

59639-178

1/11/2013

1/12



U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Registration Division (7504P)
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

EPA Reg. Number:

Date of Issuance:

59639-178

JAN 11 2013

NOTICE OF PESTICIDE:

[X] Registration
[] Reregistration
(under FIFRA, as amended)

Term of Issuance:
Unconditional

Name of Pesticide Product:
Rizolex Flowable
Fungicide

Name and Address of Registrant (include ZIP Code):

Valent U.S.A. Corporation
1600 Riviera Avenue Suite 200
Walnut Creek, CA 94596

Mailed To:

Valent U.S.A. Corporation
2301 Ohio Drive, Suite 137
Plano, TX 75093

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is unconditionally registered in accordance with FIFRA section 3(c)(5) provided that you:

- 1. Submit and/or cite all data required for registration of your product under FIFRA sec 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of your product under FIFRA section 4.

Page 1 of 2

Signature of Approving Official:

[Handwritten signature]

Cynthia Giles-Parker, Acting Product Manager, Team (21)
Fungicide Branch, Registration Division (7504P)

Date:

JAN 11 2013

2/
12

Notice of Pesticide Registration
Product name: Rizolex Flowable Fungicide
EPA Reg. No. 59639-178
Page 2 of 2

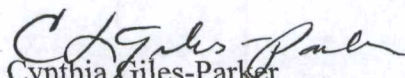
2. Make the following change to the label:

Change the product registration number to "EPA Reg. No. 59639-178."

3. Submit one copy of the revised final printed label for the record before the product is released for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A copy of the label stamped "Accepted" is enclosed for your records.


Cynthia Giles-Parker
Acting Product Manager, Team 21
Fungicide Branch
Registration Division (7504P)

Enclosure:
Label stamped "Accepted"

3/12



ACCEPTED
JAN 11 2013
Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No. <u>59639-178</u>

Rizolex™ Flowable Fungicide

A FUNGICIDE SEED TREATMENT PRODUCT PROVIDING CONTACT SEED AND SEEDLING PROTECTION

	By Wt.
Active Ingredient	
Tolclofos-methyl*	42.0%
Other Ingredients	<u>58.0%</u>
Total	100.0%

*O-(2,6-dichloro-4-methylphenyl) O,O-dimethyl phosphorothioate

Rizolex™ Flowable Fungicide contains 4.17 lbs tolclofos-methyl per gallon.

KEEP OUT OF REACH OF CHILDREN

CAUTION

SEE NEXT PAGE FOR PRECAUTIONARY STATEMENTS

NET CONTENTS _____

4/12

FIRST AID

This product contains an organophosphate that inhibits cholinesterase

If on skin or clothing:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for further treatment advice.
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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

Treatment is supportive and symptomatic. This material contains an atypical weak cholinesterase inhibitor. If signs of cholinesterase inhibition appear, atropine sulfate is antidotal. 2-PAM (PROTOPAM) is also antidotal and may be used in conjunction with atropine but should not be used alone. Other non-cholinergic signs and symptoms should be treated symptomatically.

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS & DOMESTIC ANIMALS
CAUTION

Harmful if absorbed through the skin. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

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 C 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 barrier laminate, butyl rubber, nitrile rubber, neoprene, polyvinyl chloride or Viton.

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.

USER SAFETY RECOMMENDATIONS

- Users should:**
- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
 - Remove clothing/PPE 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.

5/
12

ENVIRONMENTAL HAZARDS

This pesticide is toxic to aquatic organisms. 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 contaminate water by disposing of equipment wash waters or rinsate.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

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.

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, 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 12 hours.

Exception: Once the seeds are planted in soil, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area without restriction if there will be no worker contact with the soil subsurface or treated seed. 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: coveralls; chemical-resistant gloves made of any waterproof material; shoes plus socks.

6/
12

**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, resistance of the target pest 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 DO NOT APPLY THIS PRODUCT. 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 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.

continued

7/
12

(continued)

**DISCLAIMER, RISKS OF USING THIS PRODUCT,
LIMITED WARRANTY
AND LIMITATION OF LIABILITY**

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 prompt 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.

READ ENTIRE LABEL. USE STRICTLY IN ACCORDANCE WITH PRECAUTIONARY STATEMENTS AND DIRECTIONS AND WITH APPLICABLE STATE AND FEDERAL REGULATIONS.

USE INFORMATION

Rizolex Flowable Fungicide is a contact fungicide formulated for seed treatment use to provide protection against seed-borne and soil-borne fungal pathogens causing seed decay and seedling damping-off. *Rizolex* Flowable Fungicide is active against *Rhizoctonia solani*, *Fusarium* spp., and other Deuteromycete fungi causing seed decay and seedling blights. This product is only to be applied on the "true seed" and not to be applied on other propagation parts.

Note

1. Tolclofos-methyl does not provide activity against *Pythium* spp. To provide protection against *Pythium* seed and seedling disease, add a *Pythium*-active fungicide to the seed treatment slurry prior to treating seed with *Rizolex* Flowable Fungicide.
2. Measure labeled use rate accurately and add to water in a slurry pre-mix tank. Always mix product thoroughly before applying to seed.

