

68173-3

9/28/2012

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON D C 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

September 28, 2012

Kaken Pharmaceutical Co Ltd
C/O Conn & Smith, Inc , Agent
6713 Catskill Road
Lorton, Virginia 22079
Attn Cynthia Ann Smith

Subject Notification of minor label changes to update the "Not for use in California" statements

- 1 **Add** "Not for Use in California" statement for Cucurbit vegetables, fruiting vegetables, Pome fruit, Potatoes and Strawberries and,
- 2 **Delete** the "Not for use in California" statement for grapes, to comply with the language outlined in the Agency's PR Notice 98-10

Product Brand Name Endorse Water Dispersible Granules
EPA Registration number **68173-3**
Your Submission dated September 19, 2012

Dear Ms Smith

The Biopesticide and Pollution Prevention Division is in receipt of your application for Notification under Pesticide Registration Notice (PRN) 98-10 dated above. A screen of this request has been conducted for its applicability under PRN 98-10, and it has been determined that the actions requested fall within the scope of this Notice. Our records have been duly noted, and the label submitted with this application has been stamped "Notification Accepted" and will be placed accordingly in our records.

Three (3) copies of final printed labeling must be submitted to the Agency before your product as modified, may be sold or distributed [PR Notice 82-2 and 40 CFR 156.10(a)(6)]

If you have any questions regarding this action, you may contact Mr. Sylvester George at (703) 603-0688 or via e-mail at george.sylvester@epa.gov

Sincerely,

Linda A Hollis

Linda A Hollis, Chief
Biochemical Pesticide Branch
Biopesticides and Pollution
Prevention Division (7511P)

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Please read instructions on reverse before completing form

Form Approve JMB No 2070-0060, Approval expires 2 28 95



United States
Environmental Protection Agency
Washington DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1 Company/Product Number 68173 3	2 EPA Product Manager Linda Hollis	3 Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4 Company/Product (Name) ENDORSE Water Dispersible Granules	PM# 91	
5 Name and Address of Applicant (Include ZIP Code) Kaken Pharmaceutical Co Ltd c/o Conn & Smith Inc Agent 6713 Catskill Road Lorton VA 22079 <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"/> Final printed labels in response to Agency letter dated _____	Notification Accepted Date: 9/27/2012 Reviewer: Sylvia George
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> Me Too Application	
<input checked="" type="checkbox"/> Notification Explain below	<input type="checkbox"/> Other Explain below	

Explanation Use additional page(s) if necessary (For section I and Section II)
Notification to update the Not for use in California statements

Section - III

1 Material This Product Will Be Packaged In				2 Type of Container	
Child Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Metal Plastic Glass Paper Other (Specify) _____		
* Certification must be submitted		If Yes Unit Packaging wgt	No per container	If Yes Package wgt	No per container
3 Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4 Size(s) Retail Container		5 Location of Label Directions	
6 Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1 Contact Point (Complete items directly below for identification of individual to be contacted if necessary to process this application)					
Name Cynthia Ann Smith		Title U S Agent		Telephone No (Include Area Code) 703 339 1113 candy@connsmith.com	
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 <i>Cynthia Ann Smith</i>			3 Title U S Agent Vice President Conn & Smith Inc		
4 Typed Name Cynthia Ann Smith			5 Date September 19, 2012		

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September 19 2012
HAND DELIVERED

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U S Environmental Protection Agency
Room 5 4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202 4501
Attn Ms Linda Hollis

Dear Ms Hollis

RE ENDORSE Water Dispersible Granules
EPA Registration No 68173 3
Notification of Minor Label Change to Update 'Not for use in California' Statements

This letter and the enclosures are submitted on behalf of Kaken Pharmaceutical Co Ltd

The most recent stamped Accepted label for ENDORSE Water Dispersible Granules was stamped accepted on September 6, 2012 The purpose of this submission is to update the September 6, 2012 label by notification to

- 1 Add Not for use in California statements for cucurbit vegetables fruiting vegetables pome fruit potatoes and strawberries and
- 2 Delete the Not for use in California statement for grapes

The following are enclosed

- 1 Application for amended registration dated September 19 2012
- 2 Label dated September 19 2012
 - a With the changes noted
 - b With the changes implemented
- 3 Certification of Label Integrity dated September 19, 2012 and
- 4 Compact Disk (CD) with the September 19, 2012 notification label
 - a 068173 00003 20120919 California_use_statements_CHANGES_NOTED pdf
 - b 068173 00003 20120919 California_use_statements_CHANGES_IMPLEMENTED pdf

