

66222-128

12/05/2006

Ticket 116



## U.S. ENVIRONMENTAL PROTECTION AGENCY

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

EPA Reg. Number:

66222-128

Date of Issuance:

DEC 5 2006

## NOTICE OF PESTICIDE:

☒ Registration  
☐ Reregistration  
(under FIFRA, as amended)

Term of Issuance:

Conditional

Name of Pesticide Product:

ORIUS 20EW

## Name and Address of Registrant (include ZIP Code):

Makhteshim-Agan of North America, Inc.  
4515 Falls of Neuse Road., Suite 300  
Raleigh, North Carolina 27609

**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 registered/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.

This product is conditionally registered in accordance with FIFRA Sec. 3(c)(7)(A) provided that you:

1. Submit and/or cite all data required for registration/reregistration of your product under FIFRA Sec. 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of your product under FIFRA section 4.
2. Make the following changes to the label.
  - a. Add the phrase "EPA Registration Number 66222-128".

Signature of Approving Official:

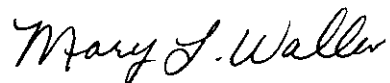
Mary L. Waller, Product Manager (21)  
Fungicide Branch, Registration Division (7505C)

Date:

12/5/2006

3. Submit a one year storage stability study (Guideline # 830.6317) and corrosion characteristics study (Guideline # 830.6320) with observations made at 0, 3, 6, 9 & 12 month intervals by May 2009.
4. Submit one copy of the final printed label before the product is released for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA Sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions. A stamped copy of the label, a copy of the product chemistry review and toxicological review are enclosed for your records.



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

Enclosures: Label stamped "Accepted with Comments"  
October 27, 2006 and July 11, 2006 Acute Toxicity Reviews  
November 1, 2006 Product Chemistry Review

DEC 5 2006

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
as amended, for the pesticide  
registered under EPA Reg. No.

# Orius™ 20EW

## Foliar Fungicide

3/6  
66222-  
128

### ACTIVE INGREDIENT:

Tebuconazole: alpha-[2-(4-chlorophenyl)ethyl]alpha-(1,1-dimethylethyl)-1H-1,2,4-triazole-1-ethanol..... 20%

INERT INGREDIENTS: ..... 80%

Contains 1.67 pounds tebuconazole per gallon.

TOTAL 100%

### KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
IF SWALLOWED:	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
IF ON SKIN OR CLOTHING:	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15 to 20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
IF IN EYES:	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15 to 20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
IF INHALED:	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>
<p>Have a product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact Prostar at 1-877-250-9291 for emergency medical information.</p> <p><b>NOTE TO PHYSICIAN:</b> There is no specific antidote. Treat symptomatically. Symptoms of Poisoning: The compound does not cause any definite symptoms that would be diagnostic.</p>	

### PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Harmful if swallowed, inhaled, or absorbed through skin. Causes moderate eye irritation. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Avoid contact with skin, eyes, or clothing. Causes moderate eye irritation. Remove and wash contaminated clothing before reuse. Wear the personal protective clothing specified in the **PERSONAL PROTECTIVE EQUIPMENT (PPE)** section of this label. Avoid breathing vapor or spray mist.

#### 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 C on an EPA chemical resistance category selection chart.

#### Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves, such as barrier laminate, or butyl rubber, or nitrile rubber, or neoprene rubber, or polyvinyl chloride, or Viton
- 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.

**NET CONTENTS: 2 ½ GALLONS**

EPA Reg. No. 66222-REI  
EPA Est. No.

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

### 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.

### USER SAFETY RECOMMENDATIONS

**Users should:**

- 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.

### ENVIRONMENTAL HAZARDS

This pesticide is toxic to estuarine and marine invertebrates. Do not apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean high water mark. Runoff may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment washwater or rinsate.

### DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner 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. 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
- Chemical-resistant gloves, such as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, polyvinyl chloride, or Viton
- Shoes plus socks

**Spray Volume:** ORIUS 20EW may be applied in a minimum of 10 gallons of spray solution per acre by ground sprayer or in a minimum of 5 gallons of spray solution per acre by aircraft spray equipment. Check equipment calibration frequently. Complete coverage and uniform application are essential for the most effective results, especially when lower spray volumes are applied. If necessary, increase the spray volume per acre for complete crop coverage.

**Chemigation:** Do not apply this product through any type of irrigation system.

**Mixing:** Add recommended amount of ORIUS 20EW into the spray tank while filling with water to the desired level. Operate the agitator while mixing. If other materials are added to the spray tank, the ORIUS 20EW should be thoroughly dispersed prior to the addition of other materials.

