  
Environmental Protection Agency  
Washington, DC 20460

Registration  
 Amendment  
 Other

OPP Identifier Number  
296198

Application for Pesticide - Section I

1. Company/Product Number 59639-123	2. EPA Product Manager Dan Kenny	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Secure Miticide	PM# 4A	
5. Name and Address of Applicant (Include ZIP Code) Valent USA Corporation 1600 Riviera Avenue, Suite 200 Walnut Creek, CA 94596 <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: EPA Reg. No. _____ Product Name _____	

Section - II

Amendment - Explain below.  Final printed labels in response to Agency letter dated \_\_\_\_\_

Resubmission in response to Agency letter dated \_\_\_\_\_  "Me Too" Application.

Notification - Explain below.  Other - Explain below.

NOTIFICATION  
SEP 10 2004

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

Amended product labeling to include two additional pests.  
Proposed Action Code: None. Notification. No fee required.  
Contact is Eric Tamichi (eric.tamichi@valent.com)

Section - III

1. Material This Product Will Be Packaged In:

Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted		If "Yes" Package wgt 2 oz.	No. per container 6

3. Location of Net Contents Information  
 Label  Container

4. Size(s) Retail Container

5. Location of Label Directions

6. Manner in Which Label is Affixed to Product  
 Lithograph  
 Paper glued  
 Stenciled  Other \_\_\_\_\_

Section - IV

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

Name Eric Tamichi	Title Manager, NAFTA/States Registrations	Telephone No. (Include Area Code) (925) 256-2743
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**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.

2. Signature

3. Title  
Project Manager

4. Typed Name  
James Pensyl

5. Date  
August 25, 2004

6. Date Application Received (Stamped)

1600 Riviera Avenue  
Suite 200  
PO. Box 8025  
Walnut Creek, CA 94596-8025  
(925) 256-2700



August 25, 2004

**SECURE Miticide**  
**EPA File Symbol 59639-123**  
**Notification-Additional Pests**  
**OPP Identifier No. 296198**

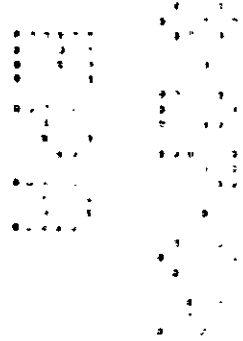
**CERTIFICATION STATEMENT**

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

A handwritten signature in black ink, appearing to read "James Pensyl", written over a white background.

James Pensyl  
Project Manager  
Registrations & Regulatory Affairs

**NOTIFICATION**  
SEP 10 2004



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NOTIFICATION

SEP 10 2004



# SECURE™ Miticide

Active Ingredient	By Wt.
*Etoxazole.....	72%
Other Ingredients .....	<u>28%</u>
Total.....	100%

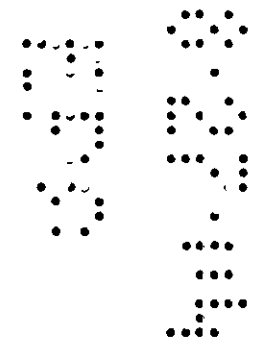
\*2-(2,6-difluorophenyl)-4-[4-(1,1-dimethylethyl)-2-ethoxyphenyl]-4,5-dihydrooxazole

**KEEP OUT OF REACH OF CHILDREN**

**CAUTION**

**SEE NEXT PAGE FOR ADDITIONAL PRECAUTIONARY STATEMENTS**

NET WEIGHT \_\_\_\_\_



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

**CAUTION**

Causes moderate eye irritation. Avoid contact with eyes, skin and 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 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.
- 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 **1-800-892-0099** for emergency medical treatment information.

**PERSONAL PROTECTIVE EQUIPMENT (PPE):** Some of the materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart.

**Applicators and other handlers must wear:** long-sleeved shirt and long pants, chemical-resistant gloves made of any waterproof material such as polyethylene or polyvinyl chloride and shoes plus socks.

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.