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 of the confidential statement of formula of this product I understand that it is a violation of 18 U S C 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

Please feel free to contact me if there are any questions regarding this notification

Sincerely

Cynthia Ann Smith Vice President
Agent for Kaken Pharmaceutical Co Ltd
cc K Takei, Kaken Pharmaceutical Co Ltd

Richard L Conn
703 339 4199
richard@connsmith.com

6713 Catskill Road Lorton, VA 22079 1113 USA

Cynthia A Smith
703 339 1117
cindy@connsmith.com

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068173-00003 20120919 California_use_statements_CHANGES_IMPLEMENTED pdf
ENDORSE Water Dispersible Granules (EPA Reg No 68173 3)
September 19 2012 label NOTIFICATION based upon the September 6 2012 stamped ACCEPTED label
CHANGES IMPLEMENTED
Page 1 of 14

Alternate Brand Names for ENDORSE Water Dispersible Granules
VERANDA™ Water Dispersible Granules
AFFIRM™ WDG

ENDORSE® Water Dispersible Granules
For use on Turf, Ornamentals, and Various Crops

Alternate text
For disease control on various crops including
cucurbit vegetables, fruiting vegetables, pome fruits, strawberries,
and non-bearing fruit vines, and non-bearing fruit and nut trees

Alternate text
For disease control on Turf, Ornamentals, Christmas Trees,
and various crops including
cucurbit vegetables, fruiting vegetables, pome fruits, strawberries,
and non-bearing fruit vines, and non-bearing fruit and nut trees

GROUP 19 FUNGICIDE

ACTIVE INGREDIENT	
Polyoxin D zinc salt	11.3%
OTHER INGREDIENTS	<u>88.7%</u>
TOTAL	100.0%

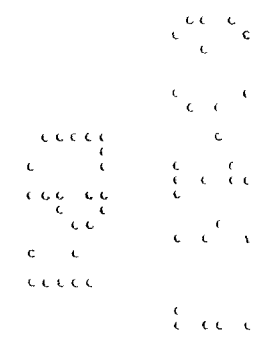
KEEP OUT OF REACH OF CHILDREN
CAUTION
SEE SIDE OR BACK PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

EPA Reg No 68173-3
EPA Est No _____

Kaken Pharmaceutical Co , Ltd
Agrochemicals & Animal Health Products Department
28-8, Honkomagome 2-chome
Bunkyo-ku, Tokyo 113-8650, Japan

For Product Information Call _____

Net Content 1 lb
2 lbs 6 4 oz (2 4 lb)



FIRST AID	
If on skin or clothing	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
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 eye Call a poison control center or doctor for treatment advice
If swallowed	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 to do so by the poison control center or doctor Do not give anything by mouth to an unconscious person
If inhaled	Move person to fresh air If person is not breathing call 911 or an ambulance then give artificial respiration preferably by mouth-to-mouth if possible Call a poison control center or doctor for further treatment advice
HOTLINE NUMBERS	
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 PROSAR at 1-866-303-6952 or 1 651-632-8946 if calling from outside of the U S	
<i>Alternate text</i>	
Call CHEMTREC at 1-800-424-9300 or the Poison Control Center at 1-800-222-1222	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION Harmful if absorbed through the skin swallowed or inhaled Causes moderate eye irritation Avoid contact with skin eyes or clothing Avoid breathing dust or spray mist 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

PERSONAL PROTECTIVE EQUIPMENT (PPE)

All mixers loaders applicators and other handlers must wear

- Long sleeved shirt and long pants
- Socks
- Shoes
- Chemical-Resistant gloves

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USER SAFETY REQUIREMENTS

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

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USER SAFETY RECOMMENDATIONS	
Users should remove clothing/PPE immediately if pesticide gets inside Then wash thoroughly and put on clean clothing	
Users should 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	

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ENVIRONMENTAL HAZARDS

For terrestrial uses This pesticide is moderately toxic to aquatic invertebrates and fish 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 Do not allow runoff into lakes streams ponds or public waterways Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas

Granules exposed on soil surface may be hazardous to fish and aquatic invertebrates Collect granules spilled during loading

Observe the most restrictive of the labeling limitations and precautions of all products used in mixtures

DIRECTIONS FOR USE

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

For any requirements specific to your State or Tribe consult the State or Tribal agency responsible for pesticide regulation

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and 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 unless wearing appropriate PPE

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 chemical resistant gloves

NON AGRICULTURAL USE REQUIREMENTS

The requirements in the box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR part 170) The WPS applies when this product is used to produce agricultural plants on farms forests nurseries or greenhouses Keep children and pets out of treated area until sprays have dried

