

62097-9

11-12-2007

Print Form 1/6

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0080. Approval expires 2-28-

| | | | |
|--|---|--|-----------------------|
| | United States Environmental Protection Agency Washington, DC 20460 | <input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other | OPP Identifier Number |
|--|---|--|-----------------------|

Application for Pesticide - Section I

| | | |
|--|---|--|
| 1. Company/Product Number 62097-9 | 2. EPA Product Manager L. Hollis | 3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted |
| 4. Company/Product (Name) Exilis Plus | PM# 91 | |
| 5. Name and Address of Applicant (Include ZIP Code) Fine Agrochemicals Ltd, Hill End House, Whittington, Worcester, WR5 2RQ, UK <input type="checkbox"/> Check if this is a new address | 6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(ii), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____ | |

Section - II

| | |
|--|--|
| <input type="checkbox"/> Amendment - Explain below. | <input type="checkbox"/> Final printed labels in response to Agency letter dated _____ |
| <input type="checkbox"/> Resubmission in response to Agency letter dated _____ | <input type="checkbox"/> "Me Too" Application. |
| <input checked="" type="checkbox"/> Notification - Explain below. | <input type="checkbox"/> Other - Explain below. |

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

See attached page for explanation.

Section - III

| | | | | | |
|---|---|---|--------------------------------------|---|--|
| 1. Material This Product Will Be Packaged In: | | | | 2. Type of Container | |
| Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No | Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No | Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> Text <input type="checkbox"/> No | If "Yes" Unit Packaging wgt. | No. per container | <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____ |
| * Certification must be submitted | | If "Yes" Package wgt | No. per container | | |
| 3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container | | 4. Size(s) Retail Container | | 5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product | |
| 6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled | | | <input type="checkbox"/> Other _____ | | |

Section - IV

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

| | | |
|----------------------------|------------------------------|---|
| Name Frederick T. Smith | Title Agent (SciReg, Inc) | Telephone No. (Include Area Code) 703-494-6500 |
|----------------------------|------------------------------|---|

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.

6. Date Application Received (Stamped)

| | | |
|-------------------------------------|---------------------------------|-------------------------|
| 2. Signature | 3. Title Agent (SciReg, Inc) | Date Received (Stamped) |
| 4. Typed Name FREDERICK T. SMITH | 5. Date 2/9/07 | |

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SciReg, Inc.
Science and Regulatory Consultants

February 12, 2007

Ms. Linda Hollis
Branch Chief
Document Processing Desk (7504P)
Office of Pesticide Programs
U.S. Environmental Protection Agency
One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

**Re: Notification of changes in Warranty Statement per PR Notice 98-10
- Exilis Plus (EPA Reg. No. 62097-9)**

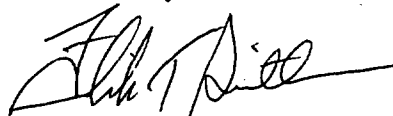
Dear Ms. Hollis:

SciReg, Inc. is the authorized agent for Fine Agrochemicals Ltd. (FAL). On behalf of FAL, SciReg is submitting this letter, a completed Application, and six copies of a revised label, one of which is highlighted, via notification to change FAL's Warranty Statement for Exilis Plus (EPA Reg. No. 62097-9).

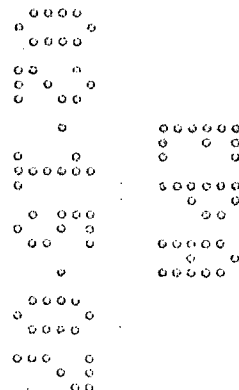
Also attached are copies of recent relevant email correspondence between SciReg and EPA concerning the acceptability of the new warranty text. As indicated in the provided correspondence, EPA's Office of General Counsel has approved the revised verbiage.

If you should have any questions regarding this correspondence, please contact me directly.

Sincerely,



Frederick T. Smith
Senior Regulatory Specialist



Enclosures

EXILIS® PLUS

Plant Growth Regulator Solution

Active Ingredient: N-(phenylmethyl)-1H-purine-6-amine.....

Other Ingredients:

Total:

NOTIFICATION
 Date Reviewed: 11/2/07
 Reviewed By: [Signature]

KEEP OUT OF REACH OF CHILDREN

CAUTION

EPA Reg. No. 62097-9

EPA Est. No. 39578-TX-1

NET CONTENTS: ½ Gallon (1.89 L)

| FIRST AID | |
|--|--|
| IF IN EYES | <ul style="list-style-type: none"> • 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 SWALLOWED | <ul style="list-style-type: none"> • 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 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 treatment advice. |
| <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 1-800-858-7378 (National Pesticide Information Center) for emergency medical treatment information.</p> | |

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION. Causes moderate eye irritation. Harmful if swallowed or absorbed through skin. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some 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 selection chart. Applicators and other handlers must wear:

- * Long-sleeved shirt and long pants.
- * Chemical resistant gloves such as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, polyvinyl chloride or viton.
- * Socks and shoes.

Follow the manufacturer's instructions for cleaning/maintaining PPE. If 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.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, 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 waters or rinsate.

