

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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

DEC 2 2 2008

Ms Becky Rhodes Arysta LifeScience North America, LLC 15401 Weston Parkway, Suite 150 Cary, NC 27513

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4 and 98-10 label Changes

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated November 12, 2008 for:

EPA Registration 66330-68 Nutrapic

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and 98-10, 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.

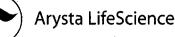
Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on <u>nonrefillable</u> containers. The code may appear either on the label (and can be added by nonnotification/PR Notice 98-10)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

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

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lease read instructions on reverse be	Uni vironmenta	ted States		🗌 Registra	tion	OPP Identifier Number
				sticide - Section	l	
1. Company/Product Number Arysta LifeScience North Ame				Product Manager		3. Proposed Classification
4. Company/Product (Name) Arysta LifeScience North America, LLC/ NUTRAPIC			PM# 21			None Restricted
5. Name and Address of Applicant (Include ZIP Code)			6. Expedited Review . In accordance with FIFRA Section 3(c)(3) (b)(I), my product is similar or identical in composition and labeling			
Arysta LifeScience North America, LLC 15401 Weston Parkway, Suite 150 Cary, NC 27513			to: EPA Reg. No			
Check if this is a new t	address		Sectio		· · · · · · · · · · · · · · · · · · ·	
	Agency letter da al page(s) if i ge per PR N at 40 CFR §§ 1 nula for this proc endment is not c RA and I may be ge per PR N I no other chang 18 USC Sec 100	necessary. (otice 2007-4 56.10, 156.140. Juct. I understa onsistent with the subject to enfo otice 98-10. les have been m 1 to willfully ma	This notifi 156.144, 1 nd that it is requirem rcement act This notific nade to the ike any false	"Me Too" Applica Other - Explain I on I and Section II cation is consistent with 56.146, and 156.156. N a violation of 18 USC S ents of 40 CFR §§ 156. tion and penalties under ation is consistent with labeling or the confiden e statement to EPA. I fit	tion below) guidance in PF o other changes ec 1001 to willfu 10, 156.140. 156 sections 12 and he provisions of tial statement of inther understan	s have been made to the labeling or Illy make any false statement to EPA. 6.144, 156.146, and 156.156, this d 14 of FIFRA. f PR Notice 98-10 and EPA formula of this product. I d that if this notification is not
penalties under sections 12 and 14			Sectio		•	
1. Material This Product Will Be P Child-Resistant Packaging Yes* No	Unit Pack	; 	No. per container	Water Soluble Pack	aging No. per container	2. Type of Container Metal Plastic Glass
*Certification must be submitted 3. Location of Net Contents Inform Label		4. Size(s) Re		ner	5. Location	Paper Other (Specify) of Label Directions
6. Manner in Which Label is Affixed to Product Lithograph			25 lb, 360 lb and 1500 lb On labeling accompanying product oh Other			
•		Stencile	a Sectio	on - IV		
1. Contact Point (Complete items	directly below fo	r identification c			ssary, to proces	s this application)
1. Contact Point <i>(Complete items)</i> Name Becky Rhodes	directly below fo	Title	of individual		ssary, to proces	ss this application) Telephone No. (Include Area Code) 865-850-3824
Name Becky Rhodes I certify that the statements I have acknowledge that any knowingly fa under applicable law.	made on this fo	Title H Certificatio rm and all attac ng statement ma	of individual lead of R n hments the ay be punisl	to be contacted, if nece egulatory Affairs reto are true, accurate a	and complete.	Telephone No. (Include Area Code)
Name Becky Rhodes	made on this fo alse or misleadir	Title H Certificatio rm and all attac ng statement ma 3.	of individual lead of R on hments the ay be punist Title	to be contacted, if nece egulatory Affairs reto are true, accurate a	and complete.	Telephone No. (Include Area Code) 865-850-3824 6. Date Application Received



November 12, 2008

Ms Mary Waller, PM 21 Document Processing Desk (NOTIF) Office of Pesticide Programs – 7504P U.S. Environmental Protection Agency Room S-4900, One Potomac Yard 2777 S. Crystal Drive Arlington, VA 22202

