



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

January 12, 2015

Robert Hamilton  
Senior Regulatory Scientist  
Valent USA Corporation  
1101 14th Street NW, Suite 1050  
Washington, DC 20005

Subject: PRIA Label Amendment – New use of fluopicolide on tobacco  
Product Name: Fluopicolide Technical  
EPA Registration Number: 59639-139  
Application Date: 9/25/2013  
Decision Number: 483642

Dear Mr. Hamilton:

The amendment 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. You are required to comply with the data requirements described in the Fluopicolide DCI listed below:

GDCI-027412-1340

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://www.epa.gov/oppsrrd1/contacts\\_prd.htm](http://www.epa.gov/oppsrrd1/contacts_prd.htm)

A stamped copy of the label is enclosed for your records. This label 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 labels, 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 labels, 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 products 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 Lindsay Roe by phone at 703-347-0506, or via email at roe.lindsay@epa.gov.

Sincerely,

A handwritten signature in black ink that reads "Tony Kish". The signature is written in a cursive style with a large, sweeping initial "T".

Tony Kish, Product Manager 22  
Fungicide Branch  
Registration Division (7505P)  
Office of Pesticide Programs

Attachments- stamped approved labels



**A C C E P T E D**

01/12/2015

Under the Federal Insecticide, Fungicide  
and Rodenticide Act as amended, for the  
pesticide registered under  
EPA Reg. No. 59639-139

# Fluopicolide Technical

## Fungicide

**THIS FUNGICIDE FOR FORMULATING USE ONLY.**

Active Ingredient	By Wt.
*Fluopicolide.....	98.8%
Other Ingredients .....	<u>1.2%</u>
Total .....	100.0%

\*2,6-dichloro-N-[[3-chloro-5-(trifluoromethyl)-2-pyridinyl]methyl]benzamide

**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 swallowed or absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Wear long-sleeved shirt and long pants, socks, shoes and gloves. Remove and wash contaminated clothing before reuse.

<b>FIRST AID</b>	
<b>If on skin or clothing:</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for further treatment advice</li> </ul>
<b>If inhaled:</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>
<b>If swallowed:</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by the poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
<b>If in eyes:</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>HOT LINE NUMBER</b>	
<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 <b>800-892-0099</b> for emergency medical treatment information.</p>	

**ENVIRONMENTAL HAZARDS:**

This pesticide is toxic to fish and aquatic invertebrates. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Drift and runoff from treated areas may be hazardous to aquatic organisms in water adjacent to treated areas. Do not contaminate water by disposing of equipment washwaters or rinsate.

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

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 EPA.

**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 EXTENT CONSISTENT WITH APPLICABLE 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 extent consistent with applicable 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 EXTENT CONSISTENT WITH APPLICABLE 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 later, 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 FLUOPICOLIDE CONTAINING FUNGICIDE PRODUCTS ONLY.**

This product is intended only for use in the formulation of fluopicolide fungicide containing products. Products formulated with Fluopicolide Technical will require registration with the Environmental Protection Agency.

**DIRECTIONS FOR USE**

**Only For Formulation Into Fungicide Products Intended For The Following Uses:**

**•Terrestrial Food Uses On:**

Grape	
Root and Tuber Vegetables	Crop Group 1
Leaves of Root and Tuber Vegetables	Crop Group 2
Bulb Vegetables	Crop Group 3
Leafy Vegetables (except Brassica Vegetables)	Crop Group 4
Brassica (Cole) Leafy Vegetables	Crop Group 5
Fruiting Vegetables	Crop Group 8
Cucurbit Vegetables	Crop Group 9

**•Outdoor Terrestrial Non-Food Uses On: Conifers and Deciduous Trees and Ornamental Plants Including:** Bedding Plants, Conifers, Flowering Plants, Foliage Plants, Ground Covers, Non-Bearing Fruit Trees, Non-Bearing Nut Trees, Non-Bearing Vines, Ornamentals, Shrubs, Sod Farms, Tobacco and Turfgrass

**•Indoor Non-Residential Terrestrial Non-Food Uses On:** Ornamental Plants in Indoor Nurseries including Greenhouses, Shadehouses and Lathouses.

**•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**

### **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.

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

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. Offer for recycling if available. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application 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. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

[Nonrefillable Bag and Liner]

Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment, then offer for recycling if available or dispose of of empty bag in a sanitary landfill.

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Manufactured for:

Valent U.S.A. Corporation

P. O. Box 8025

Walnut Creek, CA 94596-8025

EPA Reg. No. 59639-139

EPA Est. No.

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