

59639-151

10/7/2008

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

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

Daniel Fay  
Valent U.S.A. Corporation  
1600 Riviera Ave., Suite 200  
Walnut Creek, CA 94596

Dear Mr. Fay:

OCT 7 2008

Subject: Labeling Amendment; Addition of Sugar Beets  
V-10170 5 FS Insecticide  
EPA Registration No. 59639-151  
Date Submitted: August 20, 2008

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable. The following comment applies:

1. Should you wish to add/retain the company's website on your label, then please be aware that the language presented in the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to the false and misleading provisions of 40 CFR 156.10(a)(5). Therefore should the Agency find or if it is brought to our attention that a website contains claims substantially differing from the EPA approved section 3 registration, the website will be referred to the EPA's Office of Enforcement and Compliance Assurance.

A stamped copy is enclosed for your records. Please submit one (1) final printed copy for the above mentioned label before releasing the product for shipment. If you have any questions regarding this label, please contact me at (703) 306-0415.

Sincerely,

A handwritten signature in black ink, appearing to read "Kable Bo Davis".

Kable Bo Davis  
Entomologist  
Insecticide-Rodenticide Branch  
Registration Division (7505P)

Enclosure- stamped label



**ACCEPTED**

OCT 7 2008

Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No. 59639-151

**GROUP 4A INSECTICIDE**

**V-10170 5 FS  
(INSECTICIDE)**

**AN INSECTICIDE SEED TREATMENT PRODUCT PROVIDING SYSTEMIC SEED AND SEEDLING PROTECTION AGAINST EARLY SEASON INSECTS**

Active Ingredient	By Wt.
*Clothianidin .....	47.8%
Other Ingredients .....	52.2%
Total .....	100.0%

\*(E)-1-(2-chloro-1,3-thiazol-5-ylmethyl)-3-methyl-2-nitroguanidine

V-10170 5 FS contains 5 lbs clothianidin per gallon.

**KEEP OUT OF REACH OF CHILDREN**

**CAUTION**

**SEE NEXT PAGE FOR PRECAUTIONARY STATEMENTS**

**NET CONTENTS \_\_\_\_\_**

EPA Reg. No. 59639-151  
EPA Est. No.

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

Harmful if swallowed.

<b>FIRST AID</b>	
<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 a person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• Do not give anything to an unconscious person.</li> </ul>
<b>NOTES TO PHYSICIAN</b>	
Treatment is supportive and symptomatic.	
<b>HOT LINE NUMBER</b>	
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.	

**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, shoes plus socks and chemical-resistant gloves made of any waterproof material such as Natural Rubber ≥ 14 mils.

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.

<b>USER SAFETY RECOMMENDATIONS</b>
<p>Users should:</p> <ul style="list-style-type: none"> <li>• Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.</li> <li>• Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.</li> <li>• 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.</li> </ul>

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**ENVIRONMENTAL HAZARDS**

This product is toxic to aquatic invertebrates. Contain product spillage and equipment leaks, disposing of wastes according to disposal instructions provided in this label. Do not contaminate water when disposing of equipment washwater or rinsate. Cover or incorporate spilled treated seed.

**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 State or Tribal agency responsible for pesticide regulation.

**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:** 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.**

### RESISTANCE MANAGEMENT

V-10170 5 FS is a neonicotinoid and a Group 4A insecticide. Insect biotypes with acquired resistance to Group 4A insecticides may eventually dominate the insect population if Group 4A insecticides are used repeatedly in the same field or in successive years as the primary method of control for targeted species. This may result in partial or total loss of control of those species by V-10170 5 FS or other Group 4A insecticides. Valent U.S.A. Corporation strives to maintain strong stewardship of this product by recommending that its use be coordinated in a planned resistance management strategy program established for the specific crop and area.