Subject: Nutrapic EPA Reg. No. 66330-68

Notification of Label Changes per PR Notice 2007-4

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Dear Ms. Waller:

Enclosed are the following documents in support of the notification of label changes to the Arysta LifeScience North America, LLC. Product, Enzone, EPA Reg. No. 66330-68:

- 1. EPA Form 8570-1 per PR Notice 2007-4
- 2. One Redline copy of the Enzone label showing changes
- 3. One Clean copy of the Enzone label

Arysta respectfully requests that the Agency grant a waiver for the residue removal requirements in 40 CFR 156.156, as allowed by 40 CFR 156.144 (d) since this product is packaged in compressed gas cylinders.

Although no other changes have been made to the label, we request a stamped "Notification Approved" label to submit with our individual state renewals.

Please contact me by phone at (865)850-3824 or by e-mail at <u>becky.rhodes@arystalifescience.com</u> if you have any questions or require additional information.

Best Regards.

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Becky Rhodes Head of Regulatory Affairs

Nutrapic 66330-68 (transferred to Arysta 010906 from Applied Agro 73686-1) EPA AD052201) Page 1 of 11 PR Notice 2007-4 Storage & Disposal Clean

RESTRICTED USE PESTICIDE DUE TO ACUTE TOXICITY

For retail sale to and use only by Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicators Certification

NutraPic

ACTIVE INGREDIENTS:

 Chloropicrin
 Inert Ingredients
Total
 Inert Ingredients

This Product Weighs..... 13.7 lbs. Per Gallon

KEEP OUT OF REACH OF CHILDREN



NOTIFICATION

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DANGER

POISON

PELIGRO

PRECAUCION AL USUARIO: Si usted no entiende la etiqueta busque a alguie a para que se la explique a Usted en detalle.

(TRANSLATION) TO THE USER: If you do not understand the label, find someone to explain it to you in detail.

IN ALL CASES OF OVEREXPOSURE GET MEDICAL ATTENTION IMMEDIATELY. TAKE PERSON TO A DOCTOR OR AN EMERGENCY TREATMENT FACILITY.

FIRST AID

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. Call a poison control center or doctor for further treatment advice.

IF ON SKIN OR CLOTHING: Take off contaminated clothing, shoes, and other items covering the skin. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.

IF IN EYES: Hold eyelids 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. Callert, poison control center or doctor for 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 poison control center or doctor. Do not give anything by mouth to an unconscious person. NOTE TO THE PHYSICIAN: Chloropicrin is a volatile liquid that is the active ingredient in tear gas. As a gas it is a powerful lachrymator. Early symptoms of overexposure are lachrymation, respiratory distress, and vomiting. Pulmonary edema may develop later.

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HOT LINE NUMBER

In Case of Medical Emergency call PROSAR at 1-866-303-6952

Have the product container or label with you when calling 911, a poison control center or doctor, or going for treatment.

FOR CHEMICAL EMERGENCY: Spill, leak, fire, exposure or accident call CHEMTREC at 1-800-424-9300.

EPA Reg. No. 66330-68

EPA Est. No.

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NET WEIGHT: _____ LBS.

ARYSTA LIFESCIENCE NORTH AMERICA, LLC 15401 Weston Parkway, Suite 150 Cary, NC 27513

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS:

DANGER

THIS FUMIGANT IS A HIGHLY HAZARDOUS MATERIAL AND MUST BE HANDLED WITH CARE ONLY BY THOSE INDIVIDUALS EXPERIENCED WITH ITS PROPER USE. CONSULT YOUR DEALER REPRESENTATIVE OR THE DISTRIBUTOR FOR CORRECT PROCEDURE BEFORE USING. READ AND FOLLOW ALL LABEL DIRECTIONS SPECIFIC TO YOUR REQUIREMENTS.

