

62719-410

1/29/2010

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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.
Product Registration
Dow AgroScience LLC
9330 Zionsville Road
Indianapolis, IN 46268

JAN 29 2010

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request General Label Change to Comply w/State of New York
EPA Reg. No. 62719-410
Application Dated January 14, 2010

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 01/14/10 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

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

1. Company/Product Number Dow AgroSciences LLC/62719-410	2. EPA Product Manager Shaja B. Joyner	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Dow AgroSciences LLC/Rally 40WSP	PM# 20	
5. Name and Address of Applicant (Include ZIP Code) Dow AgroSciences LLC 9330 Zionsville Road Indianapolis, IN 46268 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), 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"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application. <input type="checkbox"/> Other - Explain below.
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NOTIFICATION

JAN 29 2010

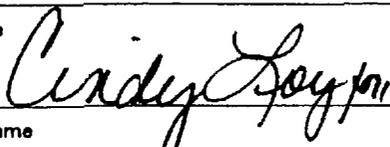
Explanation: Use additional page(s) if necessary. (For section I and Section II.)

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

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"/> No		<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" Unit Packaging wgt. No. per container	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"/> _____	
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 Raymond S. Brinkmeyer, Ph.D.	Title Regulatory Manager	Telephone No. (Include Area Code) (317) 337-4694 (fax: 317-337-4649)
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 Regulatory Manager	
4. Typed Name Raymond S. Brinkmeyer, Ph.D. (rsbrinkmeyer@dow.com)	5. Date January 14, 2010	

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Dow AgroSciences LLC
9330 Zionsville Road
Indianapolis, IN 46268-1054



308/2E
January 14, 2010

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

RALLY 40WSP (A.I. MYCLOBUTANIL)
EPA REGISTRATION NUMBER: 62719-410
NOTIFICATION OF MINOR LABEL CHANGE PER PR NOTICE 98-10

Enclosed please find supplemental labeling for the notification action of Rally® 40WSP fungicide. The following changes have been made by notification:

1. Corrected last sentence in fourth paragraph to read "If this is observed, reduce. . . ." from "If and of this is observed, reduce. . . ."
2. Restrictions: At the request of New York State, revised last bullet point to read "Rally 40WSP for disease control in landscape ornamentals is not for sale, use, or distribution in Nassau County and Suffolk County in New York State."

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Contents of Submission

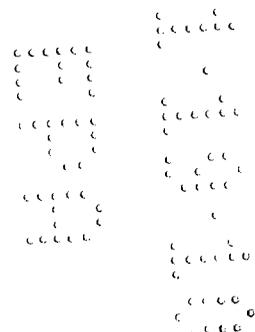
- Transmittal document (this letter)
- Application for Pesticide, EPA Form 8570-1
- Supplemental label entitled Rally 40WSP (A7A/Rally 40WSP/Sec 3 Ornamentals Notif/01-14-10) (5 Pages plus Registration Notes) (1 Copy)

If you require further information, please contact Cindy Loy, Regulatory Specialist at (317) 337-4655.

Sincerely,

Raymond S. Brinkmeyer, Ph.D.
Regulatory Leader
(317) 337-4694
(317) 337-4649 (FAX)

Enclosures



Rally® 40WSP

EPA Reg. No. 62719-410

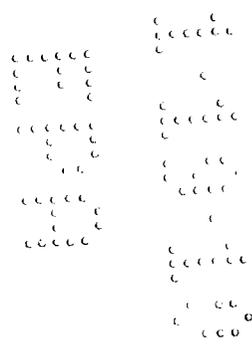
Registration Notes:

Source Section 3 supplemental labeling based on EPA accepted text dated September 17, 2009.

Changes by notification:

1. Corrected last sentence in fourth paragraph to read "If this is observed, reduce. . . ." from "If and of this is observed, reduce. . . ."
2. Restrictions: At the request of New York State, revised last bullet point to read "Rally 40WSP for disease control in landscape ornamentals is not for sale, use, or distribution in Nassau County and Suffolk County in New York State."

