



U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (7505C)
401 "M" St., S.W.
Washington, D.C. 20460

EPA Reg.
Number:

66330-35

Date of Issuance:

MAY 21 1999

NOTICE OF PESTICIDE:

Registration
 Reregistration

Under FIFRA, as amended:

Term of Issuance:

Conditional Reg.
Expires 12/31/01

Name of Pesticide Product:

ELEVATE 50 WDG
Fungicide

Name and Address of Registrant (include ZIP Code):

TOMEN AGRO, INC.
100 First Street, Suite 1700
San Francisco, CA 94105

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)(C) provided that you:

1. Revise the EPA Registration Number to read as follows:

" EPA REG. NO. 66330-35"

2. Submit by June 30, 2001, the following study conducted in accordance with the Good Laboratory Practice Standards, 40 CFR Part 160, and appropriate test guidelines as referenced in EPA's Data Requirements for Registration Regulations, 40 CFR Part 158:

* A field dissipation study (Guideline No. 164-1)

3. Submit production information (pounds or gallons produced) for this product for the fiscal year in which the use is conditionally registered, in accordance with FIFRA Section 29. The product information will be submitted to the Agency no later than November 15, following the end of the preceding fiscal year. This information is submitted to:

Registration Support Branch
Registration Division (7505C)
401 M Street, S.W.
Washington, D.C. 20460

Signature of Approving Official:

Mary J. Waller

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

Date:

MAY 21 1999

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4. Submit one (1) copy of the final printed labeling before you release the product 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 is enclosed for your records.

Sincerely,

Mary S. Waller,

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

Enclosure

ELEVATE™ 50 WDG Fungicide (Containing TM-402)

EPA File Symbol 66330-GL

May 20, 1999 draft label proposed for EPA "Accepted" stamp

Based upon the April 20, 1999 draft label, revised per:

- 1. 5/19/99 EPA comments, and
- 2. Changes requested by Tomen to remove redundancies and improve label flow.

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(Front Panel)

ELEVATE™ 50 WDG FUNGICIDE

50% Water Dispersible Granule for Use in Water as a Spray
for Control of *Botrytis* Diseases of Grapes, Strawberries and Ornamentals

FOR AGRICULTURAL AND HORTICULTURAL USE ONLY

Not for Residential Use

INGREDIENTS

ACTIVE INGREDIENT:

Fenhexamid* 50.0%

INERT INGREDIENTS: 50.0%

Total 100.0%

* N-(2,3-dichloro-4-hydroxyphenyl)-1-methyl-cyclohexane carboxamide

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

See back panel for additional precautionary statements.

Tomen Agro, Inc.
100 First Street, Suite 1700
San Francisco, CA 94105

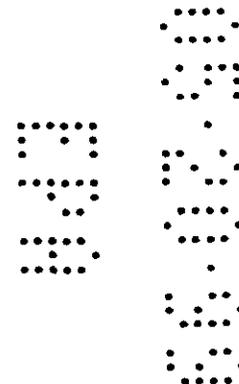
EPA Registration No. 66330 - ____
EPA Establishment No. 44616-MO-01

NET WEIGHT: ____ POUNDS (____ KILOGRAMS)

**ACCEPTED
with COMMENTS
In EPA Letter Dated:**

5/21/99

Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
66330-35



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[Back panel]

STATEMENT OF PRACTICAL TREATMENT (FIRST AID)

IF SWALLOWED: Call a physician or Poison Control Center. Drink 1 or 2 glasses of water and induce vomiting by touching the back of throat with finger, or if available by administering syrup of ipecac. If person is unconscious, do not give anything by mouth and do not induce vomiting.

IF IN EYES: Flush with plenty of water. Call a physician if irritation persists.

IF ON SKIN: Wash with plenty of soap and water. Get medical attention if irritation persists.

**FOR 24-HOUR EMERGENCY MEDICAL ASSISTANCE:
CALL 1-800-228-5635 Ext. 174**

**FOR 24-HOUR CHEMICAL EMERGENCY (Spill, Leak, Fire or Accident)
ASSISTANCE:
CALL CHEMTREC 1-800-424-9300**

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION. Harmful if swallowed or absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes and clothing. Wash thoroughly with soap and water after handling.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear long-sleeved shirt and long pants, socks, shoes and waterproof gloves. Follow the manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables are available, use detergent and hot water. Keep and wash PPE separately from other laundry.

ENGINEERING CONTROLS

When handlers use closed systems or enclosed cabs 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 break-down.

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.

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ENVIRONMENTAL HAZARDS

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

Carefully read and understand the Directions for Use and restrictions before applying this product.

Do not apply this product in any 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 on this label about personal protective equipment (PPE), notification to workers, 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 entry into treated areas during the restricted entry interval (REI) of 4 hours.

