

67690-5

8-8-2006

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

AUG 8 2006

James Messina
c/o Exponent (Agent to SePro Corp.)
1730 Rhode Island Ave., NW
Suite 1100
Washington, DC 20036

SePro Corporation
11550 N. Meridian Street, Suite 180
Carmel, IN 46032-4562

Subject: EPA Registration No. 67690-5
A-Rest Technical
Your Label Amendment application dated August 19, 2005

Dear Jim:

The amendment referred to above, submitted in connection with registration under FIFRA, sec. 3(c)(7)(A), has been reviewed and is acceptable provided that you submit a revised final printed label complying with the conditions as described herein, within 45 days of the date of this letter. A copy of the label stamped "Accepted with comments" is included for your records.

1. Under the section "Warranty Statement" revise the final sentence of the subsection 'Inherent Risks of Use' to read as follows or a variation thereof: "To the extent permitted by law all such risks shall be assumed by buyer." Similarly, the subsection "Limitation of Remedies" must include the following or a variation thereof: "To the extent permitted by law in no case shall SePRO Corporation...incidental damages or losses." "As currently written the statement negates and/or detracts from labeling requirements as set forth by the Agency in 40 CFR Part 156, and is, therefore, considered misbranding."

If you have any questions, please contact Bryant Crowe by phone at (703) 305-0025 or via email at crowe.bryant@epa.gov.

Enclosure

Sincerely,

A handwritten signature in black ink that reads "Tony Kish".

Tony Kish
Product Manager (22)
Fungicide Branch
Registration Division (7505P)

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A-Rest* Technical

For Manufacturing Use Only

Active ingredient:

ancymidol: α -cyclopropyl- α -(p -methoxyphenyl)-5-pyrimidinemethanol ----- 99.6%

Inert Ingredients ----- 0.4%

Total ----- 100.0%

KEEP OUT OF REACH OF CHILDREN

CAUTION

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed or inhaled. Causes moderate eye irritation. Avoid contact with eyes or clothing. Avoid breathing dust. Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Remove contaminated clothing and wash before reuse. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

First Aid	
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 to an unconscious person.
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 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. • Call a poison control center or doctor for treatment advice.

Environmental Hazards

This product is toxic to fish. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or public waters unless this product is specifically identified and addressed in a NPDES permit. Do not discharge effluent containing this product to sewer systems without previously notifying the sewage plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

**ACCEPTED
with COMMENTS
In EPA Letter Dated**

AUG 8 2006

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

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STORAGE AND DISPOSAL

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

Pesticide Storage: Store in original container only. In case of leak or spill, use absorbent materials to contain liquids and dispose as waste.

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 formulation equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by State or Local authorities. If drum is contaminated and cannot be reused, dispose of in the same manner.

Directions for Use

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

For manufacturing use only in formulating EPA approved herbicide / plant growth regulator products. This material maybe used only in formulation of herbicide / plant growth regulator products for use on: Container grown ornamentals, foliage plants, bedding plants, and seeds. ✓

Warranty Limitations Disclaimer

SePRO warrants that at the time of the delivery, the product will conform to its chemical description on the label, that it will pass without objection in the trade under contract description, that the seller will convey good title thereto, and that such product will be delivered free from any lawful security interest, lien, or encumbrance.

This is the only warranty made on this product. SePRO EXPRESSLY DISCLAIMS ANY IMPLIED WARRANTIES OR MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE AND EXCEPT AS SET FORTH IN THE ABOVE PARAGRAPH, AND OTHER EXPRESS OR IMPLIED WARRANTIES. Buyer acknowledges the use of its own independent skill and expertise in the selection and use of the product and does not rely on any oral or written statements or representations.

In case of emergency endangering health or the environment involving this product, call INFOTRAC at 1-800-535-5053

Manufacturing Chemical: Do not ship or store with food, feeds, drugs or clothing.

EPA Reg. No. 67690-5
FPL082704 / SC-11-3532

EPA Est. No. 50907-PA-I
Lot No. _____

*Trademark of SePRO Corporation
SePRO Corporation • Carmel, IN 46032 U.S.A.

Plant Growth Regulator

Net Weight 10 KG

Warranty Disclaimer

SePRO Corporation warrants that the product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. SEPRO CORPORATION MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

Inherent Risks of Use

It is impossible to eliminate all risks associated with use of this product. Reduced seed germination, plant injury, lack of performance, or other unintended consequences may result because of such factors as use of the product contrary to label instructions (including conditions noted on the label such as unfavorable temperatures, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner or application, or other factors, all of which are beyond the control of SePRO Corporation as the seller. All such risks shall be assumed by buyer.

Limitation of Remedies

The exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories) shall be limited to, at SePRO Corporation election, one of the following:

1. Refund of purchase price paid by buyer or user for product bought, or
2. Replacement of amount of product used.

SePRO Corporation shall not be liable for losses or damages resulting from handling or use of this product unless SePRO Corporation is promptly notified of such losses or damages in writing. In no case shall SePRO Corporation be liable for consequential or incidental damages or losses. The terms of the Warranty Disclaimer above and this Limitation of Remedies can not be varied by any written or verbal statements or agreements. No employee or sales agent of SePRO Corporation or the seller is authorized to vary or exceed the terms of the Warranty Disclaimer or Limitations of Remedies in any manner.