POISONOUS LIQUID AND VAPOR. INHALATION MAY BE FATAL. CHLOROPRICRIN IS READILY IDENTIFIABLE BY SMELL. EXPOSURE TO VERY LOW CONCENTRATIONS OF VAPOR WILL CAUSE IRRITATION OF EYES, NOSE, AND THROAT. CONTINUED EXPOSURES AFTER IRRITATIONS ARE EVIDENT, OR HIGHER CONCENTRATIONS, MAY CAUSE PAINFUL IRRITATION TO EYES OR TEMPORARY BLINDNESS. LIQUID WILL CAUSE CHEMICAL BURNS TO SKIN OR EYES. DO NOT GET ON SKIN, IN EYES, OR ON CLOTHING. HARMFUL OR FATAL IF SWALLOWED.

CHLOROPICRIN FUMIGANT HAS THE CAPACITY TO CAUSE MARKED IRRITATION TO THE UPPER RESPIRATORY TRACT, AND IS A STRONG LACHRYMATOR (TEAR PRODUCING EYE IRRITANT). LOW CONCENTRATIONS, BELOW THOSE NECESSARY TO CAUSE SERIOUS SYSTEMIC INTOXICATION, ARE CAPABLE OF CAUSING SEVERELY PAINFUL EYE IRRITATION, HENCE WILL NOT BE VOLUNTARILY TOLERATED. HOWEVER, THE EFFECT MAY BE SO POWERFUL THAT A PERSON MAY BECOME TEMPORARILY BLINDED AND PANIC-STRICKEN AND THAT IN TURN MAY LEAD TO ACCIDENTS.

AIR CONCENTRATION LEVEL

The acceptable air concentration level for persons exposed to chloropicrin is 0.1 ppm (0.7mg/m³). If the air concentration level exceeds 0.1 ppm, an air-purifying respirator must be worn. If the air concentration level exceeds 4 ppm an air supplying respirator must be worn. The air concentration level is measured by a direct reading detection device, such as a Matheson Kitagawa.

PERSONAL PROTECTIVE EQUIPMENT

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

Applicators and other handlers must wear:

- Loose-fitting or well ventilated long-sleeved shirt and long pants
- Shoes and socks
- Full-faced shield or safety glasses with brows and temple shields (Do NOT wear goggles).
- When the acceptable air concentration level is above 0.1 ppm and a respirator is required, protect the eyes by wearing a full-faced respirator.
- No respirator is required, if the air concentration level of chloropicrin in the working area is measured to be less than 0.1 ppm.

A respirator is required under the following circumstances:

- If the air concentration level exceeds 0.1 ppm at any time, applicators and other handlers must wear (a) a respirator with an organic-vapor-removing cartridge with a pre-filter approved for pesticides (MSHA/NIOSH) approval number prefix TC-23C), OR (b) a respirator with a canister approved for pesticides (MSHA/NIOSH approval number prefix TC-14G) or a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any N.R.P. or HE pre-filter.
- If the air concentration level exceeds 4 ppm at any time, applicators and other handlers must wear (a) a supplied-air respirator (MSHA/NIOSH approval number prefix TC-19C) OR (b) a self-contained breathing apparatus (SCBA) (MSHA/NIOSH approval number prefix (TC-13F).

WORK SAFETY REQUIREMENTS

- Do not wear jewelry, gloves, goggles, tight clothing, rubber protective clothing, or rubber boots when handling. Chloropicrin is heavier than air and can be trapped inside clothing and cause skin injury.
- Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product. Do not reuse them.
- Clean Personal Protective Equipment (PPE) after each day's use. Immediately after each day's use. Immediately after each day's use are determined or ventilated. Keep such clothing and shoes outdoors until thoroughly aerated the follow the PPE manufacturer's instructions for cleaning/maintaining PFE. If there are no such instructions for washables, use detergent and hot water. Keep and wash PPE and work clothing separately from other laundry.
- Follow PPE manufacturer's instructions for cleaning/maintaining protective eyewear, face shields and respirators.

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USER SAFETY RECOMMENDATIONS

Users should:

- 1. Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- 2. Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- 3. Remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing.
- 4. Supply your physician with information on Chloropicrin, which is available from your dealer representative or the distributor.

ENVIRONMENTAL HAZARD

This fumigant is toxic to fish and aquatic organisms. Do not contaminate water by cleaning off equipment or disposal of wastes. 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 (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.