The following label restrictions must be followed to reduce the chance of resistance development:

- Do not apply a neonicotinoid insecticide to any crop that has been previously treated with V-10170 5 FS seed treatment.
- Avoiding the consecutive use of V-10170 5 FS or other Group 4A insecticides that have a similar target site of action on the same insect species.
- Contact your local extension specialist, certified crop advisors and/or manufacturer for insecticide resistance management or IPM recommendations for the specific site and resistant pest problems.
- For further information or to report suspected resistance, you may contact Valent U.S.A. Corporation at 800-682-5368.

## DIRECTIONS FOR USE

### RESTRICTIONS

V10170 5 FS must be used only in accordance with recommendations on this label utilizing commercial liquid or slurry seed treatment equipment to secure proper application. Always mix product thoroughly before use.

As stated by regulations specified in 40 CFR 153.155, all seed treated with V-10170 5 FS must be colored with an EPA-approved dye or colorant to visually distinguish seed is treated with a pesticide. It is mandatory that such dye or colorant be added into the slurry mixture containing V-10170 5 FS, prior to application through commercial seed treatment equipment. This regulation is necessary to prevent treated seed from accidental use as a food for man or feed for animals.

### Seed Quality And Storage Of Treated Seed

Seed treatments applied to low vigor or poor quality seed or to mechanically damaged seed may result in loss of seed germination or reduced seedling vigor. To verify seed safety, treat a small portion of seed with the desired slurry mixture (V-10170 5 FS alone or in combination with other commercial seed treatment products) prior to treatment of an entire seed lot. Utilize standard seed germination methodologies to determine and verify seed safety. Proper storage conditions of treated seed are recommended. Due to seed quality and seed storage conditions beyond the control of Valent U.S.A. Corporation, no claims are made to guarantee the germination of carry-over treated seed.

**Seed Bag Label Requirement Of Treated Seed**

The Federal Seed Act requires that bags containing treated seed be labeled or tagged with the following information:

- This seed has been treated with *V-10170 5 FS* containing clothianidin.
- Do not use for feed, food, or oil processing.
- Rapeseed greens and seed grown or harvested from *V-10170 5 FS* treated seed must not be used for feed or human consumption. Rapeseed grown and harvested from *V-10170 5 FS* treated seed is only for industrial uses and cannot be used for edible oil or any human/feed consumption.
- Store away from feeds and other foodstuffs.
- Wear long sleeved shirt, long pants and waterproof gloves when handling treated seed.
- Dispose of all excess treated seed. Left over treated seed may be double-sown around the headland or buried away from water sources in accordance with local requirements. Do not contaminate water bodies when disposing of planting equipment washwaters.
- Dispose of seed packaging in accordance with local requirements.
- Treated seeds exposed on soil surface may be hazardous to wildlife. Cover or collect treated seeds spilled during loading.

ROTATIONAL CROP PLANT-BACK INTERVALS					
Crop Planted	Immediate Plant-back	30-Day Plant-back	4-Month Plant-back	8-Month Plant-back	12-Month Plant-back
Field Corn, Popcorn, Sugar Beet	Canola, Cotton, Field Corn, Popcorn, Rapeseed, Sugar Beet, Sweet Corn	Cereal Grains, Dry Beans, Grasses, Non-grass Animal Feeds, Root and Tuber Vegetables, Soybeans		Sugarcane	Any crops without an earlier plant-back interval
Canola, Rapeseed, Sorghum, Sweet Corn	Canola, Cotton, Field Corn, Popcorn, Rapeseed, Sorghum, Sweet Corn	Cereal grains, Grasses, Non-grass Animal Feeds, Soybeans, Dry Beans, Root and Tuber Vegetables	Any crop without an earlier plant-back interval		

**INFORMATION**

*V-10170 5 FS* (clothianidin) is a systemic insecticide seed treatment providing seed and seedling protection against certain soil insects and early-season foliar insects of canola/rapeseed, corn, sorghum and sugar beet.

