

62719-409

08/24/2009

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Raymond S. Brinkmeyer, Ph.D.  
Regulatory Leader  
Dow AgroSciences, LLC  
9330 Zionsville Road  
Indianapolis, IN 46268-1054

AUG 24 2009

Dear Dr. Brinkmeyer:

SUBJECT: Systhane 40WP  
EPA Registration Number 62719-409  
Your submission dated April 3, 2009  
Signal word change  
OPPIN Decision Number 408346

The amendment referred to above, submitted in connection with registration under section (3) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) is acceptable provided you make the following changes:

**Page 1 – Precautionary Statements:**

- Reorder the precautionary statements to read as follows: Harmful if swallowed. Causes Moderate Eye Irritation. Harmful if Absorbed Through Skin. Avoid contact with skin eyes or clothing.
- Remove the vertical space above the sentence beginning "Avoid contact with . . ."
- Change the second sentence from: "Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco." to: "Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, tobacco or using the toilet."

**Page 3 – Warranty Limitations and Disclaimer:**

Change the sentence: "Dow AgroSciences expressly disclaims any implied warranties of merchantability and fitness for a particular purpose and, except as set forth in the above paragraph, any other express or implied warranties." to: "To the extend permitted by law, Dow AgroSciences expressly disclaims any implied warranties of merchantability and fitness for a particular purpose and, except as set forth in the above paragraph, any other express or implied warranties."

In the future, please format label text so that when tables extend from one page to the next the table headings appear on both pages.

You must submit one (1) copy of the final printed label before you release the product for shipment. Products shipped after 12 months from the date of this letter or the next printing of the label whichever occurs first, must bear the new revised label.

A stamped copy of the label is enclosed for your records. If you have any questions, please contact Lisa Jones of my team at (703) 308-9424 or at [jones.lisa@epa.gov](mailto:jones.lisa@epa.gov).

Sincerely yours,



Shaja B. Joyner  
Product Manager (20)  
Fungicide Branch  
Registration Division (7505P)

Enclosure: Stamped label  
Acute Toxicity review dated July 29, 2009

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40% myclo

# Systhane<sup>®</sup> 40WP

## Fungicide

For Interplant Shipment or Repackaging/Relabeling/Formulation or Processing Only

Active Ingredient:

myclobutanil: a-butyl-a-(4-chlorophenyl)-1H-1,2,4-triazole-1-propanenitrile .....	40%
Other Ingredients .....	60%
Total .....	100%

**ACCEPTED  
with COMMENTS  
In EPA Letter Dated:  
AUG 24 2009**

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

## CAUTION

### Precautionary Statements

62719-409

#### Hazards to Humans and Domestic Animals

**Causes Moderate Eye Irritation • Harmful If Swallowed Or Absorbed Through Skin**

**Avoid contact with skin, eyes or clothing. Wear long-sleeved shirt and long pants, chemical-resistant gloves, and shoes plus socks. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.**

#### First Aid

**If swallowed:** Call a poison control center or doctor immediately for treatment advice. Have the person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by the poison control center or doctor. Do not give anything by mouth to an unconscious person.

**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 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.

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 day or night, for emergency treatment information.

#### Environmental Hazards

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 Systems (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to 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.

**For manufacturing and formulation into fungicides for use on the following crop(s):** almond, apple, apricot, asparagus, caneberries, cherry, cucurbits, currant, gooseberry, grape, hops, mayhaw, mint, nectarine, peach, plum, prune, snap bean, soybean, strawberry, tomato and non-food uses: hybrid poplar (nursery or forested areas used for wood or pulp production), Douglas fir and loblolly pine (nursery use only), cottonseed, turf and ornamentals uses. This product may be used to formulate products for

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specific use(s) not listed on this label if the formulator, user group or grower has complied with U.S. EPA submission requirements regarding the support of such use(s).

**(Storage and Disposal for rigid containers 5 gal or less)**

**Storage and Disposal**

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

**Pesticide Storage:** Store in a cool, dry well-ventilated area.

**Pesticide Disposal:** Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

**Container Handling:** Nonrefillable container. Do not reuse or refill this container.

Triple rinse or pressure 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 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. **Pressure rinse** as follows: Empty the remaining contents into application equipment or a mix tank. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 psi for at least 30 seconds. Drain for 10 seconds after the flow begins to drip. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local authorities.

**(Storage and Disposal for nonrigid containers any size)**

**Storage and Disposal**

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

**Pesticide Storage:** Store in a cool, dry well-ventilated area.

**Pesticide Disposal:** Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

**Container Handling:** Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Then offer for recycling if available, or dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local authorities.

**(Storage and Disposal for refillable rigid containers greater than 5 gal)**

**Storage and Disposal**

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

**Pesticide Storage:** Store in a cool, dry well-ventilated area.

**Pesticide Disposal:** Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

**Container Handling:** 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 a mix tank. Fill the container about 10% full with water and, if possible, spray all sides while adding water. If practical, agitate vigorously or recirculate water with the pump for two minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times. Then offer for recycling if available, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local authorities.

**(Storage and Disposal for nonrefillable rigid containers greater than 5 gal)**

**Storage and Disposal**

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

**Pesticide Storage:** Store in a cool, dry well-ventilated area.

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**Pesticide Disposal:** Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

**Container Handling:** Nonrefillable container. Do not reuse or refill this container.

Triple rinse or pressure 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. **Pressure rinse** as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 psi for at least 30 seconds. Drain for 10 seconds after the flow begins to drip. Then offer for recycling if available, or puncture and dispose of in a sanitary landfill, or by incineration, or by other procedures allowed by state and local authorities.

### Warranty Limitations and Disclaimer

Dow AgroSciences warrants that at the time of delivery, the product will conform to its chemical description on the label, that it will pass without objection in the trade under the contract description, that Seller will convey good title thereto, and that such product will be delivered free from any lawful security interest, lien or encumbrance.

This is the only warranty made on this product. Dow AgroSciences EXPRESSLY DISCLAIMS ANY IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE AND, EXCEPT AS SET FORTH IN THE ABOVE PARAGRAPH, ANY OTHER EXPRESS OR IMPLIED WARRANTIES. Buyer acknowledges the use of its own independent skill and expertise in the selection and use of the product and does not rely exclusively on any oral or written statements or representations.

In case of emergency endangering health or the environment involving this product, call 1-800-992-5994.

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

EPA Reg. No. 62719-409

EPA Est. \_\_\_\_\_

®Trademark of Dow AgroSciences LLC

**Produced for**  
**Dow AgroSciences LLC**  
**9330 Zionsville Road**  
**Indianapolis, IN 46268**

**Net Weight** \_\_\_\_\_

EPA accepted: \_\_\_/\_\_\_/\_\_\_