

62719-134

03/06/2002

SACKET 1/9



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

MAR 6 2002

Ms. Karen M. Swayze
Dow AgroSciences LLC
9330 Zionsville Road
Indianapolis, IN 46268

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Subject : Dow AgroSciences / Rubigan EC
EPA Registration Number 62719-134
Your Submission Dated September 13, 2001

Dear Ms. Swayze:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended is acceptable provided the following changes are made:

Delete the referral statement on page 3 and move the Agricultural Use Requirements box found on page 1 to page 3. Add the header "Directions for Use" above the box on page 3 and add the first two paragraphs which currently appear below the "Direction for Use" header on page 3. No changes are needed on page 6.

A stamped copy of the label is enclosed for your records. Please submit one copy of your final printed labeling before you release the product for shipment. If you have any questions, you may contact Summer Gardner-Jenkins of my staff at (703) 308-9353.

Sincerely,

A handwritten signature in cursive script that reads "Mary L. Waller".

Mary L. Waller
Product Manager 21
Fungicide Branch
Registration Division (7505C)

Enclosure

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**ACCEPTED
with COMMENTS
In EPA Letter Dated**

MAR 6 2002

**Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
62719-134**

(Base Label):

(logo) Dow AgroSciences

Rubigan* E. C.

Ornamental Fungicide

A locally systemic fungicide for the prevention or therapeutic control of powdery mildew in commercially grown, field or greenhouse roses and field or container grown ornamentals.

Active Ingredient:

fenarimol: a-(2-chlorophenyl)-a-(4-chlorophenyl)-5-pyrimidinemethanol.....	12.0%
Inert Ingredients	88.0%
Total	100.0%

Contains 1 pound active ingredient per gallon.
Contains petroleum distillate.

Keep Out of Reach of Children

WARNING

AVISO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

Agricultural Use Requirements
Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. Refer to the label booklet under "Agricultural Use Requirements" in the Directions for Use section for information about this standard.

Refer to back panel for Precautionary Statements, including Personal Protective Equipment (PPE) and User Safety Recommendations.

Notice: Read the entire label. Use only according to label directions. **Before using this product, read Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies at end of label booklet. If terms are unacceptable, return at once unopened.**

In case of emergency endangering health or the environment involving this product, call 1-800-992-5994. If you wish to obtain additional product information, visit our web site at www.dowagro.com.

Agricultural Chemical: Do not ship or store with food, feeds, drugs or clothing.

EPA Reg. No. 62719-134	AGH	MM	XI
	EPA Est. 5905-GA-01; 464-MI-1; 52379-MI-002		
	Superscripts correspond to first letters of lot number.		

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Dow AgroSciences LLC • Indianapolis, IN 46268 USA

Specialty Fungicide

Net Contents 1 pt

(Datapack, Rubigan E.C. spec):
(Cover and base label):

Precautionary Statements

Hazards to Humans and Domestic Animals

WARNING AVISO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand the label, find someone to explain it to you in detail.)

Causes Substantial But Temporary Eye Injury • Causes Skin Irritation • Harmful If Swallowed, Inhaled Or Absorbed Through The Skin

Do not get in eyes, on skin or on clothing. Avoid breathing vapor or spray mist.

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 G on an EPA chemical resistance category selections chart.

Applicators and other handlers must wear:

- Coveralls over short-sleeved shirt and short pants
- Chemical-resistant gloves such as Barrier Laminate or Viton
- Chemical-resistant footwear plus socks
- Protective eyewear
- Chemical-resistant headgear for overhead exposure
- Chemical-resistant apron when cleaning equipment, mixing, or loading

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. Follow 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 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.

First Aid

If in eyes: 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: 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: 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.

If inhaled: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. Call a poison control center or doctor for further treatment advice.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-992-5994 for emergency medical treatment information.

Environmental Hazards

This product is toxic to fish. Do not apply directly to water, or to areas where surface water is present or to intertidal area below the mean high water mark. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not apply when weather conditions favor runoff or drift from the target area. Do not contaminate water when disposing of equipment washwaters or rinsate.

Refer to attached label booklet for Directions for Use including Storage and Disposal.

(page 1 through end of datapack):

(logo) **Dow AgroSciences**

Rubigan* E. C.

Ornamental Fungicide

A locally systemic fungicide for the prevention or therapeutic control of powdery mildew in commercially grown, field or greenhouse roses and field or container grown ornamentals.