**Compatibility:** To determine the compatibility of ORIUS 20EW with other products, the following procedure should be followed: Pour the recommended proportions of the products into a suitable container of water, mix thoroughly and allow to stand at least five (5) minutes. If the combination remains mixed or can be re-mixed readily, the mixture is considered physically compatible. For further information, contact your local Makhteshim Agan representative.

### RECOMMENDED APPLICATIONS

CROP	DISEASE	RATE OF ORIUS 20EW
GRASSES GROWN FOR SEED	Rusts ( <i>Puccinia</i> spp.)	8.6 to 17.2 fl oz per acre
	Apply the specified rate of ORIUS 20EW as soon as weather conditions are favorable for rust development or when first rust pustules are present. Repeat applications at 14 to 16 day intervals. Under heavy disease pressure use 12.9 to 17.2 fl oz/A and shorter spray intervals.	
	Powdery mildew	8.6 to 17.2 fl oz per acre
	Apply specified rate of ORIUS 20EW when powdery mildew first appears on the leaves. Repeat applications at 14 to 16 day intervals. Under heavy disease pressure use 12.9 to 17.2 fl oz/A and shorter spray intervals.	

**GENERAL COMMENTS:** Apply the specified rate in a minimum of 20 gallons of water per acre with ground sprayers or in a minimum of 10 gallons of water per acre with aircraft. Thorough coverage is important for optimum disease control. For optimum benefit, the lowest recommended rate of a spray surfactant should be tank mixed with ORIUS 20EW. A maximum of 34.4 fluid ounces may be applied per acre per crop season. ORIUS 20EW may be applied up to 4 days before harvest. Chaff, screenings and straw from treated areas may be used for feed purposes; however, do not forage, cut green crop, or use seed for feed purposes. Regrowth may be grazed starting 17 days after last application.

<b>PEANUTS</b>	<b>SOILBORNE:</b> Sclerotium stem and pod rot (white mold, southern blight, southern stem rot) Rhizoctonia limb rot Rhizoctonia pod rot (Virginia and North Carolina only) <b>FOLIAR:</b> Early leaf spot Late leaf spot Leaf rust Web blotch ( <i>Phoma</i> ) Pepper spot ( <i>Leptosphaerulina</i> )	15.4 fl oz per acre
<b>FOUR-APPLICATION SPRAY PROGRAM:</b> Apply the specified rate in a preventive spray schedule. See table below for proper timing of applications. Applications of chlorothalonil should be made prior to and following applications of ORIUS 20EW to discourage development of resistant strains of fungi. For optimum control of foliar diseases such as leaf rust, web blotch, and pepper spot, the lowest label recommended rate of a spray surfactant should be tank-mixed with ORIUS 20EW. <b>LEAF SPOT ADVISORY SCHEDULE:</b> For control of soilborne diseases in an advisory schedule, apply ORIUS 20EW in the first advisory spray in July and continue ORIUS 20EW applications at 14 day intervals. Applications after August 15 should be tank mixed with chlorothalonil for resistance management purposes.		

**GENERAL DIRECTIONS:** For optimum control of the specified soilborne diseases, four consecutive applications of ORIUS 20EW must be made at 14 day intervals.

A maximum of 61.9 fluid ounces of ORIUS 20EW may be applied per crop season. ORIUS 20EW may be applied up to 14 days before harvest. Do not feed hay or threshings or allow livestock to graze in treated areas.

ORIUS 20EW is a sterol demethylation inhibitor (DMI) fungicide. Chlorothalonil may be tank mixed at the rate of 12 ounces of active ingredient with ORIUS 20EW as a leaf spot resistance management strategy. A spray surfactant is not necessary when ORIUS 20EW is tank mixed with chlorothalonil. Mixing or alternating ORIUS 20EW with other DMI fungicides may lead to resistance.

ORIUS 20EW must be carried by rainfall or irrigation into the root and pod zone for control of root and pod rots caused by *Sclerotium rolfsii* and *Rhizoctonia solani*. Drought conditions will decrease the effectiveness of ORIUS 20EW against the root and pod rots.

Use ORIUS 20EW in conjunction with cultural practices that are known to reduce the severity of soilborne diseases, such as proper crop rotation practices.