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### **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 pesticide is toxic to freshwater and marine/estuarine aquatic invertebrates, including oysters and shrimp. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not apply when weather conditions favor drift from treated areas. Drift and runoff from treated areas may be hazardous to aquatic organisms in water adjacent to treated areas. Do not contaminate water when disposing of equipment washwaters or rinsate.

### **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 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 12 hours.

PPE required for early entry 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 sleeved shirt and long pants, chemical-resistant gloves made of any waterproof material and shoes 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 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**

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 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. 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 latter, 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.

**TANK MIXES**

**NOTICE:** Tank mixing 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. Read and follow the entire label of each product to be used in the tank mix with this product.

**CHEMIGATION**

**Do not apply this product through any type of irrigation or chemigation system.**

**WATER SOLUBLE PACKAGING**  
**[To Be Included on WSP Formulation Only]**

**MIXING INSTRUCTIONS**

Water Soluble Packaging

This bag contains water soluble packets of SECURE Miticide. Do not handle the packets with wet gloves or allow the packets to become wet prior to mixing. If all packets are not used, close and reseal outer container to protect remaining packet(s). Do not add any liquid fertilizers, micronutrients or adjuvants to the spray solution until after the water soluble packets and their contents have completely dissolved. Water soluble packet(s) should completely dissolve in approximately five minutes. Dissolution rate may be slowed by cold water, lack of agitation, or water containing high concentrations of boron or sulfur. High concentration of boron or sulfur may result in spray screen or nozzle clogging due to the incomplete dissolution of the water soluble packet material.

1. Fill clean spray tank 1/2 to 2/3 of desired level with clean water.
2. While agitating, add the correct number of SECURE water soluble packets and make sure that they have dissolved completely before proceeding. Agitation should create a rippling or rolling action on the water surface.
3. Fill spray tank to desired level with water. Agitation should continue until all spray solution has been applied.
4. Mix only the amount of spray solution that can be applied the day of mixing. SECURE should be applied within 6 hours of mixing.
5. Refer to the chart below to determine the number of SECURE water soluble packets required to treat a given number of acres at a specific rate.

Number of SECURE Water Soluble Packets Required to Treat Specified Number of Acres		
Rate (oz./A)	Number of Acres to be Treated	Number of 2 oz. Packets Required
0.66	30	10
1.0	20	10
2.0	10	10
3.0	4	6

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## COTTON

CROP	PESTS	PRODUCT RATES OZ./ACRE	SPECIAL INSTRUCTIONS
Cotton	Carmine Spider Mite Pacific Spider Mite Twospotted Spider Mite	0.66 – 1.0	<p>Apply with air or ground equipment in adequate water for uniform coverage (3 to 10 gals./A by air or 10 to 50 gals./A by ground). Coverage is essential for good control. Use of higher water volume will assure better coverage.</p> <p>Best results are achieved when mite populations are low. SECURE is predominately an ovicide/larvicide and should be used early in the life cycle of mites. SECURE should be applied at the threshold for your area.</p> <p>The use of rates below 0.66 oz./A (0.03 lb. ai/A) is not recommended since it may result in poor control and contribute to resistance.</p>
<ul style="list-style-type: none"> <li>• Do not apply within 28 days of harvest.</li> <li>• Do not make more than 1 SECURE application per season.</li> <li>• Do not apply more than 1.0 oz. of SECURE per acre per season.</li> </ul>			

**MANAGING RESISTANCE:** Repeated use of the same class of miticides or miticides with similar modes of action can lead to the buildup of resistant mite strains. SECURE should be used in alternation with other miticides possessing dissimilar modes of action and/or with other chemical classes of miticides. Follow local, state and federal Integrated Pest Management (IPM) and Resistance Management (RM) recommendations. Read and follow all product labels before applying any miticide.