MODE OF ACTION

Tolclofos-methyl, the active ingredient in *Rizolex* Flowable Fungicide, is a broad-spectrum aromatic hydrocarbon fungicide that works by oxidative deterioration of fungal lipids.

APPLICATION DIRECTIONS

Accurate application of *Rizolex* Flowable Fungicide to seed is required for best performance. Thoroughly mix *Rizolex* Flowable Fungicide in the desired seed slurry mixture, prior to application to seed. **Pre-test tank mixtures with other seed treatment products to evaluate formulation compatibility and to ensure proper physical compatibility of products. When tank mixing this product with other fungicides, observe the most restrictive label limitations and precautions.**

RESTRICTIONS

Rizolex Flowable Fungicide must be used only in accordance with use instructions on this label utilizing mechanical, slurry, or mist type seed treating equipment. Calibrate the equipment to accurately and uniformly apply the product to seed. This product is for both commercial and on-farm application.

Do not apply this product in hopper-box or planter-box at planting time. Always mix product thoroughly before use. Do not plant treated seed by broadcast application.

As stated by regulations specified in 40 CFR 153.155, all seed treated with *Rizolex* Flowable Fungicide must be colored with an EPA approved dye or colorant to visually distinguish seed which has been treated with a pesticide from untreated seed. It is mandatory that such dye or colorant be added into the slurry mixture containing *Rizolex* Flowable Fungicide, prior to application. This regulation is necessary to prevent treated seed from accidental use as a food for man or feed for animals. Do not use treated seed for food or animal feed.

Rizolex Flowable Fungicide may only be used on true seeds and may not be used on propagative plant parts such as garlic cloves.

9/
12

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 (*Rizolex* Flowable Fungicide alone or in combination with other 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.

LABELING OF 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 *Rizolex* Flowable Fungicide containing tolclofos-methyl.
- Do not use for feed, food or oil processing.
- Do not plant treated seeds by broadcast.
- 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.
- For all treated crops except for cotton and root vegetable, do not exceed seeding rate of 200 lb/A. The maximum allowed seeding rates for cotton and root vegetable are 50 lb/A.
- Excess treated seed may be used for ethanol production only if (1) by-products are used for livestock feed and (2) no measurable residues of pesticide remain in ethanol by-products that are used in agronomic practice.

Rizolex Flowable Fungicide provides protection against *Rhizoctonia solani* and seed-borne and soil-borne fungal pathogens that cause seed decay, damping-off and seedling blight. Use a Pythium-active fungicide combined with *Rizolex* Flowable Fungicide for protection against *Pythium* spp. inciting seed rot and seedling dieback.

10/12

The following table provides use rates of *Rizolex* Flowable Fungicide by labeled crop groups.

Table 1. Food Crop Groups and Use Rates

Crop Groups and Crops	<u>Use Rates</u> (fl oz/100 lb seeds*)	<u>Restriction</u> Maximum Seeding Rate* Allowed (lb/A)
ROOT VEGETABLES (Crop Group 1A exclude Burdock, Chervil, Turnip-Rooted; Ginseng; Horseradish; Salsify; Salsify, Black; Salsify, Spanish; Skirret) beet, garden; beet, sugar; edible; carrot; celeriac; chicory; parsley, turnip-rooted; parsnip; radish; radish, oriental; rutabaga; turnip	1.5	40
BULB VEGETABLES (Crop Group 3-07 except Daylily, Bulb; Elegans Hosta; Fritillaria, Bulb; Fritillaria, Leaves; Garlic, Bulb; Garlic, Great-Headed, Bulb; Garlic, Serpent, Bulb; Lily, Bulb; Onion, Chinese, Bulb; Onion, Macrostem; Onion, Potato, Bulb; Onion, Tree, Tops; Onion, Welsh, Tops; Shallot, Bulb; Shallot, Fresh Leaves) Chive, fresh leaves; chive, Chinese, fresh leaves; kurrat; lady's leek; leek; leek, wild; onion, Beltsville bunching; onion, bulb; onion, fresh; onion, green; onion, pearl	0.3	200
LEAFY VEGETABLES (except Brassica Vegetables) (Crop Group 4) Amaranth (Chinese spinach); arugula (roquette); cardoon; celery; celery, Chinese; celtuce; chervil; chrysanthemum, edible-leaved; chrysanthemum, garland; corn salad; cress, garden; cress, upland; dandelion; dock (sorrel); endive (escarole); fennel, Florence; lettuce, head and leaf; orach; parsley; purslane, garden; purslane, winter; radicchio (red chicory); rhubarb; spinach; spinach, New Zealand; spinach, vine; Swiss chard	0.3	200
BRASSICA (COLE) LEAFY VEGETABLES (Crop Group 5) Broccoli; broccoli, Chinese (gai lon); broccoli raab (rapini); Brussels sprouts; cabbage; cabbage, Chinese (bok choy); cabbage, Chinese (napa); cabbage, Chinese mustard (gai choy); cauliflower; cavalo broccolo; collards; kale; kohlrabi; mizuna; mustard greens; mustard spinach; rape greens	0.3	200
LEGUME VEGETABLES (Succulent or Dried) (Crop Group 6) Bean (<i>Lupinus</i>) (includes grain lupin, sweet lupin, white lupin, and white sweet lupin); bean (<i>Phaseolus</i>) (includes field bean, kidney bean, lima bean, navy bean, pinto bean, runner bean, snap bean, tepary bean, wax bean); bean (<i>Vigna</i>) (includes adzuki bean, asparagus bean, blackeyed pea, catjang, Chinese longbean, cowpea, crowder pea, moth bean, mung bean, rice bean, southern pea, urd bean, yardlong bean); broad bean (fava); chickpea (garbanzo); guar; jackbean; lablab bean; lentil; pea (<i>Pisum</i>) (includes dwarf pea, edible-podded pea, English pea, field pea, garden pea, green pea, snowpea, sugar snap pea); pigeon pea; soybean; soybean (immature seed); sword bean	0.3	200