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GENERAL INFORMATION

ENDORSE Water Dispersible Granules is not for use on turf being grown for commercial seed production

ENDORSE Water Dispersible Granules is not for homeowner use to treat food crops

ENDORSE Water Dispersible Granules is for use in controlling or suppressing certain diseases on almonds cucurbit vegetables fruiting vegetables ginseng grapes pistachios pome fruits potatoes strawberries and seedlings or transplants of cucurbit vegetables and fruiting vegetables in a Greenhouse Lath or Shade house Ornamentals (Greenhouse Lath or Shade house Field Nursery Container and Residential and Commercial Landscapes) and Turf (including golf courses sod residential lawns parks athletic fields and commercial and institutional grounds) composed of cool and warm season grasses such as Bluegrass Bentgrass Fescue Ryegrass Bermudagrass St Augustinegrass Zoysiagrass or their mixtures

Apply ENDORSE Water Dispersible Granules as a preventative or curative treatment in conjunction with good management practices

RESISTANCE MANAGEMENT RECOMMENDATIONS

ENDORSE Water Dispersible Granules contains a Group 19 fungicide Fungal isolates with acquired resistance to Group 19 may eventually dominate the fungal population if Group 19 fungicides are used repeatedly in the same field or in successive years as the primary method of control for targeted species This may result in partial or total loss of control of those species by ENDORSE Water Dispersible Granules or other Group 19 Fungicides

To delay fungicide resistance consider

- Avoiding the consecutive use of ENDORSE Water Dispersible Granules or other target site of action Group 19 fungicides that have a similar target site of action on the same pathogens
- Using tank-mixtures or premixes with fungicides from different target site of action Groups as long as the involved products are all registered for the same use and are both effective at the tank mix or prepack rate on the pathogen(s) of concern
- Basing fungicide use on a comprehensive IPM program
- Monitoring treated fungal populations for loss of field efficacy
- Contacting your local extension specialist certified crop advisors and/or manufacturer for fungicide resistance management and/or IPM recommendations for specific crops and resistant pathogens

MIXING AND APPLICATION

When diseases not specified on this label are present or expected it is appropriate to mix ENDORSE Water Dispersible Granules with appropriately labeled fungicides When tank mixing ENDORSE Water Dispersible Granules with other products observe all precautions and limitations on each separate product label It is always advisable to conduct a tank mix 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 To assess the potential for phytotoxicity test tank mixtures on a small number of plants prior to more widespread application

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FRUITING VEGETABLES (Except Cucurbits) † [Eggplant, Groundcherry, Pepino, Pepper (includes bell pepper, chili pepper, cooking pepper, pimento, sweet pepper), Tomatillo, Tomato]		
Disease Control	Rate	Application Notes
Powdery Mildew (<i>Leveillula taurica</i> <i>Oidiopsis sipula</i>)	6.2 oz/acre (0.7 oz ai/acre)	Mix in appropriate spray volume appropriate for sufficient coverage For all diseases spray product preventatively and continue as needed on a 10-14 day interval 0 day Preharvest Interval
Botrytis Rot (<i>Botrytis</i> sp.)		
Early Blight (<i>Alternaria solani</i>)		
Disease Suppression		
Anthracnose (<i>Colletotricum coccodes</i>)		
Notes		
† Not for use in California Use in alternation with fungicides that have different modes of action Do not apply more than 5 applications of ENDORSE Water Dispersible Granules (3.5 oz ai/acre) per season		

GINSENG †		
Foliar Disease Control	Rate	Application Notes
Alternaria blight (<i>Alternaria panax</i>)	6.2 oz/acre (0.7 oz ai/acre)	Apply as a foliar spray every 7–10 days Apply prior to disease development and when conditions are conducive for disease ¹
Botrytis blight (<i>Botrytis cinerea</i>)		
Root and Crown Disease Control	Rate	Application Notes
Cylindrocarpon root rot (<i>Cylindrocarpon destructans</i>)	6.2 oz/acre (0.7 oz ai/acre)	Apply as a drench every 14 days
Rhizoctonia root and crown rot (<i>Rhizoctonia solani</i>)		Apply as a drench every 14–28 days
Notes		
† Not for use in California		
Apply within 2 weeks following plant emergence and continue throughout the season		
¹ Consult your local extension agent or local recommendations for information relating to proper control of these diseases		
Use in alternation with fungicides that have different modes of action		
Do not apply more than 3 applications of ENDORSE Water Dispersible Granules (2.0 oz ai/acre) per season		

