

63588-4

12/21/2010

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Robin Charlton
Valent USA Corporation
1600 Riviera Avenue
Walnut Creek, CA 94596-8025

DEC 21 2010

Subject: Label Amendment Changing "Container Disposal" to
"Container Handling" and Deleting List of States for Rice Use
Bolero Technical
EPA Reg. No. 63588-4
Application, Dated November 30, 2010 (Originally Submitted by Notification; Converted
To Amendment by the Agency)

Dear Ms. Charlton:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable, provided you make the following change:

1. Delete the word "NOTIFICATION" which appears below the product name.

A stamped copy of your label is enclosed for your records. This label supersedes all previously accepted labels for the subject product. You must submit one (1) copy of the final printed label before you release the product for shipment. Products shipped after eighteen (18) months from the date of this letter or the next printing of the label, whichever occurs first, must bear the new, revised label. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA §6(e). Your release for shipment of the product constitutes acceptance of these conditions.

If you have any questions, please call me directly at (703) 305-1243 or Susan Stanton of my staff at (703) 305-5218.

Sincerely,

Michael Walsh for

Kathryn Montague, Product Manager 23
Herbicide Branch
Registration Division (7505P)
Office of Pesticide Programs

Enclosure

BOLERO[®] Technical

NOTIFICATION

Active Ingredient	By Wt.
*Thiobencarb.....	97.4%
Other Ingredients	<u>2.6%</u>
Total	100.0%

*S-[(4-chlorophenyl)methyl]diethylcarbamothioate

ACCEPTED
with COMMENTS
In EPA Letter Dated:
DEC 21 2010
 Under the Federal Insecticide,
 Fungicide, and Rodenticide Act
 as amended, for the pesticide
 registered under EPA Reg. No.

KEEP OUT OF REACH OF CHILDREN

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CAUTION

SEE NEXT PAGE FOR ADDITIONAL PRECAUTIONARY STATEMENTS

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**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS & DOMESTIC ANIMALS
CAUTION**

Harmful if swallowed. Wash hands thoroughly before eating, drinking, chewing gum, using tobacco or using the toilet.

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 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 inhaled:**
 - Move person to fresh air.
 - If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.
 - Call a poison control center or doctor for further 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 advise.

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 **800-892-0099** for emergency medical treatment information.

NOTE TO PHYSICIAN

Thiobencarb is a cholinesterase inhibitor. If signs of cholinesterase inhibition appear, atropine is antidotal.

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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 System (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.

PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame.

INSTRUCTIONS FOR FORMULATION

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

READ ENTIRE LABEL. USE STRICTLY IN ACCORDANCE WITH PRECAUTIONARY STATEMENTS AND DIRECTIONS AND WITH APPLICABLE STATE AND FEDERAL REGULATIONS.

**DISCLAIMER, CONDITIONS OF SALE,
LIMITED WARRANTY
AND LIMITATION OF LIABILITY**

IMPORTANT: Read the entire Label including this Disclaimer, Limited Warranty and Limitation of Liability before using this product. If the terms are not acceptable, return the unopened product within 15 days of purchase.

RISKS OF USING THIS PRODUCT

It is impossible to eliminate all risks associated with the use of this product. Such risks include, but are not limited to, injury to plants and crops to which this product is applied, lack of control of the target pests or weeds, resistance, injury caused by drift, and injury to rotational crops caused by carryover in the soil. Such risks of crop injury, non-performance or other unintended consequences are unavoidable and may result because of such factors as weather, soil conditions, moisture conditions, irrigation practices, presence of other materials, cultural practices or the manner of use or application, all of which are factors beyond the control of K-I Chemical. **To the extent allowed by law, all such risks shall be assumed by the Buyer.**

K-I Chemical shall not be responsible for losses or damages resulting from use of this product in any manner not set forth on the label. User assumes all risks associated with the use of this product in any manner or under conditions not specifically directed or approved on the label.

LIMITED WARRANTY

K-I Chemical warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the label, under average use conditions, when used strictly in accordance with the label and subject to the **Risks of Using This Product** described above.

DISCLAIMER OF ALL OTHER WARRANTIES

K-I CHEMICAL MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR OF MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY. No agent or representative of K-I Chemical or Seller is authorized to make or create any other express or implied warranty.

LIMITATION OF LIABILITY

To the fullest extent by law, K-I Chemical or Seller is not liable for any incidental, consequential, indirect or special damages resulting from the use or handling of this product. TO THE EXTENT ALLOWED BY LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE MAXIMUM LIABILITY OF K-I CHEMICAL OR SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT SHALL BE THE RETURN OF THE PURCHASE PRICE OF THIS PRODUCT OR, AT THE ELECTION OF K-I CHEMICAL OR SELLER, THE REPLACEMENT OF THIS PRODUCT.

NO AMENDMENTS

K-I Chemical and Seller offer this product, and Buyer and User accept it, subject to the foregoing **Disclaimer, Conditions of Sale, Limited Warranty and Limitation of Liability**, which may not be modified by any oral or written agreement.

PROMPT NOTICE OF CLAIM

To the extent consistent with applicable law allowing such requirements K-I Chemical must have prompt notice as soon as Buyer or User has reason to believe they may have a claim (not to exceed twenty-one days from date of application) so that an immediate inspection of the affected property and growing crops can be made. Unless Buyer and Users shall promptly notify K-I Chemical of any claims, they shall be barred from obtaining any remedy.

FOR FORMULATION OF *BOLERO* HERBICIDE CONTAINING PRODUCTS ONLY

This product is intended only for use in the formulation of *Bolero* containing herbicide products. Products formulated using *Bolero* Technical will require registration with the U. S. Environmental Protection Agency.

DIRECTIONS FOR USE

Only for formulation into herbicide products intended for the following use(s):

Terrestrial Food Use(s): Rice.

Uses for which USEPA has accepted the required data and/or Citations of Data that the formulator has submitted in support of registration; and uses for experimental purposes that are in compliance with USEPA requirements.

Formulators who use this product are responsible for providing data to support their own registrations.

SPILL OR LEAK PROCEDURES

Steps to be taken if material is spilled or released.

Immediately evacuate the area. Produce maximum ventilation and eliminate all sources of ignition and flammable material. Unprotected personnel should move upwind of the spill. Only personnel equipped with proper respiratory and skin/eye protection should be permitted in the area. Take precautions to prevent contamination of groundwater and surface water. Recover spilled material on absorbents, such as sawdust or vermiculite and sweep into plastic or metal containers for disposal. After all visible traces and all vapors have been removed, thoroughly wet vacuum the area. Do not flush to sewer. If area of spill is porous, remove as much contaminated earth and gravel as necessary and place in closed container for disposal.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage, disposal or cleaning of equipment. Open dumping is prohibited.

PESTICIDE STORAGE

Keep pesticide in original container.
Do not put concentrate or dilute into food or drink containers.
Store in cool, dry place.
Protect from excessive heat.
For help with any spill, leak, fire or exposure involving this material, call day or night **800-892-0099**.

PESTICIDE DISPOSAL

Wastes resulting from use of this product may 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 mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

CONTAINER REUSE BY FORMULATOR

When empty, replace bungs and drum head and return to formulator for refilling with *Bolero*.

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Bolero is a registered trademark of Kumiai Chemical Industry Co., Ltd.

Manufactured for
K-I Chemical U.S.A., Inc.
White Plains, New York 10606
Made in Japan

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EPA Est. 35475-JP-01