

62719-464 C

1-3-2008

1/16

ENVIRONMENTAL PROTECTION AGENCY

Raymond Brinkmeyer, Ph. D.
 Registration Manager
 Dow AgroSciences, LLC
 9330 Zionsville Road
 Indianapolis, IN 46268-1054

JAN 03 2008

Dear Dr. Brinkmeyer:

SUBJECT: Systhane M40
 EPA Registration Number 62719-464
 Your submission dated April 4, 2007
 Label amendment increasing application rate for cotton seed
 treatment and changing signal word from "Warning" to "Caution"
 OPPIN Decision Number 378015

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 change:

page 14 – Inherent Risks of Use:

Change "All such risks shall be assumed by the buyer." to "To the extent permitted by applicable law, all such risks shall be assumed by the buyer."

Submit one (1) copy of your final printed labeling before you release the product for shipment. 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.

Sincerely,

Lisa Jones FOR
 Mary L. Waller
 Product Manager (21)
 Fungicide Branch
 Registration Division (7505P)

Enclosure: Stamped label
 October 30, 2007 Occupational Exposure Review
 December 7, 2007 Residue Chemistry Review

CONCURRENCES							
SYMBOL <	7505P						
SURNAME <	Lisa Jones						
DATE <	Jan 3, 2008						

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16

(Base label for rigid containers 5 gal or less):

Systhane[®] M40**Fungicide****For Commercial Seed Treatment Only**

Active Ingredient:

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

1,2,4, triazole-1-propanenitrile40%

Other Ingredients60%

Total100%

**ACCEPTED
with COMMENTS
In EPA Letter Dated:****JAN 03 2008****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 Swallowed Or Absorbed Through Skin**

Do not get in eyes or on clothing. Avoid contact with skin. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

Personal Protective Equipment (PPE)**Applicators and other handlers must wear:**

- Long-sleeved shirt and long pants
- Chemical-resistant gloves such as natural rubber ≥ 14 mils
- 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 clothing/PPE 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

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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 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.

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 or rinsate. Do not apply when weather conditions favor drift or runoff from areas treated.

Storage and Disposal

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

Pesticide Storage: Store in original container in a cool dry area above freezing.

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

Container Reuse: Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available.

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 and drain for 10 seconds after the flow begins to drip. 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 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.

Refer to label booklet for Directions for Use.

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.

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

EPA Reg. No. 62719-464

EPA Est. _____

®Trademark of Dow AgroSciences LLC

Produced for
Dow AgroSciences LLC
9330 Zionsville Road

4/16

Indianapolis, IN 46268

Net Weight __

5/16

(Base label for nonrigid containers any size):

Systhane[®] M40

Fungicide

For Commercial Seed Treatment Only

Active Ingredient:

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

Keep Out of Reach of Children

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Precautionary Statements

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Do not get in eyes or on clothing. Avoid contact with skin. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

Personal Protective Equipment (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves such as natural rubber ≥ 14 mils
- 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 clothing/PPE 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.

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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 or rinsate. Do not apply when weather conditions favor drift or runoff from areas treated.

Storage and Disposal

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

Pesticide Storage: Store in original container in a cool dry area above freezing.

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

Container Reuse: Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available.

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

EPA Reg. No. 62719-464

EPA Est. _____

®Trademark of Dow AgroSciences LLC

Produced for

Dow AgroSciences LLC

9330 Zionsville Road

Indianapolis, IN 46268

Net Weight ____

(Base label for refillable rigid containers greater than 5 gal):

Systhane[®] M40

Fungicide

For Commercial Seed Treatment Only

Active Ingredient:

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

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- Long-sleeved shirt and long pants
- Chemical-resistant gloves such as natural rubber ≥ 14 mils
- Shoes plus socks
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Storage and Disposal

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

Pesticide Storage: Store in original container in a cool dry area above freezing.

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

Container Reuse: 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.

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EPA Reg. No. 62719-464

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Produced for

Dow AgroSciences LLC

9330 Zionsville Road

Indianapolis, IN 46268

Net Weight ____

9/16

(Base label for nonrefillable rigid containers larger than 5 gal):

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

EPA Reg. No. 62719-464

EPA Est. _____

®Trademark of Dow AgroSciences LLC
Produced for

11/16

Dow AgroSciences LLC
9330 Zionsville Road
Indianapolis, IN 46268

Net Weight __

12/16

(Label booklet cover):

Systhane[®] M40**Fungicide****For Commercial Seed Treatment Only**

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

Keep Out of Reach of Children**WARNING AVISO**

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Refer to inside of label booklet for additional precautionary information including Directions for Use.

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 Directions for Use. 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.

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

EPA Reg. No. 62719-461

EPA Est. _____

®Trademark of Dow AgroSciences LLC

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

Net Weight ____

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(Page 1 through end):

Precautionary Statements

Hazards to Humans and Domestic Animals**WARNING****Causes Substantial But Temporary Eye Injury • Harmful If Swallowed Or Absorbed Through Skin**

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Environmental Hazards

14/16

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 or rinsate. Do not apply when weather conditions favor drift or runoff from areas treated.

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.

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.

Pesticide Storage: Store in original container in a cool dry area above freezing.

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

Nonrefillable rigid containers 5 gallons or less:

Container Reuse: Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available.

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 and drain for 10 seconds after the flow begins to drip. 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 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.

Nonrefillable nonrigid containers:

Container Reuse: Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available.

Refillable rigid containers larger than 5 gal:

Container Reuse: 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.

Nonrefillable rigid containers larger than 5 gal:

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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.

General Information

Systhane® M40 fungicide is recommended as a seed treatment to protect against sore shin (*Rhizoctonia solani*) and black root rot (*Thielaviopsis basicola*) which impairs cottonseed germination and seedling development. Systhane M40 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. Systhane M40 can be tank mixed with other properly labeled cotton seed protectants such as Apron TL fungicide for Pythium control. Do not tank mix with products whose labels contain a prohibition against tank mixing.

Commercial Cotton Seed Treatment

Label Treated Seed "This seed is treated with Systhane M40 which contains the active ingredient myclobutanil. 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 0.155 lb of Systhane M40 (0.019 to 0.062 lb active ingredient) per 100 lb of cotton seed to reduce seedling damage caused by sore shin (*Rhizoctonia solani*) and black root rot (*Thielaviopsis basicola*).

For cotton seed treatment, always use Systhane M40 with an EPA approved dye or colorant that imparts an unnatural color to the seed.

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

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.

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

Limitation of Remedies

16/16

To the extent permitted by law, 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 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.

®Trademark of Dow AgroSciences LLC
EPA accepted __/__/__
