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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

JAN 30 2007

Dr. Raymond S. Brinkmeyer
Dow Agro Sciences LLC
9330 Zionsville Road
Indianapolis, Indiana 46268

Subject: RH-7592 75 WP Agricultural Fungicide
EPA Registration Number 62719-433
Your master label amendment application submitted on
September 18, 2006.

We have reviewed the subject amended labeling, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. The amended labeling is acceptable provided that:

1. At the beginning of the second sentence in the second paragraph in the "Warranty Limitations and Disclaimer" section of the label, you add "To the extent consistent with applicable law,".
2. The GC/NPD analytical method (TR 34-94-142) for determining residues in livestock commodities passes a Tolerance Method Validation initiated by Health Effects Division.
3. You submit to the Agency each of the following studies or materials by its stated due date.
 - a. Provide, by March 31, 2007, to the Agency's Analytical Chemistry Branch repository at Ft. Meade, Maryland one gram each of the reference standards for the two Fenbuconazole metabolites RH 9129 and RH 9130.
 - b. Submit an acceptable citrus processing study of Fenbuconazole residues by March 31, 2008. As a part of this study samples must be analyzed within the interval during which Fenbuconazole and its metabolite residues have been shown to be stable (30 months for fruit and 12 months for oil and dried pulp). However, this study does not need to include analysis of the juice samples because current data for juice are adequate.

- c. Submit an acceptable Apple processing study of Fenbuconazole residues by June 30, 2008.
- d. Submit acceptable studies that report two additional residue field trials for Blueberries, one each from regions 2 and 5, by June 30, 2008.
- e. Submit acceptable studies that report a complete set of 20 Fenbuconazole residue field trials on Wheat forage by June 30, 2008. These field trials must be conducted using the currently proposed use pattern, which reflects one application of Fenbuconazole on a Wheat forage crop at 0.063 lb active ingredient per acre. Although conditions will vary between test sites, the sampling intervals for Wheat forage must be consistent enough for the Agency to be able to compare residues and determine an appropriate pre-harvest interval (PHI).
- f. Submit acceptable studies that report an additional 12 Fenbuconazole residue field trials on Wheat hay by June 30, 2008. These field trials must be conducted using the currently proposed use pattern, which reflects up to two applications of Fenbuconazole on a Wheat hay crop at 0.063 lb active ingredient per acre per application. Although conditions will vary between test sites, the sampling intervals for Wheat hay must be consistent enough for the Agency to be able to compare residues and determine an appropriate pre-harvest interval (PHI).
- g. Submit an acceptable study(ies) of Fenbuconazole toxicity to aquatic vascular plants and estuarine/marine nonvascular plants by June 30, 2008. This involves conducting tier one studies under GLN 122-1.
- h. Submit an acceptable Fenbuconazole aquatic field dissipation study by December 31, 2008.
- i. Submit an acceptable Fenbuconazole mysid life cycle study by December 31, 2008.
- j. Submit a Tier II seedling emergence (of oat, cabbage, cucumber, and turnip) and vegetative vigor (of onion, lettuce, corn, oat, and soybean) study of Fenbuconazole by June 30, 2008.
- k. Submit a Confidential Statement of Formula (or its equivalent) for the Fenbuconazole product Indar 5EC (which is not registered in the U.S.) by March 31, 2007.

4. You submit one copy of your final printed label before you release product bearing this amended labeling for shipment.

In the Agency's risk assessment for 1,2,4-triazole and its metabolites triazole alanine, and triazole acetic acid, dated February 7, 2006 (see docket number 2005-0497 at <http://www.regulations.gov>), the Agency identified additional data that are needed for triazole-derivative active ingredients which have the 1,2,4,-triazole ring. The Agency plans to issue a Data Call-In for all triazole-derivative active ingredients which will identify all data needs for these active ingredients listed in the February 7, 2006 risk assessment. The Data Call-In will not address data needs that are related to parent-only data requirements.

If you have any questions about this letter, please contact John Bazuin at (703)305-7381 or bazuin.john@epa.gov.

Sincerely yours,

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Cynthia Giles-Parker, Chief
Fungicide Branch
Registration Division (7505P)

Attachment: Master label stamped "ACCEPTED with COMMENTS"

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ACCEPTED
with COMMENTS
In EPA Letter Dated

JAN 30 2007

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

62719-433

(Container Label)

(Logo) Dow AgroSciences

RH-7592 75 WP

Agricultural Fungicide

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

Active Ingredient:

fenbuconazole: α -[2-(4-chlorophenylethyl)-
 α -phenyl-1H-1,2,4-triazole-1-

propanenitrile	75%
Inert Ingredients	25%
Total	100%

CAUTION

Precautionary Statements

Hazards to Humans and Domestic Animals

Harmful If Swallowed Or Absorbed Through The Skin

Avoid contact with skin, eyes or clothing.

First Aid

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.

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

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.

Only for formulation into a fungicide for the following use(s): almond, apple, banana, blueberry, citrus fruits, cranberry, peanut, pecan, plum, prune, stone fruits, sugar beets, wheat. This product may be used to formulate products for any additional use(s) not listed on the MP label if the formulator, user group, or grower has complied with U.S. EPA submission requirements regarding support of such use(s).

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Storage and Disposal

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

Pesticide Storage: Store in a cool, dry well-ventilated area, but not below 32°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: Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by state and local authorities. If drum is contaminated and cannot be reused, dispose of it in the manner required for its liner.

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. 62719-433

EPA Est. _____

Dow AgroSciences LLC • Indianapolis, IN 46268 U.S.A.

Net Weight _____

EPA accepted __/__/__