### POME FRUIT

CROPS	PESTS	PRODUCT RATE OZ./ACRE	SPECIAL INSTRUCTIONS
Pome Fruit such as Apple Crabapple Loquat Pear Quince	European Red Mite McDaniel Spider Mite Pacific Spider Mite Twospotted Spider Mite	2.0 – 3.0	<p>Apply by ground with airblast equipment in a minimum of 100 gals./A. Coverage is essential for good control. Use of higher water volume will assure better coverage.</p> <p>Best results are achieved when mite populations are low. SECURE is predominately an ovicide/larvicide and should be used early in the life cycle of mites. SECURE should be applied at threshold for your area.</p> <p>SECURE will not control Rust Mites or Blister Mites. If these pests are a problem, use an alternative miticide registered for that use.</p> <p>The use of rates below 2.0 oz./A (0.09 lb. ai/A) is not recommended since it may result in poor control and contribute to resistance.</p>
<ul style="list-style-type: none"> <li>• Do not apply within 28 days of harvest.</li> <li>• Do not make more than 1 SECURE application per season.</li> <li>• Do not apply more than 3.0 oz. of SECURE per acre per season.</li> </ul>			

**MANAGING RESISTANCE:** Repeated use of the same class of miticides or miticides with similar modes of action can lead to the buildup of resistant mite strains. SECURE should be used in alternation with other miticides possessing dissimilar modes of action and/or with other chemical classes of miticides. Follow local, state, and federal Integrated Pest Management (IPM) and Resistance Management (RM) recommendations. Read and follow all product labels before applying any miticide.

## STRAWBERRY

CROP	PESTS	PRODUCT RATE OZ./ACRE	SPECIAL INSTRUCTIONS
Strawberry	Pacific Spider Mite Twospotted Spider Mite	2.0 – 3.0	<p>Apply with ground equipment in a minimum of 100 gals./A. Coverage is essential for good control. Use of higher water volume will assure better coverage.</p> <p>Best results are achieved when mite populations are low. SECURE is predominately an ovicide/larvicide and should be used early in the life cycle of mites. SECURE should be applied at threshold for your area.</p> <p>SECURE will not control Cyclamine Mite. Another miticide registered for this pest should be used if these mites are a problem.</p> <p>The use of rates below 2.0 oz./A (0.09 lb. ai/A) is not recommended since it may result in poor control and contribute to resistance.</p>
	Lygus Pacific Spider Mite Spittle Bug Tarnished Plant Bug Twospotted Spider Mite	0.66 – 1.0 + 10 2/3 fl. oz. DANITOL® 2.4 EC (0.2 lb. ai/A)	<p>Apply with ground equipment in adequate water for uniform coverage (100 to 300 gals./A).</p> <p>Alternate with other non-pyrethroid insecticides if retreatment is needed in less than 30 days to comply with local IPM programs.</p> <p>Comply with all applicable directions, restrictions and precautions on the registered label for DANITOL 2.4 EC.</p>
	<ul style="list-style-type: none"> <li>• Do not apply within 1 day of harvest.</li> <li>• Do not make more than 1 SECURE application per season.</li> <li>• Do not apply more than 3.0 oz. of SECURE per acre per season.</li> </ul>		

**MANAGING RESISTANCE:** Repeated use of the same class of miticides or miticides with similar modes of action can lead to the buildup of resistant mite strains. SECURE should be used in alternation with other miticides possessing dissimilar modes of action and/or with other chemical classes of miticides. Follow local, state, and federal Integrated Pest Management (IPM) and Resistance Management (RM) recommendations. Read and follow all product labels before applying any miticide.

### NON-BEARING FRUIT AND NUT TREES

CROP	PESTS	PRODUCT RATES OZ./ACRE	SPECIAL INSTRUCTIONS
Non-Bearing Fruit and Nut Trees	European Red Mite McDaniel Spider Mite Pacific Spider Mite Twospotted Spider Mite	2.0 – 3.0	<p>Apply by ground with airblast equipment as a full coverage spray.</p> <p>Best results are achieved when mite populations are low. SECURE is predominately an ovicide/larvicide. SECURE should be applied at or prior to threshold for your area.</p> <p>The use of rates below 2.0 oz./A (0.09 lb. ai/A) is not recommended since it may result in poor control and contribute to resistance.</p>
	<ul style="list-style-type: none"> <li>• Do not harvest fruit or nuts from treated trees within one year of application.</li> <li>• Do not make more than 1 SECURE application per season.</li> <li>• Do not apply more than 3.0 oz. SECURE per acre per season.</li> </ul>		

**MANAGING RESISTANCE:** Repeated use of the same class of miticides or miticides with similar modes of action can lead to the buildup of resistant mite strains. SECURE should be used in alternation with other miticides possessing dissimilar modes of action and/or with other chemical classes of miticides. Follow local, state and federal Integrated Pest Management (IPM) and Resistance Management (RM) recommendations. Read and follow all product labels before applying any miticide.