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GRAPES		
Disease Control	Rate	Application Notes
Botrytis Bunch Rot (<i>Botrytis cinerea</i>) Powdery Mildew (<i>Uncinula necator</i>)	6.2 oz/acre (0.7 oz ai/acre)	Mix in appropriate spray volume appropriate for sufficient coverage For Botrytis Bunch Rot control spray product at veraison and 7 days prior to harvest For Powdery Mildew control begin sprays preventatively and continue as needed on a 14 day interval 0 day Preharvest Interval Do not apply by air
Disease Suppression	Rate	Application Notes
Powdery Mildew (<i>Uncinula necator</i>)	6.2 oz/acre (0.7 oz ai/acre)	For Powdery Mildew suppression begin sprays preventatively and continue as needed on a 14-day interval
Notes Use in alternation with fungicides that have different modes of action Do not apply more than 3 applications of ENDORSE Water Dispersible Granules (2.1 oz ai/acre) per season		

PISTACHIOS		
Disease Control	Rate	Application Notes
Alternaria (<i>Alternaria</i> sp.)	6.2 oz/acre (0.7 oz ai/acre)	Mix in appropriate spray volume appropriate for sufficient coverage (Spray every row to ensure coverage (avoid every other row applications)) For both diseases begin sprays preventatively and continue as needed on a 10-14 day interval 0 day Preharvest Interval Do not apply by air Use of an adjuvant may enhance coverage
Disease Suppression		
Botryosphaeria blight (<i>Botryosphaeria</i> sp.)		
Notes Use in alternation with fungicides that have different modes of action Do not apply more than 3 applications of ENDORSE Water Dispersible Granules (2.1 oz ai/acre) per season		

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POME FRUITS † [Apple, Crabapple, Loquat, Mayhaw, Pear, Oriental Pear, Quince]		
Disease Control	Rate	Application Notes
Powdery Mildew (Apple: <i>Podosphaera leucotricha</i> Pear: <i>Phyllactinia mali</i>)	6.2 oz/acre (0.7 oz ai/acre)	<ul style="list-style-type: none"> Mix in appropriate spray volume appropriate for sufficient coverage. Start sprays for scab control at green tip and continue as needed on a 7-10 day interval. For Powdery Mildew control, begin preventatively and repeat as necessary on a 10-14 day interval. Use of an alternation program with a sterol inhibiting fungicide is recommended. 0 day Preharvest Interval.
Alternaria Leaf Spot (<i>Alternaria mali</i>)		
Blotch (<i>Diplocarpon mali</i>)		
Disease Suppression		
Scab (<i>Venturia sp.</i>)		
Notes: † Not for use in California. <ul style="list-style-type: none"> Use in alternation with fungicides that have different modes of action. Do not apply more than 6 applications of ENDORSE Water Dispersible Granules (4.2 oz ai/acre) per season. 		

POTATOES †		
Disease Control	Rate	Application Notes
Early Blight (<i>Alternaria solani</i>)	6.2 oz/acre (0.7 oz ai/acre)	<ul style="list-style-type: none"> Mix in appropriate spray volume appropriate for sufficient coverage. For all diseases, spray product preventatively and continue as needed on a 10-14 day interval. 0 day Preharvest Interval.
Notes: † Not for use in California. <ul style="list-style-type: none"> Use in alternation with fungicides that have different modes of action. Do not apply more than 5 applications of ENDORSE Water Dispersible Granules (3.5 oz ai/acre) per season. 		

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STRAWBERRIES †		
Disease Control	Rate	Application Notes
Anthracnose Leaf and Fruit Rot (<i>Colletotricum</i> sp)	6.2 oz/acre (0.7 oz ai/acre)	Mix in appropriate spray volume appropriate for sufficient coverage
Botrytis Fruit Rot (<i>Botrytis cinerea</i>)		Begin applications preventatively and continue as needed on a 7-10 day interval
Powdery Mildew (<i>Sphaerotheca macularis</i>)		0 day Preharvest Interval Do not apply by air Use of adjuvant may enhance coverage
Notes † Not for use in California Use in alternation with fungicides that have different modes of action Do not apply more than 3 applications of ENDORSE Water Dispersible Granules (2.1 oz ai/acre) per season		

