

66330-36

10/24/2003

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OCT 24 2003

Dr. Laurent Mezin
Arvesta Corporation
100 First Street, Suite 1700
San Francisco, CA 94105

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Subject: Fenhexamid Technical
EPA Registration Number 66330-36
Your Amendment dated June 6, 2003
Addition of minor uses - cucumber; fruit, stone, group 12 (post harvest),
except plum, prune, fresh; Kiwifruit (post harvest); leafy greens, subgroup 4A,
except spinach; plum, prune (fresh & dried), and vegetable, fruiting, group 8
except non-bell peppers

Dear Dr. Mezin:

The amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is accepted provided the following changes is made:

Delete all references to cilantro. No tolerance has been established for this crop. When tolerances for additional crops are requested, include a specific tolerance for cilantro or a group tolerance for herbs and spices.

A copy of the risk assessment is enclosed for your information. A stamped copy of the label is enclosed for your files. You must submit one copy of the final printed label prior to releasing the product for shipment. If you have questions about this letter, please contact Summer Gardner-Jenkins of my staff at (703) 308-9353.

Sincerely,

A handwritten signature in cursive script that reads "Mary L. Waller".

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

Enclosures

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(Front Panel)

FENHEXAMID TECHNICAL

FOR MANUFACTURING USE ONLY

FOR THE PRODUCTION OF END-USE PESTICIDES FOR DISEASE CONTROL IN VARIOUS CROPS AND ORNAMENTALS

INGREDIENTS

ACTIVE INGREDIENT:

Fenhexamid*.....98.6%

OTHER INGREDIENTS:.....1.4%

Total.....100.0%

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

CAUTION

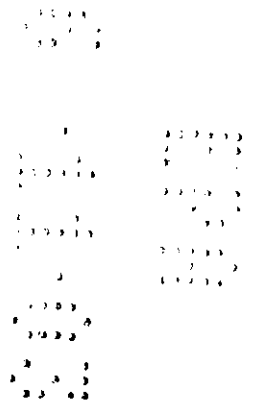
See back panel for additional precautionary statements.

**ACCEPTED
with COMMENTS
In EPA Letter Dated**

OCT 24 2003

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

66330-36



FIRST AID	
If swallowed	<ul style="list-style-type: none">• Call 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 so by the poison control center or doctor.• Do not give anything by mouth to an unconscious person.
If in eyes	<ul style="list-style-type: none">• Hold eye open and rinse slowly and gently with warm 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 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.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

**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**

Produced for:
Arvesta Corporation
100 First Street, Suite 1700
San Francisco, CA 94105

EPA Registration No. 66330-36
EPA Establishment No.

NET WEIGHT: ____ POUNDS (____ KILOGRAMS)

(Back panel)

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION. Wash thoroughly with soap and water after handling.

ENVIRONMENTAL HAZARDS: This pesticide is toxic to fish and aquatic invertebrates. 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 Pollution Discharge Elimination System (NDPES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer system without previously notifying the local sewage treatment plant authority. For guidance, contact your local State Water Board or regional office of the EPA.

PHYSICAL HAZARDS: Maintain dust concentration below 40 g/m³.

DIRECTIONS FOR USE

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

This product is for manufacturing use only for the production of end-use pesticide products for disease control in almonds, bushberries (and juneberries, lignonberries, and salal), caneberries, cilantro, cucumber, fruiting vegetables, grapes, ginseng, kiwi, leafy greens, pistachios, stone fruit, strawberries and ornamentals.

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.

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 liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into manufacturing 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. Arvesta Corporation 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 Arvesta. **ARVESTA 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. ARVESTA DOES NOT AUTHORIZE ANY AGENT OR REPRESENTATIVE TO MAKE ANY OTHER WARRANTY, GUARANTEE OR REPRESENTATION CONCERNING THIS PRODUCT.**

3. Critical and unforeseeable factors beyond Arvesta's control prevent Arvesta 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.