

U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs Registration Division (7505P) 1200 Pennsylvania Ave., N.W. Washington, D.C. 20460

EP	A	Re
Nu	m	be:

Date of Issuance:

64864-58

MAR 2 7 2009

Terms of Issuance:

Conditional

Name of Pesticide Product: **Xedaquin Drench**

NOTICE OF PESTICIDE:

__ Registration

XX Reregistration

(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

Andrew Kieniksman

Pace International, LLC

Wapato, WA 98951

Note: 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.

On the basis of information furnished by the registrant, the above named pesticide is hereby 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.

Based on your response to the Reregistration Eligibility Document(s) for **Ethoxyquin**, EPA has reregistered the product listed above provided that the following changes are made to the label:

- Rearrange the first-aid statement according to the product's acute toxicity review, by listing,
 'If Swallowed' (instead of 'If in eyes') then 'If on Skin or Clothing', 'If in Eyes', 'If Inhaled'.
 For each, include appropriate first-aid guidance by consulting the EPA Label Review Manual,
 available at http://www.epa.gov/oppfead1/labeling/lrm/.
- 2. Delete 'AKA Xedaquin 451 EC', from the label's heading, on page 1.
- 3. Below the 'Ingredient Statement', correct the miscalculation changing "3.76 lbs. active ingredient per gallon (451g/L)" to "3.91 lbs. active ingredient per gallon (469 g/L)."
- 4. A phone number for emergency medical treatment information must be added to the 'First Aid' section, on page 1.

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Signature of Approving Official:	Date:
Shaja Joyner	- MAR 2 7 2009
Shaja B. Joyner //	11/11X = 2003
Product Manager (20)	
Fungicide Branch	
Registration Division (7505P)	

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- 5. In the 'Personal Protective Equipment (PPE)' section, on page 2, after "Persons sorting...handler PPE" insert "NOTE: Employers must provide mixers and loaders with the appropriate type of chemical-resistant gloves in clean and operating condition and replace or appropriately clean the gloves after any day of use."
- 6. From the 'Precautionary Statements' section, delete 'Caution,' under the subsection 'Hazards to Humans and Domestic Animals.'
 - A. Rearrange this section, so that 'Harmful if swallowed' precedes 'Harmful if absorbed through skin'.
- 7. Insert the section heading "User Safety Requirements," in bold font, above, "Follow manufacturer's instructions...from other laundry."
 - A. In the second sentence, insert 'exist' so that it reads, "If no such instructions for washables exist...hot water."
 - B. Similarly, 'User Safety Requirements' must appear in bold font as a header, in a box as follows, though your statements may vary from those used herein.

User Safety Requirements

'Users must wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet."

"Users must remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing."

"Users must 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."

- 8. On page 2, change the subsection header "Recommendations" to "Application Instructions."
- 9. Update the label's "Notice to Buyer," on page 3, using:

"IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once. By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability."

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- 10. In the 'Warranty' section, delete, "The Company makes no other...such warranty on the Company's behalf," and replace with "Read the entire Directions for Use, Conditions of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once. By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability." If further guidance is needed, you may refer to the Agency's Label Review Manual: http://www.epa.gov/oppfead1/labeling/lrm/chap-12.htm
- 11. Under the 'Warranty' section's 'Terms of Sale' subsection, on page 4, revise the second to last sentence so that it reads, "The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of the Company. To the extent consistent with applicable law all such risks shall be assumed by the user or buyer."
 - A. In this section, delete the final sentence "Sale of this product... Seattle, Washington, USA."
- 12. To the 'Warranty Statement', revise the subsection 'Limitations of Liability' subsection to read: "To the extent consistent with applicable law, the exclusive remedy against the Company for any...claim. To the extent consistent with applicable law, the Company shall not be liable...such claims are hereby waived."
- 13. Delete www.paceint.com from the label. Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance Assurance. As an alternative, you may refer consumers to the company's phone number or email address.

This action is taken under the authority of section 4(g)(2)(c) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended. Reregistration under this section does not eliminate the need for continual reassessment of pesticides. EPA may require submission of data at any time to maintain the registration of your product.

Submit one (1) copy of final printed labeling incorporating the above changes before you release the product for shipment. Amended labeling will supersede all previously accepted labels. A copy of your label stamped "Accepted with Comments" is enclosed for your records.

Your release for shipment of the product bearing amended labeling constitutes accepting of these conditions. One copy of the label stamped "Accepted with comments" is enclosed for your records. If you have any questions regarding this correspondence, contact Bryant Crowe of my staff by phone at 703-305-0025 or via email at crowe.bryant@epa.gov or myself at 703-308-3194 or via email at joyner.shaja@epa.gov.

Xedaquin Drench AKA Xedaquin 451 EC Antiscald Agent for Post-Harvest Treatment of Pears

FOR AGRICULTURAL USE ONLY

Xedaguin Drench is recommended for reducing scald damage to pears while in storage.

ACTIVE INGREDIENT:

Ethoxyquin (6-Ethoxy-1,2-dihydro-2,2,4-trimethyl quinoline)	46%
Total	

Contains 3.76 lbs. active ingredient per gallon (451 g/L)

EPA Reg. No. 64864-58

EPA Est. No. 64864-WA-1

KEEP OUT OF REACH OF CHILDREN CAUTION - CUIDADO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detaile. (If you do not understand this label, find someone to explain it to you in detail.)

FIRST AID			
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.			
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 on skin or	Take off contaminated clothing.		
clothing	Rinse skin 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.		
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.		

