

66222-48

2/21/2009

1 of 7



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms Christie Hitchcock
Makhteshim Agan of North America, Inc
4515 Falls of Neuse Rd, Suite 300
Raleigh, NC 27609

FEB 21 2009

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated January 26, 2009 for:

EPA Registration 66222-48 Folpan® 80 WDG

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Banza Djapao of my staff at 703-305-7269.

Sincerely,

A handwritten signature in black ink, appearing to be "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs



United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☐ Amendment
☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 6662-48 66922-48	2. EPA Product Manager Linda Arrington	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Folpan® 80 WDG	PM# 22 Registration Support Branch	
5. Name and Address of Applicant (Include ZIP Code) Makhteshim Agan of North America, Inc. 4515 Falls of Neuse Rd., Suite 300 Raleigh, NC 27609 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical to the Makhteshim Agan labeling to: EPA Reg. No. FEB 21 2009 Product Name	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated
<input type="checkbox"/> Resubmission in response to Agency letter dated	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification of label change per PR Notice 98-10 and PR Notice 2007-4. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and with the guidance of PR Notice 2007-4 and requirements of EPA's regulations at 40 CFR §§156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make false statements to EPA. I further understand that if this notification/amended label is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, and the requirements of 40 CFR §§156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input checked="" type="checkbox"/> Metal	
				<input checked="" type="checkbox"/> Plastic	
				<input type="checkbox"/> Glass	
				<input checked="" type="checkbox"/> Paper	
				<input type="checkbox"/> Other (Specify)	
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 5 lbs or less; greater than 5 lbs		5. Location of Label Directions <input checked="" type="checkbox"/> on label	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		<input type="checkbox"/> Other Self-adhesive			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)					
Name Christie Hitchcock		Title Regulatory Specialist		Telephone No. (Include Area Code) 919-256-9342	
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.					6. Date Application Received (Stamped)
2. Signature Christie Hitchcock		3. Title Regulatory Specialist			
4. Typed Name Christie Hitchcock		5. Date 01-26-09			



3 of 7

January 26, 2009

Document Processing Desk (NOTIF)
Registration Division (7504P)
OPP, USEPA
Ariel Rios Building
1200 Pennsylvania Ave, NW
Washington DC 20460

Re: Folpan® 80 WDG; EPA Reg. No. 66222-48
Notification per PRN 98-10 and 2007-4

To Whom It May Concern:

We are notifying the Agency of several label updates as allowed in PR Notices 98-10 and 2007-4. The changes are summarized below:

- Added "Manufactured for" in front of the company name (allowed per PRN 98-10 §II(N)(2))
- Updated the Warranty Statement that is now consistent with EPA's guidance document dated 10-17-06) (allowed per PRN 98-10 §II(J))
- Updated container disposal instructions per PRN 2007-4

In support of this submission, the following documents are attached:

- Application for Pesticide Registration (EPA Form 8570-1)
- One copy of final printed labeling

Please contact me at 919-256-9342 or by email at chitchcock@manainc.com if you have any questions regarding this submission or would like a copy of the annotated label showing the changes for your files.

Sincerely,

Christie Hitchcock
Regulatory Specialist

Enclosures

4087

FOLPAN[®] 80 WDG

A FUNGICIDE FOR PLANT DISEASE CONTROL

ACTIVE INGREDIENT	% BY WT.
Folpet: (N-Trichloromethylthio)phthalimide	80.0%
INERT INGREDIENTS:	20.0%
TOTAL	100.0%

KEEP OUT OF REACH OF CHILDREN
DANGER-PELIGRO

NOTIFICATION
FEB 21 2009

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).

Manufactured for:
Makhteshim Agan of North America, Inc.
4515 Falls of Neuse Road, Suite 300
Raleigh, NC 27609

EPA Reg. No. 66222-48

NET CONTENTS: ____ POUND(S)

EPA Est. No. XXXXXXXXXX

FIRST AID	
IF IN EYES:	<ul style="list-style-type: none"> • 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 eyes. • Call a poison control center or doctor for treatment advice.
IF INHALED:	<ul style="list-style-type: none"> • 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 ON SKIN OR CLOTHING:	<ul style="list-style-type: none"> • 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 SWALLOWED:	<ul style="list-style-type: none"> • 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 by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact PROSAR at 1-877-250-9291 for emergency medical treatment information. NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage.	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER-PELIGRO

Causes irreversible eye damage. May be fatal if inhaled. Causes skin irritation. Do not breathe dust or spray mist. Do not get in eyes, on skin, or on clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling, and before eating, drinking, chewing gum, or using tobacco. Remove and wash clothing before reuse.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- Protective eyewear
- A NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any N, R, P, or HE filter
- Coveralls over a short sleeve shirt and short pants
- Chemical resistant gloves
- Chemical resistant apron when mixing and loading and cleaning equipment
- Chemical resistant headgear for overhead exposure
- Chemical resistant footwear and socks

Discard clothing and or 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.

ENGINEERING CONTROLS STATEMENT: When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

IMPORTANT: When reduced PPE is worn because a closed system is being used, handlers must be provided all PPE specified above for "Applicators and other handlers" and have such PPE immediately available for use in an emergency, such as a spill or equipment breakdown.

USER SAFETY RECOMMENDATIONS

Users should:

- Wash thoroughly with soap and water after handling. 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.
- 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

This pesticide is highly toxic to fish. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water by cleaning of equipment or disposal of wastes.