CHEMICAL HAZARD

Do not use containers or application equipment made of magnesium, aluminum, or their alloys, as under certain conditions this fumigant may be severely corrosive to such metals. Do not permit water to be used to clean the fumigant pressure system as corrosion will result. Diesel oil is satisfactory for this purpose.

STORAGE AND DISPOSAL

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

STORAGE: NutraPic should be stored in cylinders with both the valve caps and the cylinder caps tightly closed. Cylinders should be kept standing upright in a cool place, away from dwellings and out of reach of children. Persons moving, handling, or opening containers must wear the personal protective equipment (including prescribed respirator) specified in the Hazards to Humans section of this labeling. Open container only in a well-ventilated area.

Refillable Container. Refill this container with pesticide only. Do not reuse this container for any other purpose. RETURN EMPTY CONTAINERS PROMPTLY TO VENDOR: Containers should never be removed by the consumer or used for any other product or 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.

SHIPPING: This fumigant is classified in the U.S. Department of Transportation Hazardous Materials Regulations as Chloropicrin, 6.1, UN 1580, PG 1, Poison-Inhalation Hazard. Hazard Zone B and no exemptions from specifications, packaging, marking, or labeling are allowed. . . Describe empty cylinders as having last contained Chloropicrin (Inhalation Hazard). Do not store with food, feeds, or clothing.

HANDLING: (1) The valve protection bonnet and safety cap should be removed only when fumigant is about to be removed from the cylinder. The safety cap and valve protection bonnet must be replaced when the cylinder is not in use (2) Cylinders should never be subjected to rough handling or to abnormal mechanical shock such as dropping, bumping, dragging, or sliding. (3) Ropes, slings, hooks, tongs and similar handling devices should not be used for unloading cylinders. (4) A suitable hand truck, fork truck, or similar device to which the cylinders can be firmly secured should be used for transporting the heavier cylinders. Nutrapic 66330-68 (transferred to Arysta 010906 from Applied Agro 73686-1) EPA AD052201) Page 6 of 11 PR Notice 2007-4 Storage & Disposal Clean

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR 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 in this labeling about personal protective equipment, restricted-entry intervals, and notification to workers. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard (WPS).

No instructions elsewhere on this labeling relieve users from complying with the requirements of the WPS.

ENTRY RESTRICTIONS: Outdoor Soil Fumigation: Entry (including early entry that would otherwise be permitted under the WPS) by any person---other than a correctly trained and equipped handler who is performing a handling task permitted on this labeling---is **PROHIBITED** from the start of application until 48 hours after application. In addition, if tarps are used for the application, non-handler entry is prohibited while tarps are being removed.

NOTIFICATION: Notify workers of the application by warning them orally and by posting fumigant warning signs as described in the "Placarding of Fumigated Areas" section of this labeling. Post the fumigant warning sign instead of the WPS sign for the application, but follow all WPS requirements pertaining to location, legibility, size, and timing of posting and removal. Outdoor Soil Fumigation: Post the fumigant warning signs at entrances to treated areas.

PPE FOR ENTRY DURING ENTRY-RESTRICTED PERIOD: PPE for entry that is permitted by this labeling is listed in the "Hazards and Domestic Animals" section of this labeling.

PRECAUTIONS TO FOLLOW

PRIOR TO FUMIGATION:

(1) Before using fumigant, read and follow all directions on the label. (2) Comply with all local regulations and ordinances. Obtain an application permit from Agricultural Regulatory agencies as required. (3) It is advisable to supply your physician with information on chloropicrin, which is available from the company. (4) Obtain medical assistance at once in case of illness after exposure, and do not allow conditions which could accidentally cause further exposure until recovery is complete. (5) Never fumigate alone. It is imperative to always have an assistant and proper protection equipment, as listed below, to aid in case of accidents. (6) Drivers of application equipment must advise other workers of all precautions and procedures. In addition, drivers must instruct their helpers in the mechanical operation of the tractor and how to work with the tractor and driver while fumigating. (7) Handle this fumigant in the open, when the second possible, with the operator "upwind" from the container where there is good ventilation. (8)Check the fumigant pressure system, when used, for leaks before beginning application. (9) A gas mask must be carried in each service vehicle. (10) Do not spill. If liquid fumigant splashes or spills on shoes or clothing, remove them at once as fumes from the contaminated area will be an intolerable source of irritation. If the liquid contacts skin where rings or bandages are worn. remove them and wash the exposed skin with soap and water. Air expose shoes or clothing

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outside and do not wear until free of all traces of fumigant. (11) Always have adequate clean water to wash the skin.

