
 <p>U.S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Registration Division (7505C) Ariel Rios Building 1200 Pennsylvania Ave. NW Washington, D.C. 20460</p> <p><b>NOTICE OF PESTICIDE:</b> <u>  X  </u> Registration <u>      </u> Reregistration (under FIFRA, as amended)</p>	EPA Reg. Number:	Date of Issuance:
	62719-464	DEC 20 2002
	Term of Issuance: Conditional	
Name of Pesticide Product: Nu-Flow M-40		
Name and Address of Registrant (include ZIP Code): Dow AgroSciences, LLC 9330 Zionsville Road Indianapolis, IN 46268-1054		
<p><b>Note:</b> Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.</p> <p>On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.</p> <p>This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A) provided that you:</p> <ol style="list-style-type: none"> <li>1. Submit/cite all data required for the registration/reregistration of your product when the Agency requires all registrants of similar products to submit data; and submit acceptable responses required for reregistration of your product under FIFRA section 4.</li> <li>2. Make the following label changes:           <ol style="list-style-type: none"> <li>a. Add the phrase "EPA registration number 62719-464" to the label.</li> <li>b. Precautionary Statements - Hazards to Humans and Animals: Replace the existing text with: "WARNING: Causes substantial but temporary eye injury. Harmful if swallowed or absorbed through the skin. Do not get in eyes or on clothing. Avoid contact with skin." (Continued)</li> </ol> </li> </ol>		
Signature of Approving Official:  Mary L. Waller, PM-21		Date: 12/20/02

Continued from first page

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c. Storage and Disposal:

Change the heading "Storage" to "Pesticide Storage".

Move the "Steps to be Taken in Case Material is Released or Spilled" section so that it immediately follows the "Pesticide Storage" section.

d. Use Directions for Commercial Cotton Seed Treatment: Add the sentence "Do not tank-mix with products whose labels contain a prohibition against tank mixing."

e. Use Directions for Commercial Cotton Seed Treatment - Label Treated Seed:

Change the first sentence to "This seed is treated with Nu-Flow M-40 which contains the active ingredient myclobutanil."

Move the sentences "Do not graze cotton plants grown from treated seed. Store away from feed and foodstuffs." so that they fall inside the quotation marks.

3. You must submit a Confidential Statement of Formula with the current registrant name and address.

4. Submit one (1) copy of the revised final printed label before you release the product for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

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

Sincerely,

*Mary L. Waller*

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

Enclosure: Stamped copy of label

Base Label:

(Logo) Dow AgroSciences

**Nu-Flow\* M-40****For Commercial Seed Treatment Only**

## Active Ingredient

myclobutanil: a-butyl-a-(4-chlorophenyl)-1H-

1,2,4, triazole-1-propanenitrile .....40%

Inert Ingredients .....60%

Total .....100%

**ACCEPTED**  
**with COMMENTS**  
**In EPA Letter Dated:**

DEC 20 2002

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

62719-  
464**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.)

**Precautionary Statements****Hazards to Humans and Domestic Animals**

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

**Avoid contact with skin, eyes or clothing.**

**Personal Protective Equipment (PPE)**

**Applicators and other handlers must wear:**

- Long-sleeved shirt and long pants
- Chemical-resistant gloves (Category A in EPA's Chemical-Resistant Category Selection Chart)
- Shoes plus socks
- Protective eyewear

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 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 the 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.

**Hot Line Number:** 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 apply directly to water or 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 washwaters. Do not apply when weather conditions favor drift or runoff from areas treated.

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

**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](http://www.dowagro.com).

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

EPA Reg. No. 62719-XXX

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

\*Trademark of Dow AgroSciences LLC

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

**Seed Treatment Fungicide**

**Net Weight \_\_ lb**

Label Booklet:

(Logo) Dow AgroSciences

# Nu-Flow\* M-40

## For Commercial Seed Treatment Only

Active Ingredient

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

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.)

Refer to inside of label booklet for Precautionary Statements and Directions for Use including Storage and Disposal.

**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](http://www.dowagro.com).

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

EPA Reg. No. 62719-XXX

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

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## Seed Treatment Fungicide

Net Weight \_\_lb

(Page 1 through end):

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## Precautionary Statements

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### Hazards to Humans and Domestic Animals

## WARNING

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

**Avoid contact with skin, eyes or clothing.**

### Personal Protective Equipment (PPE)

**Applicators and other handlers must wear:**

- Long-sleeved shirt and long pants
- Chemical-resistant gloves (Category A in EPA's Chemical-Resistant Category Selection Chart)
- Shoes plus socks
- Protective eyewear

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 PPE immediately after handling this product.
- Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

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**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 the 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.

**Hot Line Number:** 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 apply directly to water or 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 washwaters. Do not apply when weather conditions favor drift or runoff from areas treated.

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### Directions for Use

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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.

**Not for use on agricultural establishments (farms) in hopper box, planter box, slurry-box, or other seed-treatment applications at or immediately before planting.**

### Storage and Disposal

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

**Storage:** Store in a cool dry area above freezing. The water-soluble pouch may become brittle at storage temperatures below 32°F, but the fungicide is not affected. Do not remove the water-soluble pouches from the container except for immediate use.

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

**Container Disposal:** Completely empty container into application equipment. Dispose of in a sanitary landfill or by incineration or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

**Steps to be Taken in Case Material is Released or Spilled:** Wear eye protection. Wear protective clothing. Spray water on powder and dust. Scoop or shovel solid material into a suitable container for recovery or disposal. Keep dust to a minimum. Flush contaminated area with a large amount of water to a chemical or sanitary sewer containing a settling pit. Remove contaminated clothing promptly and wash affected skin areas with soap and water. Thoroughly launder clothing before reuse. Refer to Precautionary Statements promptly and wash affected skin areas with soap and water. Thoroughly launder clothing before reuse. Refer to Precautionary Statements

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### Use Directions for Commercial Cotton Seed Treatment

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Nu-Flow\* M-40 fungicide is recommended as a seed treatment to protect against sore shin (*Rhizoctonia solani*) and black root rot (*Thielaviopsis basicola*) which impairs cotton seed germination and seedling development. Nu-Flow M-40 may be applied to dry seed with conventional slurry or mist seed treating equipment. For best results, the seed must be completely and uniformly covered with fungicide. Nu-Flow M-40 can be tank-mixed with other properly labeled cottonseed protectants such as Apron TL fungicide for Pythium control.

**Label Treated Seed** "This seed is treated with Nu-Flow M-40. Do not use for food, feed, oil production or any other purpose except planting." Do not graze cotton plants grown from treated seed. Store away from feed and foodstuffs.

**In California,** this product must be applied through a closed system such as WECO-RED (Returnable Evacuation Device).

Use 0.05 to 0.0675 lb (0.8 to 1.0 oz) of Nu-Flow M-40 (0.02 - 0.027 lb active ingredient) per 100 lb cotton seed to reduce seedling damage caused by sore shin (*Rhizoctonia solani*) and black root rot (*Thielaviopsis basicola*).

For cotton seed treatment, always use Nu-Flow M-40 with an EPA approved dye or colorant that imparts an unnatural color to the seed.

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**Terms and Conditions of Use**

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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.

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**Warranty Disclaimer**

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Dow AgroSciences 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. Dow AgroSciences MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

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**Inherent Risks of Use**

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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 Dow AgroSciences or the seller. All such risks shall be assumed by buyer.

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**Limitation of Remedies**

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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 Dow AgroSciences' 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

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

The terms of the Warranty Disclaimer, Inherent Risks of Use, and this Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of Dow AgroSciences 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 date: \_\_/\_\_/\_\_