Accurate application of *V-10170 5 FS* to seed is required for best performance. Application to seed by commercial seed treatment equipment utilizing standard liquid or slurry treaters, is necessary. Thoroughly mix *V-10170 5 FS* prior to use or use entire container at one time. **Tank mixtures with other seed treatment products should be pretested to evaluate formulation compatibility and to assure proper physical compatibility of products. Be aware of limitations or cautions documented on labels of all products used in a seed treatment mixture.**

**CANOLA/RAPESEED**

Crop	Insect Pests	V-10170 5 FS Use Rates fl oz/100 lbs seed	Further Use Instructions
Canola Rapeseed	Flea Beetle Wireworm	10.23	V-10170 5 FS provides early season protection against listed pests.

**CORN**

Crops	Insect Pests	V-10170 5 FS Use Rates		Further Use Instructions
		fl oz/unit of seed*	mg ai/kernel	
Corn Field Pop Seed Sweet Corn	Chinch Bug Corn Flea Beetle Corn Leaf Aphid Cutworm (black) Grape Colaspis Seedcorn Maggot Southern Corn Leaf Beetle Southern Corn Rootworm Southern Green Stinkbug Storage Pests (including Indian Meal Moth Lesser Grain Borer Red Flour Beetle Rice Weevil Rusty Grain Beetle) Sugarcane Beetle White Grub (including European Chafer Larvae May/June Beetle Larvae Japanese Beetle Larvae Thrips Wireworm	1.13	0.25	Provide early seed and seedling protection against listed pests.  <b>For Storage Pests:</b> Follow guidelines for control of stored grain insects, it is advised that seed with existing populations of storage pests be fumigated prior to treating and bagging of seed.
Field Corn and Popcorn	<b>For Early Season Suppression of:</b> Corn Rootworm (including Mexican Northern Southern) Southern Corn Billbug	5.64	1.25	<b>For Southern Corn Billbug:</b> follow-up foliar spray of a locally registered insecticide may be needed under heavy pest pressure. Consult your local Extension office for recommendations.

\*Corn seed unit = 80,000 seed



**SORGHUM**

Crop	Insect Pests	V-10170 5 FS Use Rates fl oz/100 lbs seed	Further Use Instructions
Sorghum	Black Granulate Cutworm Chinch Bug Corn Leaf Aphid English Grain Aphid Greenbug Seed Corn Maggot White Grub Wireworm Yellow Sugarcane Aphid	5.1 to 6.4	V-10170 5 FS provides seed and seedling protection against listed pests.

**SUGAR BEET**

Crop	Insect Pests	V-10170 5 FS Use Rates fl oz/pelleted seed unit*	Further Use Instructions
Sugar Beet	Black Bean Aphid Cutworms Flea Beetle Garden Springtail Sugar Beet Leafhopper Sugar Beet Leafminer Sugar Beet Root Maggot Wireworm	3.4	<p>V-10170 5 FS provides seed and seedling protection against listed pests.</p> <p>Protection against beet leafhopper injury aids in reducing potential spread of beet curly top virus, vectored by beet leafhopper.</p> <p>Apply V-10170 5 FS to seed with a coating system giving a minimum weight gain build-up of approximately 30%.</p>

\*A seed unit is 100,000 seed.

## STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage and disposal.

### PESTICIDE STORAGE

Store in a dry place away from excessive heat.

Do not store near food or feed.

Store in original container only.

To close package, replace and tighten cap to form an airtight seal.

### 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), then offer for recycling or reconditioning or puncture and dispose of in a sanitary landfill or (if allowed by State and local authorities) by burning. If burned, stay out of smoke.

*[Use the following statement for containers equal to or less than 5 gallons]*

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 and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

*[Use the following statement for rigid nonrefillable/greater than 5 gals or 50 lbs containers]*

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.

*[Use the following statement for all formulation types/all refillable container types]*

Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

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Manufactured For:

**Valent U.S.A. Corporation**

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Walnut Creek CA 94596-8025

[www.valent.com](http://www.valent.com)

Made in U.S.A.

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