DURING FIELD FUMIGATION:

(1) This fumigant should not be applied when there is an atmospheric inversion, since uncomfortable concentrations of chloropicrin may drift to nearby areas. (2) Do not lift injection shanks to turn at end of a pass until the fumigant has drained from the system following closure of the shutoff valve. (3) Trash pulled by the shanks to the ends of the field when fumigating must be covered by lifting the shanks, then covering the trash with polyethylene film before making the turn for the next pass. (4) In case of the rupture of a hose or fitting while applying the fumigant, immediately stop the tractor and motor. Get off the tractor and get to a place where the problem can be observed without exposure to the fumes. Approach from upwind, with respiratory protection if required and make necessary repairs. (5) When changing the cylinders, be certain they are turned off and the fumigant system is not under pressure.

AFTER FIELD FUMIGATION: Do not feed domestic animals on crop residues unless EPA tolerance exists for such use. Examples are, but not limited to, seeded or volunteer cover crops growing on soil which has been fumigated as a pre-plant treatment for a registered crop use.

NOTE CAREFULLY: Fumigation may temporarily raise the level of ammonia nitrogen and soluble salts in the soil. This is most likely to occur when heavy rates of fertilizer and fumigant are applied to soils that are either cold, wet, acid, or high in organic matter. To avoid injury to plant roots, fertilize as indicated by soil tests made after fumigation. To avoid ammonia injury and/or nitrate starvation to crops, avoid using fertilizers containing ammonia salts and use only fertilizers containing nitrates until after the crop is well established and the soil temperature is about 65 degrees F. Liming highly acid soils before fumigation stimulates nitrification and reduces the possibility of ammonia toxicity.

GENERAL INSTRUCTIONS

THIS FUMIGANT IS A HIGHLY HAZARDOUS MATERIAL AND SHOULD BE USED ONLY BY PERSONS TRAINED IN ITS PROPER USE. BEFORE USING, READ AND FOLLOW ALL LABEL PRECAUTIONS AND DIRECTIONS. ALL PERSONS WORKING WITH THE FUMIGANT SHOULD BE TRAINED IN THE HAZARDS, THE USE OF REQUIRED RESPIRATOR EQUIPMENT, DETECTOR DEVICES, EMERGENCY PROCEDURES, AND THE PROPER USE OF THE FUMIGANT.

SOIL FUMIGATION

NutraPic is a pre-plant fumigant for the control of soil-borne pests as listed: such as, wireworms and nematodes, and diseases caused by certain species of *Phythium, Phytophthora, Fusarium, and Verticillium.* It is to be used in soil to be planted to the crops listed below. Prior to application, the soil should be in condition for planting and with sufficient moisture to support seed germination. Keep pets, livestock, and other domestic animals out of the treated area during application, during the exposure period as specified for applications in Directions for Use; and during removal of tarpaulin, if used.

BROADCAST APPLICATION

Apply NutraPic by means of chisels spaced no more than 12 inches apart and at a depth of & inches below soil surface. To seal in fumigant after application, drag or cultipack immediately behind chisels, or wet down treated area to a depth of 1 inch, or cover treated area with a plastic tarpaulin. If plastic tarpaulin is used, it should remain for a minimum of 48 hours. Do not apply to areas adjacent to fields where valuable crops are growing nor adjacent to buildings inhabited

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by humans or livestock. Fumigation of small volumes of soil or mushroom casing soil may be made by injecting chloropicrin 6-8 inches deep in a grid pattern not to exceed 12 inch spacing.

RECOMMENDED DOSAGES – PREPLANT SOIL FUMIGATION					
LAND TO BE PLANTED TO	POUNDS PER ACRE				
Floral Crops, Nursery Crops	350				
Plant & Seed Beds	350				
Eggplant, Cucumbers, Melons, Tomatoes	350				
Sweet Potatoes, Yams	350				
Onions	350				
Strawberries	350				
All Other Crops	350				
Mushrooms Casing Soil	5-10 cc/cu. ft.				
Potting Soil	3-4 cc/sq. ft.				
Seed Beds	3-6 cc/sq. ft.				