Active Ingredient:

fenarimol: a-(2-chlorophenyl)-a-(4-chlorophenyl)-

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EPA Reg. No. 62719-134

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Directions for Use

It is a violation of federal law to use this product in a manner inconsistent with its labeling. Read all Directions for Use carefully before applying.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected workers may be in the area during application. For any requirements specific to your State, or Tribe consult the 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 Protections 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 over short-sleeved shirt and short pants
- Chemical-resistant gloves such as Barrier Laminate or Viton
- Chemical-resistant footwear plus socks
- Protective eyewear
- Chemical-resistant headgear for overhead exposure

Storage and Disposal

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

Storage: Avoid freezing. Do not use or store near heat or open flame. Store in original container only. In case of leak or spill, use absorbent materials to contain liquids and dispose as waste.

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 by other procedures approved by state and local authorities.

General Information

Rubigan* E. C. fungicide is a locally systemic fungicide for the prevention or therapeutic control of powdery mildew on roses and field grown ornamentals. Rubigan E.C. is absorbed into the plant foliage and is not easily washed off by rain or overhead irrigation. Used as directed, Rubigan E.C. will not harm the foliage or floral tissue of roses.

General Use Precautions

Apply Rubigan E.C. with ground equipment only.

Chemigation: Do not apply this product through any type of irrigation system.

Application Directions

Rubigan E.C. should be added to the spray tank during the last half of the filling operation. Continuous agitation during completion of filling and spraying will be necessary to insure a uniform spray mixture. Apply Rubigan E.C. with sufficient pressure and spray volume to insure thorough wetting of all plant surfaces. Special care should be taken to thoroughly wet new terminal growth and plant areas already

diseased with powdery mildew. Applications of Rubigan E.C. should begin at the earliest appearance of signs or symptoms of powdery mildew.

Roses

Apply Rubigan E.C. at the recommended application rate and spray interval.

Tank Mixtures

In areas where blackspot occurs, Rubigan E.C. should be tank mixed with an EPA registered, commercially-available fungicide. Use the recommended label rate of the selected tank mix product for blackspot control and the appropriate rate for Rubigan E.C. from the tables below.

Greenhouse Roses

Disease Severity†	Rubigan E.C. Application Rate (fl oz/100 gal)	Spray Interval (days)
Low	3-5	10-14
Medium	4-6	10-12
High	6-8	7-10

Field Grown Roses

Disease Severity†	Rubigan E.C. Application Rate (fl oz/100 gal)	Spray Interval (days)
Low	4-5	10-14
Medium	6-8	10-14
High	8-12	7-10

†Low (1-30), Medium (30-60), High (60-100) percent of leaves on individual plants infected with disease organism.

Note: When applied at recommended rates, Rubigan E.C. may cause leaf puckering and other growth effects on the foliage of rose cultivars growing under cool, foggy, or overcast conditions. Plants growing under such conditions develop more slowly and are more sensitive to these growth effects. The rose cultivars "Royalty" and "Visa" have exhibited growth effects under these conditions while the same cultivars growing under sunny conditions have exhibited no such effects.

Field or Container Grown Ornamentals

Apply Rubigan E.C. at the recommended application rate and spray interval.

Ajuga, Begonia, Calendula, Chrysanthemum, Dahlia, Delphinium, Hydrangea, Phlox, Sweet Pea, Verbena, Zinnia

Rubigan E.C. Application Rate† (fl oz/100 gal)	Spray Interval (days)
3-5	10-14

Crepe Myrtle, Euonymus, Photinia

Rubigan E.C. Application Rate† (fl oz/100 gal)	Spray Interval (days)
6-10	10-14

† Apply Rubigan E. C. at the recommended low rate and maximum spray interval only when using as a preventative or when leaf infection is less than 10 percent. Use the higher rates and shorter spray intervals when greater than 10 percent leaf infection occurs and environmental conditions encourage disease spread.

Terms and Conditions of Use

If terms of the following Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies are not acceptable, return unopened package at once to the seller for a full refund of purchase price paid. Otherwise, use by the buyer or any other user constitutes acceptance of the terms under Warranty Disclaimer, Inherent Risks of Use and Limitations of Remedies.

Warranty Disclaimer

Seller warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. SELLER MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

Inherent Risks of Use

It is impossible to eliminate all risks associated with use of this product. Plant injury, lack of performance, or other unintended consequences may result because of such factors as use of the product contrary to label instructions (including conditions noted on the label, such as unfavorable temperature, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of the Seller. All such risks shall be assumed by buyer.

Limitation of Remedies

The exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories), shall be limited to, at Seller's election, one of the following:

1. Refund of purchase price paid by buyer or user for product bought, or
2. Replacement of amount of product used

Seller shall not be liable for losses or damages resulting from handling or use of this product unless Seller is promptly notified of such loss or damage in writing. In no case shall Seller be liable for consequential or incidental damages or losses.

The terms of the Warranty Disclaimer and Inherent Risks of Use above and this Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of the Seller or the seller is authorized to vary or exceed the terms of the Warranty Disclaimer or this Limitation of Remedies in any manner.

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EPA-accepted ___/___/___