## CHRISTMAS TREES

CROP	PESTS	PRODUCT RATES OZ./ACRE	SPECIAL INSTRUCTIONS
Christmas Trees	McDaniel Spider Mite Pacific Spider Mite Spruce Spider Mite Twospotted Spider Mite	2.0 – 3.0	<p>Apply by ground as full coverage spray or by air in a minimum of 10 gals./A. Coverage is critical for effective control.</p> <p>Best results are achieved when mite populations are low. SECURE is predominately an ovicide/larvicide. SECURE should be applied at or prior to threshold for your area.</p> <p>The use of rates below 2.0 oz./A (0.09 lb. ai/A) is not recommended since it may result in poor control and contribute to resistance.</p>
<ul style="list-style-type: none"> <li>• Do not make more than 1 SECURE application per season.</li> <li>• Do not apply more than 3.0 oz. SECURE per acre per season.</li> </ul>			

**MANAGING RESISTANCE:** Repeated use of the same class of miticides or miticides with similar modes of action can lead to the buildup of resistant mite strains. SECURE should be used in alternation with other miticides possessing dissimilar modes of action and/or with other chemical classes of miticides. Follow local, state, and federal Integrated Pest Management (IPM) and Resistance Management (RM) recommendations. Read and follow all product labels before applying any miticide.

## STORAGE AND DISPOSAL

### PROHIBITIONS

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.  
Do not store diluted spray.  
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

Triple rinse (or equivalent). Do not reuse container. Offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

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DANITOL® - Reg. TM of Sumitomo Chemical Company, Ltd.  
SECURE™ - TM of Valent U.S.A. Corporation

Manufactured for:  
**Valent U.S.A. Corporation**  
P.O. Box 8025  
Walnut Creek, CA 94596-8025  
[www.valent.com](http://www.valent.com)  
Made in U.S.A.

EPA Reg. No. 59639-123  
EPA Est. No.

1600 Riviera Avenue  
Suite 200  
PO. Box 8025  
Walnut Creek, CA 94596-8025  
(925) 256-2700



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August 25, 2004

**SECURE Miticide**  
**EPA File Symbol 59639-123**  
**Notification-Additional Pests**  
**OPP Identifier No. 296198**

Mr. Daniel C. Kenny  
Insecticide-Rodenticide Branch, Team 4A  
Document Processing Desk (NOTIF)  
Office of Pesticide Programs (7504C)  
U.S. Environmental Protection Agency  
Room 266A, Crystal City Mall 2  
1801 South Bell Street  
Arlington, Virginia 22202

Dear Dan:

The purpose of this letter is to notify the Agency that we have added two pests controlled by the tank mix of Secure (EPA Reg. No. 59639-123) and Danitol in the use directions for strawberry. I have enclosed the following documents to support this action:

- Application for Pesticide, EPA Form No. 8570-1 (OPP Identifier Number 296198).
- Certification statement.
- Five (5) copies of the amended label. The only changes to the currently approved label is the addition of two pests to the strawberry use directions.
- One (1) redline/strikeout copy of the amended label with the proposed changes highlighted in red.
- One (1) CD containing electronic copies of previously approved and proposed labeling.
- One Certification with Respect to Label Integrity form.

If you have any questions, please contact me at (925) 256-2786 or Mr. Eric Maurer in Valent's Washington, D.C. office at (202) 872-4682. Thank you.

Sincerely,

James Pensyl  
Project Manager  
Registrations & Regulatory Affairs



Enclosures