• If treated area is covered with a plastic tarpaulin immediately after application, dosage may be reduced by 33%

- Not to be used with aquatic crops or for forestry uses
- In the case of Mushroom soil, seal with water plus plastic or wet newspapers
- To facilitate application of this product when applying in low dosages, dilution with an acceptable solvent is allowed. If the solvent is to be used in pre-plant soil fumigations for the production of food crops, then the solvent must be approved for such use

ROW OR BED APPLICATIONS may be made at the broadcast rates but the amount used will be proportionately less per acre depending on the row spacing and width of treatment in the row or bed.

EXPOSURE AND AERATION: After application leave the soil undisturbed for 10 to 14 days. Wet soil retards diffusion of the fumigant thus requiring a longer exposure period. At the end of the exposure period, aerate the soil by plowing or deep cultivation. If heavy rains accompanied by low temperatures occur during the exposure period, working the soil several times is essential for thorough aeration. Aeration is usually complete when the odor of the fumigant is no longer evident.

Chemigation: Application Through Drip Irrigation System PLACARDING OF CHEMIGATED AREAS

Posting of areas to be chemigated is required when (1) any part of a treated area is within 300 feet of sensitive areas such as residential areas, labor camps. businesses, day care centers, hospitals, in-patient clinics, nursing homes or any public areas such as schools, parks, feeter playgrounds, or other public facilities not including public roads. or (2) when the chemigated area is open to the public such as golf courses.

Posting must conform to the following requirements. Treated areas shall be posted with signs at all usual points of entry and along likely routes of approach from the listed sensitive areas. When there are no usual points of entry, signs must be posted in the corners of the treated areas and in any other location affording maximum visibility to sensitive areas. The printed side of the sign should face away from the treated area towards the sensitive area. The signs shall be printed in English. Signs must be posted prior to application and must remain posted until foliage has dried and soil surface water has disappeared. Signs may remain in place indefinitely as long as Nutrapic 66330-68 (transferred to Arysta 010906 from Applied Agro 73686-1) EPA AD052201) Page 9 of 11 PR Notice 2007-4 Storage & Disposal Clean

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they are composed of materials to prevent deterioration and maintain legibility for the duration of the posting period.

All words shall consist of letters at least 2 ½ inches tall, and all letters and the symbol shall be a color which sharply contrasts with their immediate background. At the top of the sign shall be the words **KEEP OUT**, followed by an octagonal stop sign symbol at least 8 inches in diameter containing the word **STOP**. Below the symbol shall be the words **PESTICIDES IN IRRIGATION WATER**.

Dosage: 100 to 300 pounds per acre. See crops listed in dosage table.

Dilution Rate: Mix NutraPic with surfactant prior to injection into drip irrigation system. Mix at a ratio of 1:22 surfactant to NutraPic by weight. Use only NutraPic series surfactant. See you Applied AgroSciences representative to obtain surfactant.

GENERAL PREPARATION AND INSTRUCTIONS:

- 1. Plan the application by calculating the amount of NutraPic required at the appropriate rate for the crop, treated area and target pest.
- 2. NutraPic must be applied via a closed injection system into the drip irrigation system to accomplish wetting of the soil in the area being treated. Drip emitters should be spaced 8-12 inches apart.
- 3. Surfactant may be metered into the supply line for NutraPic and then passed through a mixing device such as a pump or static mixer, to assure proper agitation. The mixture of NutraPic and surfactant must be metered into the water supply and passed through a similar mixing device to assure proper agitation before it is distributed into the drip irrigation system.
- 4. Meter mixture of NutraPic and surfactant into the drip system according to the dosage desired. An adequate concentration of NutraPic must be present in order to be effective. At no time should the concentration of NutraPic exceed 1,000 ppm by weight in the irrigation water. For example, a 300 pound per acre NutraPic application rate would require 36,000 gallons of water per treated acre to deliver a 1,000 ppm concentration.
- 5. Soil conditions prior to application are as follows:
 - a. Ground should be in seed-bed condition.
 - b. Beds should be listed, shaped and ready for planting.
 - c. Soil moisture must be less than 50% of field capacity in the top 2-3 inches at time of NutraPic application.
- 6. After application of NutraPic, continue to flow untreated water to flush the irrigation system. Do not permit NutraPic to remain in the irrigation system after the application is complete. The total volume of water, including the amount used for flushing the irrigation system, should not exceed 2 inches of water depth over the treated area.