*Raw seed basis

continued

11/12

Table 1. Food Crop Groups and Use Rates (continued)

Crop Groups and Crops	Use Rates (fl oz/100 lb seeds*)	Restriction Maximum Seeding Rate* Allowed (lb/A)
FRUITING VEGETABLES (Crop Group 8-10) African eggplant; bell pepper; Bush tomato; cocona; currant tomato; eggplant; garden huckleberry; goji berry; groundcherry; Martynia; naranjilla; nonbell pepper; okra; pea eggplant; pepino; roselle; scarlet eggplant; sunberry; tomatillo; tomato; tree tomato; cultivars, varieties, and/or hybrids of these.	0.3	200
CUCURBIT VEGETABLES (Crop Group 9) 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	0.3	200
CEREAL GRAINS (Crop Group 15, except rice and wildrice) Barley; buckwheat; corn; millet, pearl; millet, proso; oats; popcorn; rye; sorghum (milo); teosinte; triticalewheat	0.3	200
GRASS FORAGE, FODDER, AND HAY (Crop Group 17) Any grass, Gramineae family (either green or cured) except sugarcane and those included in the cereal grains group, that will be fed to or grazed by livestock, all pasture and range grasses and grasses grown for hay or silage	0.3	200
NON-GRASS ANIMAL FEEDS (Forage, Fodder, Straw, and Hay) (Crop Group 18) Alfalfa; bean, velvet; clover (<i>Trifolium</i> , <i>Melilotus</i>); kudzu; lespedeza; lupin; sainfoin; trefoil; vetch; vetch, crown; vetch, milk	0.3	200
**HERBS AND SPICES (Crop Group 19) Allspice; angelica; anise; anise, star; annatto (seed); balm; basil; borage; burnet; camomile; caper buds; caraway; caraway, black; cardamom; cassia bark; cassia buds; catnip; celery seed; chervil (dried); chive; chive, Chinese; cinnamon; clary; clove buds; corainder leaf (cilantro or Chinese parsley); coriander seed (cilantro); costmary; culantro (leaf); culantro (seed); cumin; curry (leaf); dill (dillweed); dill (seed); fennel (common); fennel, Florence (seed); fenugreek; grains of paradise, horehound; hyssop; juniper berry; lavender; lemongrass; lovage (leaf); lovage (seed); mace; marigold, marjoram; mustard (seed); nasturtium; nutmeg; parsley (dried); pennyroyal; pepper, black; pepper, white; poppy (seed); rosemary; rue; saffron; sage; savory, summer and winter; sweet bay; tansy; tarragon; thyme; vanilla; wintergreen; woodruff; wormwood	0.3	200
**OILSEEDS (Crop Group 20, except cotton) Borage, calendula, castor oil plant, Chinese tallowtree, crambe, cuphea, echium, euphorbia, evening primrose, flax seed, Gold of Pleasure, hare's-ear mustard, jojoba, lesquerella, lunaria, meadow foam, milkweed, mustard seed, Niger seed, oil radish, poppy seed, rapeseed (including canola), rose hip, safflower, sesame, stokes aster, sunflower, sweet rocket, tallowwood, tea oil plant and vernonia	0.3	200
COTTON	1.5	50
ORNAMENTAL FLOWERS	0.3	200
CONIFERS	0.3	200
Restriction: Do not apply more than a total of 0.02 lb (9.07 gram) Tolclofos-methyl (active ingredient) per acre per cropping cycle. (Refer to the seeding rate restriction on the chart)		

*Raw seed basis

** Not for Use in California

12/
12

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 HANDLING

Nonrefillable container. Do not reuse or refill this container. 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. Offer for recycling, if available; otherwise 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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Rizolex is a trademark of Sumitomo Chemical Company Ltd

Manufactured For:

Valent U.S.A. Corporation

P. O. Box 8025

Walnut Creek CA 94596-8025

(800)-682-5368

www.valent.com

Made in U.S.A.

EPA Reg. No. 59639-RTI

EPA Est. No.

059639-00RTI.20121023.Rizolex FF.NewProduct
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