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Supplemental Labeling



Dow AgroSciences LLC 9330 Zionsville Road Indianapolis, IN 46268-1054 USA

Rally® 40WSP
EPA Reg. No. 62719-410

NOTIFICATION
JAN 29 2010

Directions for Use

ATTENTION

- It is a violation of Federal law to use this product in a manner inconsistent with its labeling.
- This labeling must be in the possession of the user at the time of application.
- Read the label affixed to the container for Rally® 40WSP fungicide before applying. Carefully follow all precautionary statements and applicable use directions.
- Use of Rally 40WSP according to this supplemental labeling is subject to all use precautions and limitations imposed by the label affixed to the container for Rally 40WSP.

Disease Control in Landscape Ornamentals

Refer to product label for General Information, Mixing and Application instructions.

Rally 40WSP is a locally systemic fungicide having protectant and curative properties that will translocate onto new growth.

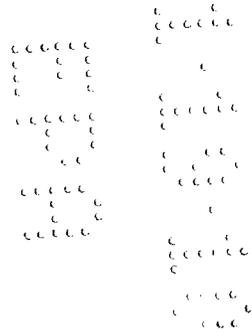
For best control of labeled diseases, achieve thorough coverage of all plant parts on a protective application schedule. For dilute applications sprays (≥100 gallons per acre) on commercial and residential landscapes, Rally 40WSP should be applied at a rate of 3 oz of product per 50 to 100 gallons of water, unless otherwise directed, and applied on a 10- to 14-day application schedule.

Treated plants should be maintained in a vigorous growing condition. Plants under nutritional or water stress will not respond as well as well-maintained plants. Overdosage of Rally 40WSP can result in observable foliar greening, thickened leaves, and/or shortened internodes. If this is observed, reduce the fungicide use rate but do not extend the specified application schedule.

Plant tolerances are acceptable in the specific plants listed on this label. It is not possible to evaluate all ornamental plant species or varieties for tolerance to Rally 40WSP. The user should test for possible phytotoxic responses by treating a limited number of plants, at listed use rates, prior to initiating large scale use.

Restrictions:

- Do not apply more than 10 oz (4 oz ai) per acre per application.
- Do not apply more than 80 oz (32 oz ai) per acre per year.
- Do not use treated plant materials for food or feed.
- Not for use in commercial greenhouses or nurseries.
- Rally 40WSP for disease control in landscape ornamentals is not for sale, use, or distribution in Nassau County and Suffolk County in New York State.



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Crop	Disease	Use Directions	Precautions/Restrictions
abelia	cercospora leaf spot		
acalypha (copper-leaf)	powdery mildew		
achillea (yarrow)	powdery mildew rust		
African violet	powdery mildew		
ageratum	powdery mildew		
alder	rust		
almond, flowering	blossom blight (<i>Monilinia</i> spp.)	Apply prebloom, 50% bloom and at petal fall.	
amelanchier (juneberry, shadbush)	fabraea leaf spot powdery mildew rust		
amorpha (false indigo)	cercospora leaf spot powdery mildew rust		
anemone	rust		
angelica	cercospora leaf spot rust		
ash	rust		
aster	powdery mildew rust		
azalea	petal blight (<i>Ovulinia</i> spp.) powdery mildew	Begin applications when flowers start to exhibit color.	
barberry	powdery mildew rust		May cause temporary damage to crimson, pigmy and other <i>Atropurpurea</i> varieties.
begonia	powdery mildew		
bellflower	cercospora leaf spot powdery mildew rust		
birch	rust		
bittersweet	powdery mildew		
buckeye			
buttonbush	cercospora leaf blight powdery mildew rust		
calendula	cercospora leaf spot		
California poppy	powdery mildew		
carnation	powdery mildew rust		
catalpa	cercospora leaf spot powdery mildew		
cherry, flowering	leaf spot powdery mildew		
chestnut, horse	powdery mildew		
China aster	rust		
chokeberry	rust twig and fruit blight		Fruit may not be used for food or feed.
chrysanthemum	ascochyta blight rust white rust		
columbine	rust		
cornflower			

