



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

June 8, 2017

Linda Obrestad
Valent U.S.A. LLC
1600 Riviera Av., Suite 200
Walnut Creek, CA 94596-8025

Subject: Notification per PRN 98-10 – Notification to add NPDES language in the
Environmental Hazards Section
Product Name: Nipsit SUITE Cereals OF Seed Protectant
EPA Registration Number: 59639-183
Application Date: 5/12/2017
Decision Number: 529562

Dear Ms. Obrestad,

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above referenced product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10.

The label submitted with the application has been stamped “Notification” and will be placed in our records. Should you wish to add/retain a reference to the company’s website on your label, then 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 label, 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.

If you have any questions, please contact Jessica Rogala by phone at 703-347-0263, or via email at rogala.jessica@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Rogala" with a flourish at the end.

Elyssa Arnold, Acting Product Manager 01
Invertebrate & Vertebrate Branch 3
Registration Division (7505P)
Office of Pesticide Programs



NOTIFICATION – REDLINE COPY

NipsIt™ SUITE Cereals OF Seed Protectant

A SEED TREATMENT PRODUCT PROVIDING SYSTEMIC SEED AND SEEDLING PROTECTION AGAINST LISTED EARLY SEASON CEREAL DISEASES AND WIREWORM

Active Ingredients	By Wt.
Clothianidin ¹	2.93%
Metalaxyl ²	0.88%
Metconazole ³	0.44%
Other Ingredients	<u>95.75%</u>
Total	100%

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

²N-(2,6-dimethylphenyl)-N-(methoxyacetyl)alanine methyl ester

³5-[(4-chlorophenyl)methyl]-2,2-dimethyl-1-(1H-1,2,4-triazol-1-ylmethyl)cyclopentanol

One gallon of *NipsIt SUITE* Cereals OF Seed Protectant contains 0.256 lbs clothianidin, 0.077 lbs metalaxyl, and 0.038 lbs metconazole.

KEEP OUT OF REACH OF CHILDREN

CAUTION

SEE NEXT PAGE FOR PRECAUTIONARY STATEMENTS

NET CONTENTS

EPA Reg. No. 59639-183
EPA Est. No.

NOTIFICATION

59639-183

The applicant has certified that no changes, other than those reported to the Agency have been made to the labeling. The Agency acknowledges this notification by letter dated:

06/08/2017

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS & DOMESTIC ANIMALS

CAUTION

PERSONAL PROTECTIVE EQUIPMENT (PPE): Mixers, loaders, applicators and other handlers must wear: Long-sleeved shirt and long pants, chemical resistant gloves made of any waterproof material, socks and shoes.

Follow the manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, 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.

ENVIRONMENTAL HAZARDS

This product is toxic to 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. Do not contaminate water when disposing of equipment wash water or rinsate. Do not apply where runoff is likely to occur. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Apply this product only as specified on label.

Treated seed exposed on soil surface maybe hazardous to birds. Cover or collect spilled seeds.

Metalaxyl has properties and characteristics associated with chemicals detected in ground water. This chemical may leach into ground water if used in areas where soils are permeable, particularly where the water table is shallow. Therefore, contain any product spills or equipment leaks and dispose of waste according to the disposal instructions on this label.

[Use the following statement for containers greater than 50 pounds]
[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 into sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.]

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.

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 24 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: long-sleeved shirt and long pants; chemical-resistant gloves such as barrier laminate, butyl rubber, nitrile rubber, or Viton; shoes plus socks.

**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.

ASSUMPTION OF RISK

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 to this product. Such risks of crop injury, non-performance, or other unintended consequences are unavoidable and may result because of such factors as weather, soil conditions, disease, moisture conditions, irrigation practices, 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.

RESISTANCE MANAGEMENT

NipsIt SUITE Cereals OF Seed Protectant contains Clothianidin which 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 *NipsIt SUITE* Cereals OF Seed Protectant or other Group 4A insecticides. Valent U.S.A. LLC 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.

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. LLC at 800-682-5368.

PRECAUTIONS AND RESTRICTIONS

NipsIt SUITE Cereals OF Seed Protectant is formulated as a ready-to-use seed protectant formulation and must be used only in accordance with specifications on this label utilizing mechanical, slurry, or mist-type seed treating equipment, provided that the equipment can be calibrated to accurately and uniformly apply the product to seed. This product is for both commercial and on-farm application. Do not use planter box or hopper box when applying product to seeds. Always mix product thoroughly before use.

