

67760-120

8/4/2014

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460



OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

AUG 04 2014

Patricia McFadden
Agent for Rhyme Fungicide
Cheminova Inc.
1600 Wilson Blvd
Arlington, VA 22209

Subject: Label Notification per PRN 98-10 – State of California restriction typo correction
Product Name: FLUTRIAFOL 250 G/L SC
EPA Registration Number: 67760-120
Application Date: 07/21/2014
Decision Number: 493632

Dear Ms. Patricia:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above referenced product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10.

The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, you may contact Maryam Muhammad at 703-347-0301 or via email at Muhammad.maryam@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Hope Johnson".

Hope Johnson, Product Manager 21
Fungicide Branch
Registration Division (7505P)
Office of Pesticide Programs

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EPA	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other - Notif.	OPP Identifier Number
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Application for Pesticide - Section I

1. Company / Product Number 67760-120	2. EPA Product Manager Hope Johnson	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company / Product (Name) Rhyme Fungicide	PM # 21	
5. Name and Address of Applicant (include Zip Code) Cheminova Inc. 1600 Wilson Blvd., Suite 700 Arlington, VA 22209 <input type="checkbox"/> Check if this is a new address		6. Expedited Review In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to: EPA Reg No _____ Product Name _____

Section II

<input type="checkbox"/> Amendment - Explain below. <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed label in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application <input type="checkbox"/> Other - Explain below.
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Explanation: Use additional page(s) if necessary. (For Section I and Section II.)
Notification of Correction of Optional State Specific Language for California per PR Notice 98-10"
 "This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.
 See change detailed in the cover letter.
 Contact: Pat McFadden - By email at Patricia.McFadden@Cheminova.com, or by phone at 919-864-4271.

Section III

1. Material this Product will be Packaged in:				2. Type of Container:	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <small>*Certification must be submitted</small>	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input checked="" type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
	If "Yes" Unit Packaging Wgt. No. per Container:	If "Yes" Package Wgt. No. per Container:		<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container Various		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> Paper glued <input checked="" type="checkbox"/> Stenciled					

Section IV

1. Contact Person (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Patricia McFadden	Title Registration Manager	Telephone No. 919-864-4271
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Registration Manager	
4. Typed Name Patricia McFadden	5. Date 21 July 2014	

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NOTIFICATION

AUG 04 2014

Group 3 Fungicide

FLUTRIAFOL 250 g/L SC Fungicide

{Alternate brand name: RHYME Fungicide}

{When an alternate brand name is used, it will also be used in the body of the label.}

ACTIVE INGREDIENT: *Flutriafol	22.7%
OTHER INGREDIENTS:	77.3%
TOTAL:	100.0%

*Contains 2.08 pounds per gallon of the active ingredient flutriafol. Suspension concentrate.

KEEP OUT OF REACH OF CHILDREN WARNING / AVISO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand the label, find someone to explain it to you in detail.)

IN CASE OF A MEDICAL EMERGENCY INVOLVING THIS PRODUCT, CALL TOLL FREE, DAY OR NIGHT, 1-866-303-6950

[Notice: Read the entire Directions for Use, Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.]

Note to PM, the following bracketed statements are individually optional depending on the packaging configuration and whether a booklet label design is used:

- a. [See First Aid statement on back panel] [of booklet].
- b. [See additional precautionary statements and Directions for Use in booklet.]
- c. [Read the entire label before using this product.]
- d. [See First Aid, Precautionary Statements, and Directions for Use on individual packages.]

EPA Reg. No. 67760-120

EPA Est. No. _____

Net weight: _____ fl oz

Manufactured For:
CHEMINOVA INC.
PO Box 110566
Research Triangle Park, NC 27709

{Brand name} Rhyme is a trademark of Cheminova.

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PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Warning. Causes substantial but temporary eye injury. Harmful if swallowed. Do not get in eyes, or on clothing. Wear protective eyewear (goggles, face shield, or safety glasses). Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove and wash contaminated clothing before reuse.

FIRST AID

If in eyes:

- 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.

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 by a poison control center or doctor.
- Do not give anything to an unconscious person.

If on skin:

- 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. You may also contact 1-866-303-6950 for emergency medical treatment information.

Note to Physician: No specific antidote. Treat symptomatically.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators must wear: long-sleeved shirt and long pants, shoes plus socks, chemical-resistant gloves (such as Natural Rubber, Selection Category A), and protective eyewear.

Mixers and Loaders must wear: long-sleeved shirt and long pants, shoes plus socks, and chemical resistant gloves (such as Natural Rubber, Selection Category A) and protective eyewear. Follow manufacturer's instructions for cleaning / maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

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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/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

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 disposing of equipment washwater or rinsate.

Ground Water Advisory: Flutriafol has properties and characteristics associated with chemicals detected in ground water. This chemical may leach into ground water if used in areas where soils are permeable, particularly where the water table is shallow.

Surface Water Advisory: This product may impact surface water quality due to runoff of rain water. This is especially true for poorly draining soils and soils with shallow ground water. This product is classified as having a high potential for reaching surface water via runoff for several months or more after application.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in any 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.

[Note to Reviewer: Below is optional state specific language.]

[Optional language for CA: In California, this product may only be applied to fields that are not irrigated or are irrigated using pressurized irrigation methods such as macro-sprinkler, micro-sprinkler, or drip systems.]

[Optional language for NY: Not for sale, distribution, or use in Nassau or Suffolk Counties of New York State.]