cosmos	powdery mildew		
cottonwood			
crabapple, flowering	powdery mildew rust scab		
crepe myrtle	powdery mildew		
dahlia			
delphinium	powdery mildew rust		
dianthus	rust		
dogwood	anthracnose powdery mildew septoria leafspot		
Douglas fir	needle rust	Apply 6 to 9 oz per acre starting early spring. Continue applications at 2- to 3-week intervals until the threat of infection has passed. Spray adjuvants must be added to spray solutions to obtain good spray coverage and disease control.	
elm	powdery mildew		
euonymus			
fern	rhizoctonia aerial blight		
fleabane	cercospora leaf spot powdery mildew rust		
four o'clock	rust		
fuchsia			
gaillardia	powdery mildew		
gardenia	rust		
geranium			
gerbera daisy	powdery mildew		
gourd, ornamental			
grape leaf ivy			
hackberry	cercospora leaf spot powdery mildew		
hawthorn	fabraea leaf spot powdery mildew rust scab		
holly	powdery mildew		
hollyhock	powdery mildew rust		
honeysuckle	cercospora leaf spot powdery mildew		
hydrangea	cercospora leaf spot powdery mildew		
iris	didymellina leaf spot rust	Apply 3 oz per 50 gallons spray solution.	cccccc ccccc
juniper	rust		c c c c c
leucothoe	cercospora leaf spot		cccccc ccccc
lilac	powdery mildew		c c c c c
loblolly pine	fusiform rust	Refer to Douglas fir	cccccc ccccc

locust	powdery mildew		
maple			Treated trees may not be used for syrup production. Do not apply to abutilon (flowering maple).
marigold	cercospora leaf spot rust		
mock-orange	powdery mildew rust		
moonflower	rust		
mountain laurel	cercospora leaf spot ovulinia petal blight powdery mildew	Refer to azalea	
nephthytis	cephalosporium leaf spot		
ninebark	rust		
oak	powdery mildew		
pansy	powdery mildew rust		
pear, flowering	powdery mildew rust scab		
petunia	powdery mildew rust		
phlox	cercospora leaf spot powdery mildew rust		
photinia	entomosporium leaf spot powdery mildew rust		
poinsetta	poinsettia scab powdery mildew		
poplar	rust		
potentilla			
privet	cercospora leaf spot powdery mildew		
pyracantha (firethorn)	fusicladium scab		
quince, flowering	blossom and twig blight cercospora leaf spot fabraea leaf spot rust		
rhododendron	cercospora leaf spot ovulinia petal blight powdery mildew	Refer to azalea	
rose	black spot powdery mildew rust	Apply on a 7- to 10-day protectant schedule. In areas where black spot is not a problem, spray intervals may be increased to a maximum of 14 days.	
Russian olive	cercospora leaf spot rust		
salvia	powdery mildew rust		
sedum	powdery mildew		
slash pine	fusiform rust	Refer to Douglas fir	

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smoke-tree (cotinus)	cercospora leaf spot rust		
snapdragon	powdery mildew rust		
spirea	powdery mildew		
sunflower	cercospora leaf spot powdery mildew rust		Seeds from treated plants may not be used for food or feed.
sycamore	powdery mildew		
trumpet creeper	cercospora leaf blight powdery mildew		
viburnum	powdery mildew rust		
walnut	powdery mildew		Nuts from treated trees may not be used for food purposes.
willow			
zinnia	cercospora leaf spot powdery mildew		

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R182-052
EPA accepted 09/17/09
Replaces R182-040