Timing of ORIUS 20EW Application for Optimum Control of White Mold and Rhizoctonia Limb and Pod Rot		
Spray Program	ORIUS 20EW Application No.	Chlorothalonil Application No.
7 applications	3, 4, 5, and 6	1, 2, and 7

**OBSERVE THE FOLLOWING PRECAUTIONS WHEN SPRAYING IN THE VICINITY OF AQUATIC AREAS SUCH AS LAKES, RESERVOIRS, RIVERS, PERMANENT STREAMS, MARSHES OR NATURAL PONDS, AND ESTUARIES.**

Apply only during alternate years in fields adjacent to aquatic areas listed above.

Do not apply by ground or air within 100 feet of aquatic areas listed above.

Do not cultivate within 10 feet of an aquatic area to allow growth of a vegetative filter strip.

**Spray Drift Management:** For aerial applications, the spray boom should be mounted on the aircraft so as to minimize drift caused by wing tip vortices. The minimum practical boom length should be used, and must not exceed 75% of the wing span or rotor diameter.

Use the largest droplet size consistent with pest control. Formation of very small droplets may be minimized by appropriate nozzle selection, by orienting nozzles away from the air stream as much as possible and by avoiding excessive spray boom pressure. Apply in a minimum of 5 gallons of spray solution per acre by aircraft spray equipment.

Spray should be released at the lowest possible height consistent with good pest control and flight safety. Applications more than 10 feet above the crop canopy should be avoided.

Make aerial or ground applications when wind velocity favors on-target product deposition (approximately 3 to 10 mph). Do not apply when wind velocity exceeds 15 mph. Avoid applications when wind gusts approach 15 mph.

6/6

Risk of exposure to sensitive aquatic areas can be reduced by avoiding applications when wind direction is toward the aquatic area.

Low humidity and high temperatures increase the evaporation rate of spray droplets and therefore the likelihood of spray drift to aquatic areas. Avoid spraying during conditions of low humidity and/or high temperature.

Do not make aerial or ground applications during temperature inversions. Inversions are characterized by stable air and increasing temperatures with height above the ground. Mist or fog may indicate the presence of an inversion in humid areas. The applicator may detect the presence of an inversion by producing smoke and observing a smoke layer near the ground surface.

#### ROTATIONAL CROPS

Treated areas may be replanted with any crop specified on this label as soon as practical after last application. Any crop not specified on this label may be planted into treated areas 120 days after last application.

#### IMPORTANT: READ BEFORE USE

Read the entire Directions for Use and Warranty Statement 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 Conditions of Sale.

#### STORAGE AND DISPOSAL

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

**PESTICIDE STORAGE:** Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Store in original container and out of the reach of children, preferably in a locked storage area.

Handle and open container in a manner as to prevent spillage. If container is leaking, invert to prevent leakage. If the container is leaking or material is spilled for any reason or cause, carefully dam up spilled material to prevent runoff. Refer to Precautionary Statements on label for hazards associated with the handling of this material. Do not walk through spilled material. Absorb spilled material with absorbing-type compounds and dispose of as directed for pesticides below. In spill or leak incidents, keep unauthorized people away. For spills, fire, or leak, contact INFOTRAC: 1-800-535-5053.

**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:** Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

#### WARRANTY STATEMENT

MAKHTESHIM AGAN OF NORTH AMERICA, INC. warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for purposes stated on such label only when used in accordance with directions under normal use conditions. 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, or the manner of use or application, all of which are beyond the control of MAKHTESHIM AGAN OF NORTH AMERICA, INC. To the extent allowed by law, MAKHTESHIM AGAN OF NORTH AMERICA, INC. shall not be liable for consequential, special, or indirect damages resulting from the use or handling of this product. All such risks shall be assumed by the Buyer. In addition to the foregoing, no purchaser of this product (other than an end user) shall be entitled to any reimbursement for any loss suffered as a result of any suspension or cancellation of the registration for this product by the U.S. Environmental Protection Agency. Except as expressly provided herein, MAKHTESHIM AGAN OF NORTH AMERICA, INC. makes no warranties, guarantees, or representations of any kind, either expressed or implied, or by usage of trade, statutory or otherwise, with regard to the product sold, including, but not limited to merchantability, fitness for a particular purpose, use or eligibility of the product for any particular trade usage. The exclusive remedy of any buyer or user of this product for any and all losses, injuries, or damages resulting from or in any way arising from the use, handling, or application of this product, whether in contract, warranty, tort, negligence, strict liability, or otherwise, shall be damages not exceeding the purchase price paid for this product or, at MAKHTESHIM AGAN OF NORTH AMERICA, INC.'s election, the replacement of this product.

Orius is a trademark of Irvita Plant Protection, N.V.

File name: Orius 20EW (66222-REI)(rev to EPA 12-5-06)