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

Caution. Harmful if absorbed through skin. Harmful if swallowed. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

Personal Protective Equipment (PPE)

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart.

with COMMENTS In EPA Letter Dated

MAR 2 / 2009
Under the Federal Inscettlide,
Fradicide, and Redemicide Act
ps amended, for the posticide
registered and a UFA Reg. No.

64864 -58

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Mixers, loaders, applicators and other handlers must wear:

- · Long-sleeved shirt and long pants
- · Socks and shoes
- Protective eyewear
- Chemical resistant gloves made of any waterproof material such as polyvinyl chloride, nitrile rubber or butyl rubber.

Persons sorting, packing, culling or otherwise handling treated pears and persons handling impregnated paper wrap are considered handlers and must wear required handler PPE.

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.

ENVIRONMENTAL HAZARDS

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 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.

DIRECTIONS FOR USE

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

Application Restrictions

Do not apply this product in a way that will contact workers or other persons. Only protected handlers may be in the area during application.

Recommendations

- Use entire contents of the container immediately after opening.
- Make sure water supply is completely free of chlorine.
- Avoid exposing concentrate or diluted solution to sunlight to prevent darkening, which may cause staining of fruit.
- Avoid exposing treated fruit to sunlight, as exposure may cause fruit to stain.
- DO NOT combine Xedaquin Drench with any other material unless the safety of the combination has been established.
- Consult your local extension horticulturist or a qualified pomologist for proper procedures and precautions.

Application Procedures

- Product can be applied either in a single application or split application (double application) by drench or line spray (aqueous or incorporated in fruit coatings). These two methods of application are not to be used in combination with one another.
- For Aniou nears:
 - o Single application: Up to 2700 ppm ethoxyquin may be applied as a drench, spray on brush bed or conveyor rolls, or combined with fruit coatings.

- Split application: (1) Use a minimum of 1000 ppm to a maximum of 1500 ppm applied as a drench. (2) Follow with either a minimum of 1200 ppm to a maximum of 1700 ppm applied as a line spray (not to exceed 2700 ppm total from both applications combined) or impregnated paper wraps. The total amount of ethoxyquin applied should not exceed 2700 ppm. Rates for drenching followed by line spraying are listed below:
 - 1000 ppm drench followed by 1700 ppm line spray; 2700 ppm total
 - 1100 ppm drench followed by 1600 ppm line spray; 2700 ppm total
 - 1200 ppm drench followed by 1500 ppm line spray; 2700 ppm total
 - 1300 ppm drench followed by 1400 ppm line spray; 2700 ppm total
 - 1400 ppm drench followed by 1300 ppm line spray; 2700 ppm total
 - 1500 ppm drench followed by 1200 ppm line spray; 2700 ppm total
- Keep tank and equipment absolutely clean at all times. Thoroughly flush out tank immediately
 after use and before re-filling. Change solution daily or more often if needed.
- For best control of scald, apply to Anjou pears no later than one week after harvest.
- Drain fruit thoroughly after treatment and before placing fruit in cold storage. Fruit discoloration, burning, or injury may occur if treated fruit is allowed to remain in pools of liquid.

Dilution Rate Table

Target Concentration (ppm AI)	Ratio of Xedaquin Drench to Water	
1000	1:450	
1200	1:382	
1500	1:305	
1700	1:270	
2700	1:169	

STORAGE AND DISPOSAL

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

<u>PESTICIDE STORAGE</u>: Avoid storing below 40° F. In case of spill or leak, absorb liquid with sawdust or other absorbent material and incinerate or dispose of it in approved disposal area. <u>PESTICIDE DISPOSAL</u>: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

<u>CONTAINER DISPOSAL</u>: Nonrefillable container. Do not reuse or refill this container. Triple rinse or pressure rinse container (or equivalent) promptly after emptying. Offer for recycling or reconditioning, if available.

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. 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.

NOTICE TO BUYER

IMPORTANT: Read the information below before using this product. If the terms are not acceptable, you should return the unopened product container immediately for a complete refund.

LIMITED WARRANTY, TERMS OF SALE, AND LIMITATION OF LIABILITY Upon purchase of this product, purchaser and user agree to the following terms:

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<u>Warranty:</u> Pace International, LLC (the Company) warrants that this product conforms to the chemical description on the label in all material respects and is reasonably fit for the purpose referred to in the directions for use, subject to the exceptions noted below, which are beyond the Company's control. The Company makes no other representation or warranty, express or implied, concerning the product, including no implied warranty of merchantability or fitness for a particular purpose; no such warranty shall be implied by law, and no agent or representative is authorized to make any such warranty on the Company's behalf.

<u>Terms of Sale:</u> The Company's directions for use of this product should be followed carefully. It is impossible to eliminate all risks inherently associated with use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, and the manner of use or application (including failure to adhere to label directions), all of which are beyond the Company's control. All such risks are assumed by the user. Sale of this product is governed by the internal laws of the State of Washington; any action with respect to this product shall be brought exclusively in the State or federal courts located at Seattle, Washington, USA.

<u>Limitations of Liability:</u> The exclusive remedy against the Company for any cause of action relating to the handling or use of this product is a claim for damages, and in no event shall damages or any other recovery of any kind exceed the price of the product which caused the alleged loss, damage, injury, or other claim. To the extent allowed by law, the Company shall not be liable for any special, indirect, incidental, or consequential damages of any kind, including loss of profits or income, and any such claims are hereby waived.

The Company and the seller offer this product, and the purchaser and user accept this product, subject to the foregoing warranty, terms of sale, and limitation of liability, which may be varied or modified only by an agreement in writing signed on behalf of the Company by an authorized representative.

MADE IN USA	
SKU #:	
Lot #:	
Net Contents:	

Manufactured By: Pace International, LLC 5661 Branch Road Wapato, WA 98951 800.936.6750 www.paceint.com