As stated by regulations specified in 40 CFR 153.155, all seed treated with *NipsIt SUITE* Cereals OF Seed Protectant must be colored with an EPA-approved dye or colorant to visually distinguish seed that is treated with a pesticide. This product contains such dye or colorant. 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 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. LLC, no claims are made to guarantee the germination of carry-over treated seed.

SEED BAG TAG

The Federal Seed Act requires that the container of seed treated with *NipsIt SUITE* Cereals OF Seed Protectant containing clothianidin, metalaxyl, and metconazole must be labeled with the following statements:

- This seed has been treated with *NipsIt SUITE* Cereals OF Seed Protectant which contains clothianidin, metalaxyl and metconazole.
- Do not use treated seed for feed, food or oil processing.

In addition, the U.S. Environmental Protection Agency requires the following statements on the container of seed treated with *NipsIt SUITE* Cereals OF Seed Protectant:

- Regardless of the type of application (seed treatment, soil or foliar), do not apply more than a total of 6.4 oz (181.4 gram) clothianidin (active ingredient) per acre per cropping cycle.
- Store away from feeds and other foodstuffs.
- Excess treated seed may be used for ethanol production only if (1) by-products are not used for livestock feed and (2) no measurable residues of pesticide remain in ethanol by-products that are used in agronomic practice.
- Wear long sleeved shirt, long pants and chemical resistant 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.
- Treated seeds must be planted at a minimum depth of 0.5 inch.
- This compound is toxic to birds and mammals. Treated clothianidin seeds exposed on soil surface may be hazardous to birds and mammals. Cover or collect seeds spilled during loading.
- This compound is highly toxic to bees exposed directly (contact). Ensure that planting equipment is functioning properly in accordance with manufacturing recommendations to minimize seed coat abrasion during planting to reduce dust which can drift to blooming crops or weeds.
- Do not re-use bags from treated seed to handle food or feed products.
- Dispose of seed packaging in accordance with local requirements.
- After seeds have been planted, do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 24 hours. Exception: Once seeds are planted and covered by soil or other planting media, the Worker Protection Standard (WPS) allows workers to enter the treated area without restriction."
- Areas planted with treated seed of barley, oats and wheat may be replanted immediately with bulb vegetables, canola, cereal grains (except rice), cotton, fruiting vegetables (including cucurbits), leafy vegetables (including brassica vegetables), rapeseed, root and tuber vegetables and soybean. These areas may also be replanted after 30 days with dry beans, grasses, non-grass animal feeds and rice. These areas may also be replanted after 8 months with sugarcane. Do not plant any other crop in the treated area for at least one year after these treated seeds are planted.

PRODUCT INFORMATION

NipsIt SUITE Cereals OF Seed Protectant is a systemic fungicide plus insecticide product formulated for seed treatment use to provide protection against seed-borne and soil-borne diseases and seed protection against wireworm. The fungicide active ingredients in *NipsIt SUITE* Cereals OF Seed Protectant are metconazole, a broad-spectrum, systemic, triazole fungicide, and metalaxyl, an Oomycete-active, systemic acylalanine fungicide. The fungicide components of *NipsIt SUITE* Cereals OF Seed Protectant provide activity against *Pythium spp.*, *Rhizoctonia solani*, *Fusarium spp.*, and other Deuteromycete and Basidiomycete (smut and bunt) fungi. Clothianidin is a systemic insecticide in *NipsIt SUITE* Cereals OF Seed Protectant giving seed protection against wireworm.

MODES OF ACTION

Metalaxyl fungicide contained in *NipsIt SUITE* Cereals OF Seed Protectant is a member of the acylalanine chemical group (FRAC Code 4) and interrupts fungal nucleic acid synthesis. Metconazole belongs to the sterol biosynthesis inhibitor group of fungicides (FRAC Code 3). Clothianidin is a neonicotinoid insecticide (IRAC MoA Group 4A) acting as a nicotine acetylcholine receptor agonist/antagonist in insect metabolism.

APPLICATION DIRECTIONS

Accurate application of *NipsIt SUITE* Cereals OF Seed Protectant to seed is required for control of pests. *NipsIt SUITE* Cereals OF Seed Protectant is ready to use and may be applied direct to seed as formulated. However, to enhance uniform seed coverage, dilution with water may be appropriate for some types of treaters and/or treating seed under dry and/or hot conditions. If so, mix *NipsIt SUITE* Cereals OF Seed Protectant and water thoroughly into slurry before treating seed. Recalibrate treating equipment to compensate for the addition of water. The amount of dilution water that is most suitable depends on the seed, treating equipment, and the temperature.