USE PRECAUTIONS:

- 1. Apply this product only through drip (trickle) irrigation systems. Do not apply this product through any other irrigation system.
- 2. Crop injury, lack of effectiveness, or illegal pesticide residues in the crop can result from non-uniform distribution of treated water.
- 3. If you have any questions about calibration you should contact State Extension Service specialists, equipment manufacturers or other experts.

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- 4. Do not connect an irrigation system (including greenhouse systems) used for pesticide application to a public water system unless the pesticide label-prescribed safety devices for public water systems are in place.
- 5. A person knowledgeable of the chemigation system and responsible for its operation, or under the supervision of the responsible person, shall shut the system down and make necessary adjustments should the need arise.
- 6. The system must contain a functional check valve, vacuum-relief valve, and low pressure drain appropriately located on the irrigation pipeline to prevent water source contamination from backflow.
- 7. The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the flow of fluid back toward the injection pump or tank.
- 8. The pesticide injection pipeline must contain a functional, normally closed, solenoidoperated valve located on the intake side of the injection pump and connected to the system interlock to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down.
- 9. The system must contain functional interlocking controls to automatically shut off the pesticide injection when the water flow stops.
- 10. The irrigation line or water pump must include a functional pressure switch which will stop the water flow or pump motor when the water pressure decreases to the point where pesticide distribution is adversely affected.
- 11. Systems must use a metering pump such as a positive displacement injection pump (e.g. diaphragm pump) or a pressurized injection system which is effectively designed and constructed of materials that are compatible with pesticides and capable of being fitted with a system interlock.

Aeration: Do not disturb treated soil for 2 weeks. Wet soil retards diffusion of NutraPic, thus requiring a longer exposure period. Aeration is usually complete when the odor of the NutraPic is no longer evident.

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Warranty and Disclaimer Statement

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. Such risks may arise from weather conditions, soil factors, off-target movement, unconventional farming techniques, the presence of other materials, the manner of use or application, or other unknown factors, all of which are beyond the control of Arysta LifeScience North America, LLC ("Arysta"), and can cause crop injury, injury to non-target crops or plants, ineffectiveness of the product, or other unintended consequences. To the extent consistent with applicable law, all such risks shall be assumed by the user or buyer.

Arysta warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks described above, when used in accordance with the Directions for Use under normal conditions. This warranty does not extend to the use of this product contrary to label instructions or under conditions not reasonably foreseeable to Arysta, and is subject to the inherent risks described above.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ARYSTA DISCLAIMS ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ARYSTA, MANUFACTURER, AND SELLER DISCLAIM AND SHALL NOT BE LIABLE FOR ANY SPECIAL, INCIDENTAL, INDIRECT, OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE, HANDLING, APPLICATION, STORAGE, OR DISPOSAL OF THIS PRODUCT OR FOR DAMAGES IN THE NATURE OF PENALTIES, AND THE USER AND BUYER WAIVE ANY RIGHT THAT THEY MAY HAVE TO SUCH DAMAGES. NO AGENT, REPRESENTATIVE OR EMPLOYEE OF ARYSTA IS AUTHORIZED TO MAKE ANY WARRANTY, GUARANTEE OR REPRESENTATION BEYOND THOSE CONTAINED HEREIN OR TO MODIFY THE WARRANTIES CONTAINED HEREIN.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE TOTAL LIABILITY OF ARYSTA, MANUFACTURER, AND SELLER, SHALL BE LIMITED TO THE PURCHASE PRICE PAID, OR AT ARYSTA'S ELECTION, THE REPLACEMENT OF THE PRODUCT.

> NOTIFICATION DEC 2 2 2008