PPE required for early entry into 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, socks, shoes, waterproof gloves.

GENERAL INFORMATION: ELEVATE™ 50 WDG Fungicide is a cyclohexane carbamate protectant fungicide used for the control of Gray mold, *Botrytis cinerea*, on grapes, strawberries and ornamentals. This product should be used in a program with other products to provide season-long protection. Under severe disease conditions, use maximum rates and shorter intervals for repeat applications. Dense foliage or excessive growth will often prevent adequate coverage; adjust spray volumes accordingly.

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RESISTANCE MANAGEMENT: There is no indication of cross-resistance between the active ingredient in this product and other fungicides. To preserve the usefulness of Botryticides, avoid making more than two consecutive applications of the same fungicide. Your local advisor may provide an appropriate control recommendation. Resistance management strategies such as alternation or tank mixture with other Botryticides of different chemical classes or broad spectrum fungicides currently recommended for Botrytis control are highly recommended in spray programs. Resistance management strategies advise not to apply at rates lower than recommended on the label.

COMPATIBILITY OF MIXTURES: This product is believed to be compatible with most commonly used fungicides, insecticides, micronutrients, growth regulators and spray adjuvants. Consult specific product labels for additional information. It is always advisable to conduct a tank spray compatibility test when you plan to mix this product with other products. To determine the physical compatibility of this product with other products, use a jar test. Using a quart jar, add the proportionate amounts of the products to approximately one quart of water with agitation. Add dry formulations first, then flowables, then emulsifiable concentrates last. After thorough mixing, allow this mixture to stand for 5 minutes. If the combination remains mixed or can be readily remixed, it is physically compatible. Once compatibility has been proven, use the same procedure for adding required ingredients to the spray tank. It is suggested that combinations be used on a small number of plants before treating large areas.

PREPARATION OF SPRAY SOLUTION: Read **COMPATIBILITY OF MIXTURES** section prior to any tank mixing with this product. Begin with clean equipment. Add sufficient clean water to the spray tank for one-half of the mix load. Start tank agitation. Add and properly suspend the necessary amount of product before adding any other products. Agitate to ensure thorough mixing while adding the remaining required water. A high quality wetting agent or other spray adjuvant, approved for use on your crop, may be added to spray solutions according to the manufacturer's use instructions. ELEVATE should be properly suspended and diluted prior to the addition of any adjuvant. Consult the adjuvant label or manufacturer for crop tolerance and safety information when used with this product. Maintain agitation during mixing and application. DO NOT allow the spray mixture to stand without agitation. Apply with properly calibrated spray equipment. If agitation is stopped for any reason, the spray solution must be thoroughly re-mixed prior to any further use.

APPLICATION: Prepare only the amount of spray solution needed to treat the area to be sprayed. Maintain agitation during mixing and application. Applications should be made immediately after the spray solution is prepared. If there is any delay in application, continue mix agitation. DO NOT allow the spray mixture to stand without agitation. If agitation is stopped for any reason, the spray solution must be thoroughly re-mixed prior to any further use. Rainfall or overhead irrigation within 6 hours of application may necessitate re-treatment.

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For food crops, thorough coverage of all flowers and fruiting parts is essential for control of blossom and fruit infections caused by *Botrytis*. For ornamentals, thorough coverage of all above ground plant parts is essential for control of infections caused by *Botrytis*.

Proper calibration and operation of spray equipment is essential for successful spraying. Consult the spray equipment manufacturer's operators manual, spray nozzle catalogs, and/or your crop advisor for more information.

For agricultural applications, apply using ground equipment only (such as boom type, air blast, hand gun or mist blower sprayers).

For horticultural applications, apply using high volume, low volume or ultra low volume (non-thermal foggers, misters, etc.) ground equipment only. DO NOT apply this product using thermal application equipment.

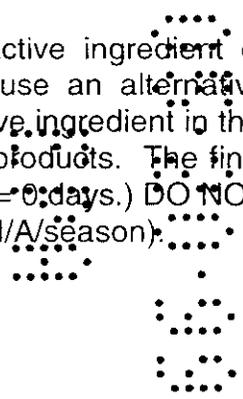
DO NOT apply this product through any type of irrigation system.

Do not replant food crops other than those for which the product is labeled within 30 days following the last application.

GRAPES: For the control of *Botrytis* bunch rot (gray mold), apply 1.0 lb product per acre (0.50 lb AI/A) prior to disease establishment. Apply when conditions favor disease development at early bloom, bunch pre-close, veraison (beginning of fruit ripening), up to and including the day of harvest. The final application may be made up to and including the day of harvest. (PHI = 0 days.) DO NOT apply more than 3.0 pounds of product per acre per season (1.5 lb AI/A/season).

