

Reg # 63588-5

PM-23

File
198



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

FEB 23 1994

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Kevin Williams
VALENT USA CORP.
Agent for: K-I CHEMICAL U.S.A. INC.
1333 N. California Blvd. - Suite 600
Walnut Creek, CA 94596

Subject: Label Amendment Submission of 11/11/93 in Response to PR Notice 93-7
EPA Reg. No. 63588-5
ORTHO BOLERO 10G

IMPORTANT NOTICE: This Letter Requires You to Submit a Notification to the Office of Compliance Monitoring within 20 Days.

Dear Registrant:

The labeling cited above and submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is accepted subject to the comments listed on the enclosed sheet. A copy of your proposed labeling stamped "ACCEPTED WITH COMMENTS" is enclosed.

SERIOUS ERROR(S) ON SUBMITTED LABELING:

EPA has determined that one or more of the errors on the labeling you submitted to the Agency is categorized as "serious" as defined in PR Notice 93-11. In general, serious errors are those that may create a potential for harm to workers, handlers, other persons, or the environment; or those that prevent the achievement of the basic goals of the Worker Protection Standard (WPS) or FIFRA.

YOU MUST NOT SELL OR DISTRIBUTE (INCLUDING RELEASE FOR SHIPMENT) ANY PRODUCT BEARING THE SUBMITTED LABELING. Sale or distribution of any product with the incorrect labeling is a violation of FIFRA that could result in initiation of an action for civil penalties and/or cancellation of your product. This matter has been referred to the Office of Compliance Monitoring (OCM) for further action.

YOU MUST SUBMIT A NOTIFICATION TO THE OFFICE OF COMPLIANCE MONITORING WITHIN 20 DAYS OF THE DATE OF THIS LETTER.



Recycled/Recyclable
Printed with Soy/Canola ink on paper that
contains at least 50% recycled fiber

Each notification must include the following information:

1. Registrant's name and address.
2. EPA Registration number of the product for which the labeling was submitted.
3. Whether any product already has been sold or distributed (this includes released for shipment) bearing the submitted labeling.

In addition, the notification must include the following information, IF you have already sold or distributed any product bearing the submitted labeling:

1. Quantity of the product that has been sold or distributed.
2. EPA Producing Establishment number.
3. Location of the product, if known.
4. Proposed plan for assuring that product with the incorrect labeling in your control, as well as that in the hands of dealers/distributors/users, will be corrected. The plan must include your proposal for assuring that the labeling is corrected as soon as possible.

Submit the notification to:

Michael Wood, Director
Compliance Division, (7203)
Worker Protection Notification
Office of Compliance Monitoring
U.S. Environmental Protection Agency
401 M Street SW
Washington, DC 20460

Failure to submit a notification also may result in initiation of an action under FIFRA for civil penalties, if you sold or distributed (this includes released for shipment) product bearing the incorrect labeling.

IN ADDITION, YOU SHOULD CONTACT IMMEDIATELY THE PERSONS TO WHOM YOU SOLD OR DISTRIBUTED YOUR PRODUCT AND INFORM THEM NOT TO SELL OR DISTRIBUTE ANY PRODUCT WITH THE INCORRECT LABELING.

WHAT THIS ACCEPTANCE MEANS:

Based on your certification, the Agency has accepted the labeling changes that are necessary to comply with the WPS labeling requirements of 40 CFR part 156, subpart K, described in PR Notices 93-7 and 93-11. Any other labeling changes submitted in connection with this amendment application but not directly related to compliance with the WPS have neither been reviewed nor accepted by the Agency. If you wish to make such changes, you must submit a separate amendment application proposing them. If your product is currently suspended, the acceptance of this labeling amendment does not affect the suspension in any way.

WHAT YOU NEED TO DO NEXT:

Submit the required notification. Then by the next label printing make all the specified changes to your labeling. Send to EPA one (1) copy of the final printed labeling:

- BEFORE selling or distributing any product bearing the final printed labeling as amended

AND

- WITHIN one year from date of this acceptance.

Submit the final printed labeling via the U.S. Postal Service to:

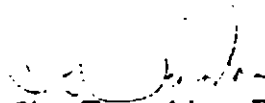
Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs (7505C)
U.S. Environmental Protection Agency
401 M Street, SW
Washington, D.C. 20460-0001

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Hand or courier deliveries of final labeling may be made to:

Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs
Room 266A, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202

Sincerely,



Jim Tompkins, Deputy Chief
Registration Support Branch
Registration Division (7505W)

Attachment

cc: Office of Compliance Monitoring

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November 12, 1993

**BOLERO® 10 G
(HERBICIDE)**

Active Ingredient	By Wt.
*Thiobencarb	10%
Inert Ingredient	90%
*S-[(4-chlorophenyl)methyl] diethylcarbamothioate	

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

**SEE SIDE PANEL FOR ADDITIONAL
PRECAUTIONARY STATEMENTS**

NET WEIGHT 50 POUNDS

K-I Chemical U.S.A., Inc.
White Plains, New York 10606
Made in U.S.A.
R Form 9208-J
EPA Reg. No. 63588-5 EPA Est. 39578-TX-1

**ACCEPTED
with COMMENTS
In EPA Letter Dated
FEB 23 1994**
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
63588-5

PRECAUTIONARY STATEMENTS

**HAZARDS TO HUMANS & DOMESTIC ANIMALS
CAUTION**

Causes eye irritation. Avoid contact with eyes or clothing. Avoid breathing dust. Use with proper ventilation or wear a MSHA/NIOSH approved pesticide respirator. Wash thoroughly with soap and water after handling.