PHYSICAL OR CHEMICAL HAZARDS

FOR CHEMICAL EMERGENCY: spill, leak, fire, exposure, or accident call CHEMTREC 1-800-424-9300.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labelling. 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 requirement specific to your state or tribe, consult the state/tribal agency responsible for pesticide regulation. Do not apply this product through any type of irrigation system.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labelling 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 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:

- * Coveralls
- * Shoes plus socks
- * Chemical-resistant gloves such as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, polyvinyl chloride or viton.

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STORAGE AND DISPOSAL

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

Pesticide Storage: Keep container tightly closed when not in use. Store below 75°F.

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 sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

PRODUCT INFORMATION

- EXILIS PLUS is a plant growth regulator for use on apples.
- EXILIS PLUS is a post-bloom thinning agent.
- EXILIS PLUS may increase fruit weight but this is dependent on fruit set and the physiological condition of the trees.
- Apply EXILIS PLUS using conventional spray application machinery or as otherwise directed in this label. Do not apply EXILIS PLUS using irrigation equipment.
- The effectiveness of EXILIS PLUS depends on the variety of target apple trees.
- The thinning effectiveness of EXILIS PLUS is increased by:
 - High temperatures before and after application (70-75°F (21-24°C)).
 - Disease and physiological stress of target trees. Apply reduced rates to low vigor trees, or trees under stress from drought, winter injury, etc.
- The effectiveness of EXILIS PLUS is reduced by:
 - Low temperatures before and after application. Do not apply EXILIS PLUS if the temperature is below 60°F (16°C).
 - Rainfall immediately after application.
 - pH above 8. Exilis Plus performs best when the pH is 5-6.5. A buffer or pH enhancer may be used for this purpose.
- Direct 80% of the spray to the top 2/3rds of the tree structure.
- Use a properly calibrated sprayer to ensure uniform and complete coverage of all foliage and developing fruit without run-off. Spray volume should be adjusted for tree size and density.
- EXILIS PLUS works best if climatic conditions allow an extended drying period. Consider application in the morning or evening when temperatures are lower and humidity tends to be higher than during the day.
- Consult your farm advisor or extension specialist for advice about tank-mixing EXILIS PLUS with other compounds.
- DO NOT tank-mix EXILIS PLUS with products containing NAA on varieties that are susceptible to producing 'pygmy fruit' when treated with NAA.
- DO NOT EXCEED 296 fl oz of product (182 grams of active ingredient) PER ACRE PER SEASON. This package contains 64 fl oz (39.35 grams of active ingredient) of product.
- DO NOT APPLY CLOSER THAN 86 DAYS BEFORE HARVEST.

SPRAYING GUIDE FOR FRUIT THINNING

When used to thin fruit, EXILIS PLUS is normally applied in a single spray program; if a second application is needed allow 7-10 days after the first to observe the effect and spray before the diameter of king bloom fruit exceeds 20mm.

Make 1 – 2 applications of 75-200 ppm when king fruitlets are 5 – 10 mm in diameter (see Exilis Plus Dilution Guide). The effectiveness of EXILIS PLUS depends on the variety of target apple trees and weather conditions. Refer to your farm advisor or extension specialist for advice about rate of application. DO NOT EXCEED 296 fl oz of product (182 grams of active ingredient) PER ACRE PER SEASON.

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SPRAYING GUIDE FOR FRUIT SIZING & RETURN BLOOM

Spray 2-4 applications of 10-50 ppm at petal fall and following at 3-10 day intervals. Generally use higher rates at longer intervals and lower number of applications. Refer to your farm advisor or extension specialist for advice about rate of application. DO NOT EXCEED 296 fl oz of product (182 grams of active ingredient) PER ACRE PER SEASON.

Applications for fruit sizing may cause thinning in some varieties or conditions of application.

EXILIS PLUS DILUTION GUIDE

| Parts Per Million | 10 ppm | 25 ppm | 50 ppm | 75 ppm | 100 ppm | 125 ppm | 150 ppm | 175 ppm | 200 ppm |
|--|--------|--------|--------|--------|---------|---------|---------|---------|---------|
| Fluid Ounces of Product Per 50 Gallons of Water | 3 | 7.5 | 15 | 23 | 30.5 | 38 | 45.5 | 53.5 | 61 |

[Exilis Plus contains 39.35 grams active ingredient per 64 fluid ounces (one-half gallon)]

WARRANTY DISCLAIMER AND LIMITATION OF LIABILITY

Fine Agrochemicals Limited ("FINE") warrants that this Product conforms to the specifications on this label. To the extent consistent with applicable law, FINE makes no other warranties and disclaims all other warranties, express or implied, including but not limited to warranties of merchantability and fitness for a particular purpose. No agent of FINE or any other person is authorized to make any representation or warranty beyond those contained herein.

It is impossible to eliminate all risks associated with this Product. Plant injury, lack of performance, or other unintended consequences may result because of factors such as abnormal weather conditions, use of the Product other than in strict accordance with this label's instructions, presence of other materials, the manner of application or other factors, all of which are beyond the control of FINE or the seller. To the extent consistent with applicable law, all such risks shall be assumed by the Buyer.

To the extent consistent with applicable law: 1) FINE disclaims any liability whatsoever for special, incidental or consequential damages resulting from the handling or use of this Product and 2) FINE's liability under this label shall be limited to the amount of the purchase price or, at the election of FINE, the free replacement of the Product.

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