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AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Workers 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). The REI is 5 days for girdling or turning of grapes. The REI for all other activities is 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, shoes plus socks, and protective eyewear.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store unused product in original container in a cool, dry, secure area.

Pesticide Disposal: Pesticide wastes may be hazardous. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste Representative at the nearest EPA Regional Office for guidance.

Container Handling: Nonrefillable container: Do not reuse or refill this container. Offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure 2 more times.

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PRODUCT DIRECTIONS

READ ENTIRE LABEL. USE STRICTLY IN ACCORDANCE WITH PRECAUTIONARY STATEMENTS AND DIRECTIONS, AND WITH APPLICABLE STATE AND FEDERAL REGULATIONS.

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

Rainfastness: FLUTRIAFOL 250 g/L SC Fungicide is rainfast 2 hours after application. Disease control will be reduced if rainfall occurs within 2 hours of application.

Compatibility Jar Test: FLUTRIAFOL 250 g/L SC Fungicide is compatible with most products, however not all have been tested. Use the compatibility test to ensure physical compatibility.

Using a quart jar, add the proportionate amounts of the products to approximately one quarter of water with agitation. Add wettable powders and water dispersible granular products first, next liquid flowables, then emulsifiable concentrates, and last liquid soluble products. 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 products to the spray tank. When tank mixing, follow more restrictive labeling of any tank mix partner. Do not tank mix with any product that contains a prohibition on tank mixing.

Use of Adjuvants: An adjuvant may be used with FLUTRIAFOL 250 g/L SC Fungicide unless otherwise specified in the crop-use directions. FLUTRIAFOL 250 g/L SC Fungicide is compatible with most products, however not all have been tested. Use the compatibility jar test to ensure physical compatibility.

Tank Mixing: FLUTRIAFOL 250 g/L SC Fungicide may be tank mixed with other fungicides, herbicides, insecticides, and/or other additives unless prohibited on the label of the tank mix partner. Follow more restrictive labeling of any tank mix partner. Although FLUTRIAFOL 250 g/L SC Fungicide is compatible with most products, not all combinations have been tested. Use the compatibility jar test to ensure physical compatibility. Before applying any tank mixture not specifically recommended on this label, the crop safety of the target crop should be confirmed by applying the mixture to a small area of the target crop in accordance to the label instructions.

Resistance Management: FLUTRIAFOL 250 g/L SC Fungicide contains the active ingredient flutriafol, which is a Group 3 fungicide based on the mode of action classification system. Repeated use of the same group of fungicides for a targeted disease may lead to the selection of resistant strains of fungi and result in reduced disease control.

To maintain performance of FLUTRIAFOL 250 g/L SC Fungicide and other fungicides in the same group, tank mix or rotate with a different fungicide group for good disease resistance management. For assistance on a particular crop and disease control situation, consult your local agricultural dealer, consultant, applicator, or state extension personnel for specific practices or recommendations in your area.

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CROP USE DIRECTIONS

Use Directions for Grapes {optional parenthetical phrase (fresh, table, wine)}

Diseases	Use Rate Per Acre (fl oz)	Application Directions	Retreatment Interval
<p>Powdery Mildew (<i>Uncinula necator</i>)</p> <p>Black Rot (<i>Guignardia bidwellii</i>)</p>	<p>4 to 5</p>	<p>Apply preventatively or when conditions are favorable for disease development. Repeat as necessary if conditions are favorable for disease development.</p> <p>Apply FLUTRIAFOL 250 g/L SC Fungicide as a foliar spray beginning at 6 to 10 inch shoots.</p> <p>Use the higher rate and/or shorter intervals when disease pressures are high or conditions are favorable for disease development.</p> <p>Apply FLUTRIAFOL 250 g/L SC Fungicide in sufficient water for thorough coverage of vines and fruit.</p>	<p>14 to 21 days for Powdery Mildew</p> <p>14-21 days for Black Rot</p>
<p>Restrictions:</p> <ul style="list-style-type: none"> • No single application of product may exceed 5 fl oz/Ac. • Do not apply more than 6 applications of FLUTRIAFOL 250 g/L SC Fungicide per season. • Do not apply more than 30 fl oz of product per acre per season. • Apply FLUTRIAFOL 250 g/L SC Fungicide in a minimum of 10 gallons of spray solution per acre by ground spray or by aircraft spray equipment. • Restricted Entry Interval (REI): The REI is 5 days for girdling or turning of grapes. The REI for all other activities is 12 hours. • Preharvest Interval: Do not apply within 14 days of harvest. 			

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For Product Information, Call Toll Free 1-800-548-6113.

WARRANTY DISCLAIMER

Cheminova 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 strict accordance with the directions, subject to the inherent risks set forth below. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, CHEMINOVA 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. Crop 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 of application, or other factors, all of which are beyond the control of Cheminova or the Seller. All such risks shall be assumed by Buyer and User. Buyer and User agree to hold Cheminova and the Seller harmless for any claims related to such factors.

LIMITATION OF REMEDIES

To the extent consistent with applicable law, 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 one of the following, at Cheminova's election,:

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

To the extent consistent with applicable law, Cheminova shall not be liable for consequential, incidental, or special damages or losses.

The terms of the Warranty Disclaimer above and this Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of Cheminova or the Seller is authorized to vary or exceed the terms of the Warranty Disclaimer or this Limitation of Remedies in any manner.

{Brand name} Rhyme is a trademark of Cheminova.

[Cheminova – Helping you grow.]

07-21-2014