STRAWBERRIES: For the control of *Botrytis cinerea* (Gray mold), apply 1.5 pounds product per acre (0.75 lb AI/A). Begin applications at early bloom prior to disease establishment. Continue applications every 7 to 14 days or when conditions favor disease development. When plastic mulch is used, do not apply within 16 feet (5 meters) of naturally vegetated or aquatic areas.

Avoid making more than two consecutive applications with the active ingredient of ELEVATE™ 50 WDG Fungicide. After the second application, use an alternative Botryticide for two consecutive applications before reapplying the active ingredient in this product. Consult your local crop advisor for appropriate alternative products. The final application may be made up to and including the day of harvest. (PHI = 0 days.) DO NOT apply more than 6.0 pounds of product per acre per season (3.0 lb AI/A/season).



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OUTDOOR-GROWN AND GREENHOUSE-GROWN ORNAMENTALS (such as African Violet, Geranium, Petunia, Poinsettia and Rose): These directions are based upon the results of product testing programs. However, it is impossible to test this product with all species and cultivars. A small scale preliminary trial should be conducted to check the cultivar sensitivity before using this product on a large number of plants. For species not specifically listed on the label, the user assumes all crop injury risk from phytotoxicity or disease.

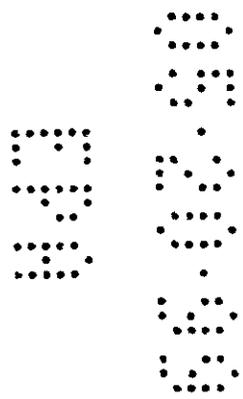
For control of *Botrytis cinerea* (Gray mold), apply 1.0 to 1.5 lb product per acre (0.50 to 0.75 lb AI/A). When conditions favor severe disease development, a rate of 1.5 lb per acre should be applied. Begin applications when conditions favor disease development but prior to the establishment of disease. Applications should be made on a 7 to 14-day interval when new terminal growth is present using equipment capable of achieving thorough coverage.

The application rate should be based on 1.0 to 1.5 lb product per acre applied in the appropriate volume of carrier to achieve thorough coverage of all plant surfaces. For example, if you apply 100 gallons of water per acre, thoroughly mix 1.0 to 1.5 lb product in 100 gallons of water and apply to all above-ground plant surfaces. Use care in mixing and application not to exceed rates of 1.0 to 1.5 lb product per acre regardless of the selected spray volume.

Avoid making more than two consecutive applications of product. After the second application, use an alternative Botryticide for two consecutive applications before reapplying the active ingredient in this product. Consult your local Horticultural Advisor for the most appropriate alternative products.

Outdoor-Grown Ornamentals: DO NOT apply more than 6.0 pounds of product per acre per season (3.0 lb AI/A/season).

Greenhouse-Grown Ornamentals: DO NOT apply more than 6.0 pounds of product per acre per crop (3.0 lb AI/A/crop).



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STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a dry place away from excessive heat. Do not store near food or feed. Store in original container only. To close package, fold package to form an airtight seal.

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:

Bags: Completely empty bag into application equipment. Then dispose of bag in a sanitary landfill or by incineration, or (if allowed by State and local authorities) by burning. If burned, stay out of smoke.

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

Fiber drums: Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. Then dispose of liner in a sanitary landfill (or incinerate if allowed by State and local authorities). If drum is contaminated and cannot be reused, dispose of in the same manner.

CONDITIONS OF SALE

1. Tomen Agro, Inc. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in accordance with the Directions for Use under normal conditions of use.
2. This warranty does not extend to the use of this product contrary to label instructions, or under abnormal use conditions, or under conditions not reasonably foreseeable to Tomen. **TOMEN DISCLAIMS ALL OTHER WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING ANY WARRANTY OF FITNESS OR MERCHANTABILITY. SELLER SHALL NOT BE LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, AND SELLER'S SOLE LIABILITY AND BUYER'S AND USER'S EXCLUSIVE REMEDY SHALL BE LIMITED TO THE REFUND OF THE PURCHASE PRICE. TOMEN DOES NOT AUTHORIZE ANY AGENT OR REPRESENTATIVE TO MAKE ANY OTHER WARRANTY, GUARANTEE OR REPRESENTATION CONCERNING THIS PRODUCT.**
3. Critical and unforeseeable factors beyond Tomen's control prevent Tomen 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 the product is applied, lack of complete control, and damage caused by drift to other plants or crops. Such risks occur even though the product is reasonably fit for the use stated on the label and even though label directions are followed. Except as stated in 1 above, Buyer and User acknowledge and assume all risks and liabilities resulting from handling, storage, and use of this product.

Fenhexamid was invented and is produced by Bayer AG, Germany.