STATEMENT OF PRACTICAL TREATMENT

If in eyes, flush eyes immediately with fresh water for 15 minutes. If irritation continues, see a doctor. If inhaled, remove person from exposure area. Note to Physicians: Emergency Information - call 1-800-892-0099.

Personal Protective Equipment (PPE):

Applicators and other handlers must wear: long-sleeved shirt and long pants, shoes plus socks.

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:
<ul style="list-style-type: none"> ● Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. ● Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

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ENVIRONMENTAL HAZARDS

This product is toxic to fish and shrimp. Do not apply directly to water, 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.

DIRECTIONS FOR USE

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.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is: coveralls, waterproof gloves and shoes plus socks.

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DIRECTIONS

CROP	WEEDS	AMOUNT BOLERO 10 G PER ACRE	FURTHER INSTRUCTIONS
Rice (California Only)	Barnyardgrass (Watergrass) Sprangletop Smallflower Umbrellaplant	40 lbs.	<p>Apply after flooding when rice is in the expanded two-leaf stage (first open leaf). Do not apply if rice exhibit symptoms of stress. The variety Cal Pearl may react adversely to some stress conditions more than other varieties.</p> <p>Barnyardgrass beyond the two-leaf stage and Smallflower Umbrellaplant beyond the three-leaf stage may not be controlled. Smallflower Umbrellaplant must be submerged for optimum control. Cold weather during the planting season may result in decreased weed control due to prolonged period of weed seed germination.</p> <p>Do not drain field for a minimum of four days after a BOLERO application. Water level in the checks should be maintained at 3 to 4 inches with no exposed soil. Water flow should be maintained at a minimum during and up to four days after application for good weed control.</p> <p>California may require special water management practices to minimize off-site water movement of BOLERO residues; consult your State Department of Food and Agriculture or County Agricultural Commissioner for further information .</p> <p>Precautions: Do not make more than one application per year. Do not plant subsequent crops in treated fields within 6 months of last application. Do not apply to rice paddies where commercial catfish or crayfish farming is practiced. Do not use adjacent to catfish ponds. Water drained directly from treated fields must not be used to irrigate other crops.</p> <p>SUGGESTED MANAGEMENT PRACTICES: Bolero 10 G use in rice fields which have received spring incorporation of high amounts (no straw burning or removal) of straw and/or green organic matter, may reduce plant stand and yield.</p> <p>Suggested management practices which will help promote soil conditions conducive for the production of healthy rice treated with BOLERO 10 G include:</p> <ul style="list-style-type: none"> • Burn crop residue where state regulations allow, or straw removal. • Fall plowing/discing of crop straw. • Chemical "burndown" of green vegetation after fall plowing/discing prior to final seed bed preparation. • Uniform flood depth of 3-4". <p>Water-seeded rice fields treated with BOLERO 10 G post flood should be inspected regularly during tillering. If the following symptoms (associated with decomposition of crop/weed residues) occur: 1. dark green foliage, and/or 2. reduced plant height, and/or 3. plant deformation, immediately drain the field (if recirculating systems or water impoundment allows) for 7-14 days or until the soil starts to crack. Low spots which do not drain completely may continue to display symptoms.</p>

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STORAGE AND DISPOSAL

PROHIBITIONS

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

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 1-800-892-0099, or Chemtrec 1-800-424-9300.

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 bag into application equipment. Do not reuse container. Dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

IMPORTANT INFORMATION. READ BEFORE USING PRODUCT.

LIMITED WARRANTY: 1. K-I Chemical that this product conforms to the chemical description on the label and is reasonably fit for use under average conditions when used strictly in accordance with the directions on the labeling. K-I Chemical does not make nor authorizes any agent or representative to make, any other warranty, guarantee or representation, express or implied, concerning this product. Specifically **NO IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE IS MADE.**

2. Critical and unforeseeable factors beyond K-I Chemical's control prevent it from eliminating all risks in connection with the use of this product. Such risks include, but are not limited to, damage to plants and crops to which product is applied, lack of complete control over the handling and application of this product, and damage caused by drift to other plants or crops. Such risks occur even though the product is reasonably fit under average conditions for the uses stated on the labeling and even though label directions are followed. Buyer and user acknowledge and assume all risks and liability (except those assumed by K-I Chemical under 1 above) resulting from handling, storage, and use of the product.

3. Precautions stated on the labeling should be followed to avoid hazardous exposure to the product.

K-I Chemical Inc. © 1993

BOLERO®—Reg. TM of Kumiai Chemical Industry Co., Ltd. for thiobencarb herbicide.

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