For preparation of product in a slurry mixture with water, use the following guideline:

<i>NipsIt SUITE</i> Cereals OF Seed Protectant Use Rate:	Amount of water to be added to product:	Total Slurry Volume to apply per cwt. seed:
5.0 fl.oz./cwt. seed	5.0 – 10 fl.oz.	10.0 – 15 fl.oz.
7.5 fl.oz./cwt. seed	7.5 fl.oz./cwt.	15 fl.oz./cwt.

Use standard slurry or mist-type seed treatment equipment.

The following tables provide use rates of *NipsIt SUITE* Cereals OF Seed Protectant by labeled crop, with disease and insect protection guidelines:

BARLEY			
Seed/Seedling Diseases	Insect Pests	<i>NipsIt SUITE</i> Cereals OF Seed Protectant Use Rates	
		fl oz/100 lbs seed	¹ active Ingredient (mg ai/seed)
Covered Smut Loose Smut Seed Decay Fungi Fusarium Seed Scab Pythium Seed Rot and Seedling Dieback Early Season Fusarium Seedling Dieback Early Season Rhizoctonia Root Rot Early Season Common Root Rot	Wireworm	5.0 -7.5	Clothianidin (0.00333 -0.005) Metalaxyl (0.001 -0.0015) Metconazole (0.00049-0.00074)
Regardless of type of application (seed treatment, soil or foliar), do not apply more than a total of 6.4 oz (181.4 gram) active ingredient clothianidin per acre per cropping cycle.			

¹mg active ingredient per seed is based on 13,605 seeds per pound

OATS			
Seed/Seedling Diseases	Insect Pests	<i>NipsIt SUITE</i> Cereals OF Seed Protectant Use Rates	
		fl oz/100 lbs seed	¹ active Ingredient (mg ai/seed)
Loose Smut Seed Decay Fungi Fusarium Seed Scab Pythium Seed Rot and Seedling Dieback Early Season Fusarium Seedling Dieback Early Season Rhizoctonia Root Rot Early Season Common Root Rot	Wireworm	5.0 -7.5	Clothianidin (0.00238 -0.00357) Metalaxyl (0.00072 -0.00107) Metconazole (0.00035-0.00053)
Regardless of type of application (seed treatment, soil or foliar), do not apply more than a total of 6.4 oz (181.4 gram) active ingredient clothianidin per acre per cropping cycle			

¹mg active ingredient per seed is based on 19,047 seeds per pound

WHEAT			
Seed/Seedling Diseases	Insect Pests	<i>NipsIt SUITE</i> Cereals OF Seed Protectant Use Rates	
		fl oz/100 lbs seed	¹ active Ingredient (mg.ai/seed)
Common Bunt Flag Smut Loose Smut Seed Decay Fungi Fusarium Seed Scab Pythium Seed Rot and Seedling Dieback Early Season Fusarium Seedling Dieback Early Season Rhizoctonia Root Rot Early Season Common Root Rot	Wireworm	5.0 -7.5	Clothianidin (0.004 -0.006mg) Metalaxyl (0.0012 -0.0018 mg) Metconazole (0.00059-0.00089 mg)
Regardless of type of application (seed treatment, soil or foliar), do not apply more than a total of 6.4 oz (181.4 gram) active ingredient clothianidin per acre per cropping cycle			

¹ mg active ingredient per seed is based on 11,338 seeds per pound

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

To avoid wastes, use all material in this container by application according to label directions.

If wastes cannot be avoided, offer remaining product to a waste facility or pesticide disposal program (often such programs are run by state or local governments or by industry).

CONTAINER HANDLING

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

Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) 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 incinerator.

[Use the following statement for containers greater than 5 gallons]

Nonrefillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) 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. Turn the container over onto its other 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. Offer for recycling, if available; otherwise dispose of in a sanitary landfill or incinerator.

[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. Offer for recycling, if available; otherwise dispose of in a sanitary landfill or incineration.

RECYCLING

Once cleaned, some agricultural plastic pesticide containers can be taken to a container collection site or picked up for recycling. To find the nearest site, contact your chemical dealer or manufacturer, or contact the Ag Container Recycling Council (ACRC) at 877-952-2272 (toll free) or www.acrecycle.org.

NipsIt is a trademark of Valent U.S.A. LLC

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Manufactured For:

Valent U.S.A. LLC

P. O. Box 8025

Walnut Creek CA 94596-8025

Made in U.S.A.

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EPA Est. No.

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