DIRECTIONS FOR USE

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

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. Do not allow this product to drift. 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 24 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:

- Protective eyewear
- Coveralls over short sleeve shirt and short pants
- Chemical resistant gloves
- Chemical resistant footwear and socks

6007

ENDANGERED SPECIES CONCERNS

The use of any pesticide in a manner that may kill or otherwise harm an endangered species or adversely modify their habitat is a violation of federal law. This pesticide is toxic to fish and aquatic invertebrates and must be used strictly in accordance with drift precautions on this label in order to minimize off-site exposures. **DO NOT** apply when weather conditions favor drift from treated areas to aquatic habitats. Notify State and/or Federal authorities and MANA immediately if you observe any adverse environmental effects due to use of this product. To determine whether your county has endangered aquatic species, consult the County Bulletins at <http://www.epa.gov/espp/usa-map.htm>.

Endangered Species Bulletins may also be obtained from extension offices or state pesticide agencies. If a bulletin is not available for your specific area, check with the appropriate local state agency to determine if known populations of endangered aquatic species occur in the area to be treated.

CROP USE

The Federal Food and Drug Administration set official tolerances for certain pesticide residues. In order for residues on food and forage crops will not exceed established tolerances, use only at recommended rate. Consult your State Agricultural Experiment Station or State Extension Service Specialist for specific information, as the timing and number of applications needed vary with local conditions.

AVOCADO: Scab (Sphaceloma) - FOR USE IN FLORIDA ONLY - Apply 3 pounds 12 ounces of Folpan 80WDG per acre in sufficient water for thorough coverage (up to 1000 gallons of finished spray per acre). Apply to the foliage when bloom buds begin to swell in very susceptible varieties or during late bloom when some fruit has set in the slight and moderately susceptible varieties. Repeat at 2-week intervals or as needed. Do not exceed 5 applications per season. Do not apply more than 18 pounds 12 ounces of Folpan 80 WDG per acre per year. Do not make applications within 1 day of harvest.

HOPS: Downy Mildew - Apply 3 pounds of Folpan 80 WDG per acre as a foliar application by ground equipment in sufficient water to insure proper coverage. For best results, apply in combination with a systemic fungicide beginning when spikes first appear on hop crowns in spring. Folpan 80 WDG may be applied a maximum of 4 times per season at 28 day intervals. Do not apply more than 12 pounds of Folpan 80 WDG per acre per year. Do not make applications within 14 days of harvest. Do not apply Folpan 80 WDG through any type of irrigation system. Do not graze cover crops treated with Folpan 80 WDG or harvest forage for silage or hay.

GENERAL PRECAUTIONS AND RESTRICTIONS

CHEMIGATION STATEMENT: Do not apply this product through any type of irrigation system.

Apply only with ground application equipment. Do not apply this product through any type of irrigation system. Do not apply by air. Do not apply within 60 feet of bodies of water such as lakes, reservoirs, rivers, permanent streams, natural ponds, marshes or estuaries. Do not apply within 48 hours of an expected rain event.

COMPATIBILITY

Folpan 80 WDG may be combined with most commonly used insecticides, adjuvants and fungicides. Fungicidal activity of Folpan 80 WDG is reduced if combined with strongly alkaline materials such as hydrated lime. This material should not be used in combination with or closely following oil sprays.

Do not combine wettable powders with emulsifiable liquids in the same spray tank unless previous use of the materials being combined has proved them to be physically compatible.

MIXING DIRECTIONS

Pour required amount of this material onto surface of water in a spray tank 2/3 filled with the final desired spray volume, or pre-mix required amount of material in a bucket half-filled with water and pour mixture through screen into a spray tank 2/3 filled with the final desired spray volume. Add balance of water to fill tank to final volume desired. Keep agitator running during filling and spraying operations. Do not allow mixture to stand.

7 of 7

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a cool, dry place. Protect from excessive heat.

PESTICIDE DISPOSAL: Pesticides wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER HANDLING:

Nonrefillable Container (flexible-bag-all weights): Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Completely empty bag into application equipment. Then 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.

Nonrefillable Container (rigid-fifty lbs. or less): Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container $\frac{1}{4}$ 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.

Nonrefillable Container (rigid-greater than fifty lbs.): Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container $\frac{1}{4}$ 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. Turn the container over onto its other 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.

Refillable Container: Refillable container. Refill this container with folpet 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.

FOR 24-HOUR EMERGENCY ASSISTANCE (SPILL, LEAK, OR FIRE), CALL INFOTRAC AT 1-800-535-5053.

LIMITATION OF WARRANTY AND LIABILITY

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.**

CONDITIONS: 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 Makhteshim Agan of North America, Inc. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: To the extent consistent with applicable law, Makhteshim Agan of North America, Inc. makes no other warranties, express or implied, of merchantability or of fitness for a particular purpose or otherwise, that extend beyond the statements made on this label. No agent of Makhteshim Agan of North America, Inc. is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. To the extent consistent with applicable law, Makhteshim Agan of North America, Inc. disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

LIMITATIONS OF LIABILITY: To the extent consistent with applicable law, the exclusive remedy of the user or buyer for any and all losses, injuries or damages resulting from the use or handling of this product, whether in contract, warranty, tort, negligence, strict liability or otherwise, shall not exceed the purchase price paid or at Makhteshim Agan of North America, Inc.'s election, the replacement of product.

Folpan is a registered trademark of Makhteshim Chemical Works, Ltd.

Folpan 80WDG (66222-48) (not for EPA C1)