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ORNAMENTALS *			
Foliar Diseases	Rate	Application Notes	
Anthracnose (<i>Colletotrichum</i>)	0.25 – 0.5 lb/100 gal/acre (0.03 – 0.06 lb ai/100 gal/acre)	Apply as a full coverage foliar spray every 7 – 10 days with sufficient water for plant type and maturity (50–300 gallons/acre) Apply prior to disease development and when conditions are conducive to disease development. Consult your local extension agent or local recommendations for information relating to proper timing for control of these diseases **	
*Botrytis blight (<i>Botrytis cinerea</i>)			
Curvularia			
Downy Mildew (<i>Pernospora sp.</i>) (<i>Plasmopara sp.</i>)			
Powdery Mildew (<i>Oidium sp.</i>) (<i>Erysiphe sp.</i>) (<i>Sphaerotheca sp.</i>)			
Rhizoctonia aerial blight (<i>Rhizoctonia solani</i>)			
*Alternaria blight (<i>Alternaria panax</i>)			0.5 lb/100 gal/acre (0.06 lb ai/100 gal/acre)
Petiole Rot (<i>Myrothecium</i>)			
Apple scab (<i>Venturia inequalis</i>)			
Root and Crown Diseases	Rate	Application Notes	
*** Rhizoctonia root and crown rot (<i>Rhizoctonia solani</i>)	0.25 – 0.5 lb/100 gal/acre (0.03 – 0.06 lb ai/100 gal/acre)	Apply as a soil drench every 14 – 28 days	
Black Root Rot (<i>Thielaviopsis</i>)			
	0.5 lb (0.06 lb ai/100 gal/acre)		
Notes			
* Control		~ ~ ~ ~ ~	
** Consult your local extension agent or local recommendations for information relating to proper timing for control of these diseases		~ ~ ~ ~ ~	
*** Includes Christmas tree (nursery and plantation) and non-bearing vines fruit and nut trees		~ ~ ~ ~ ~	
Use in alternation with fungicides that have different modes of action		~ ~ ~ ~ ~	

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TURF GRASSES		
Disease	Rate	Application Notes
Control	2 4 lbs /acre (0 27 lb ai/acre)	Repeat treatment on a 7-14 day schedule where environmental conditions are conducive to development of diseases Consult your local extension agent or local recommendations for information relating to proper timing for control of these diseases
Brown Patch (<i>Rhizoctonia solani</i>) Large Patch (<i>Rhizoctonia solani</i>)		
Aids in Control		When symptoms are present best control will be achieved by using a shorter interval For best results apply after mowing Apply to obtain thorough plant coverage in a minimum of 66 gallons water per acre
Cool Season Brown Patch or Yellow Patch (<i>Rhizoctonia cerealis</i>)		
Foliar and Basal Anthracnose (<i>Colletotrichum cereale</i>)		
Gray Snow Mold (<i>Typhula ishikariensis</i> and <i>Typhula incarnate</i>)		
Leaf Spot/Melting Out (<i>Dreschlera poae</i>)		
Pink Snow Mold (<i>Microdochium nivale</i>)		
Red Thread (<i>Laetisaria fuciformis</i>)		
Rhizoctonia Damping Off (<i>Rhizoctonia solani</i>)		
Rhizactonia Leaf and Sheath Blight (<i>Rhizoctonia zeae</i>)		
Waitea Patch (Brown Ring Patch) (<i>Waitea circinata</i>)		» » » » » » » » » » » » » »
Zoysia Patch (<i>Rhizoctonia solani</i>)		» » » » » » » » » » » » » » » » » » »
Aids in Suppression		» » » » » » » » » » » » » » » » » »
Gray Leaf Spot (<i>Pyricularia grisea</i>)		» » » » » » » » » » » » » » » »

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Warranty and Disclaimer Statement

- 1 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 Kaken Pharmaceutical Co. Ltd (Kaken) 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.
- 2 Kaken 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.
- 3 This warranty does not extend to the use of this product contrary to label instructions or under conditions not reasonably foreseeable to Kaken, and is subject to the inherent risks described above. **TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, KAKEN DISCLAIMS ALL OTHER WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, KAKEN, 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 KAKEN IS AUTHORIZED TO MAKE ANY WARRANTY, GUARANTEE OR REPRESENTATION BEYOND THOSE CONTAINED HEREIN OR TO MODIFY THE WARRANTIES CONTAINED HEREIN.**
- 4 **TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE TOTAL LIABILITY OF KAKEN, MANUFACTURER, AND SELLER, SHALL BE LIMITED TO THE PURCHASE PRICE PAID, OR AT KAKEN'S ELECTION, THE REPLACEMENT OF THE PRODUCT.**

ENDORSE® is a registered trademark of Arysta LifeScience North America LLC
VERANDA™ is a trademark of Arysta LifeScience North America LLC
AFFIRM™ is a trademark of Cleary Chemical LLC

