

70506-72

01/21/2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

K. Jayne Walz
Regulatory Manager
United Phosphorus, Inc.
630 Freedom Business Center Drive
King of Prussia, PA 19406

JAN 21 2010

Subject: Tebuconazole Technical
EPA Reg. No. 70506-72
Your amendment dated November 19, 2009
EPA Decision Number 425376

Dear Ms Walz:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act as amended is acceptable provided that you make the following changes to the label.

1. On page 2, revise the first sentence of the **Environmental Hazards** statement to read "This pesticide is toxic to mammals, fish and aquatic invertebrates."
2. On page 2 in the section (1) **Terrestrial Food/Feed Crops**:
 - a. Change "Welch onion" to "Welsh onion"
 - b. Delete "Japanese bunching onion, Green shallots, Green eschalots" and replace with "Shallot (fresh leaves)"
 - c. Change "UPI Tebuconazole Technical Fungicide can be formulated...used to protect:" to "UPI Tebuconazole Technical Fungicide may be formulated into end-use aqueous and solvent system products to protect the following wood products against wood-rotting fungi:"
 - d. Delete "**Wood Stains (Preservative Incorporation):** Wood siding, lumber, plywood, particleboard, wood decks, wood furniture, (outdoor)"

One copy of the label stamped "Accepted with comments" is enclosed for your records. This label supersedes all labels previously accepted for this product. Please submit one copy of the final printed label that incorporates the required change before the product is released for shipment.

If you have any questions, please contact Robert Westin by phone at (703) 305-5721 or via email at westin.robert@epa.gov.

Sincerely,

A handwritten signature in black ink, reading "Mary L. Waller".

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

Enclosure

Tebuconazole Technical

ONLY FOR USE IN THE MANUFACTURE OF FUNGICIDES

ACTIVE INGREDIENT:

Tebuconazole, α -[2-(4-chlorophenyl)-ethyl]- α -(1,1-dimethylethyl)-

1H-1,2,4-triazole-1-ethanol..... 97.4%

OTHER INGREDIENTS..... 2.6%

100.0%

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
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 eye. • Call a poison control center or doctor for treatment advice.
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 do so by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If on skin or clothing	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes • Call a poison control center or doctor for treatment advice.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For emergency medical assistance, call the Rocky Mountain Poison Center at 1-866-673-6671.	

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



United Phosphorus Inc.
630 Freedom Business Center
Suite 402
King of Prussia, PA 19406
1-800-438-6071

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
70506-72

ACCEPTED
with COMMENTS
In EPA Letter Dated
JAN 21 2010

EPA Reg. No. 70506-72

EPA Est. No.

Net Contents:

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

Caution.

Harmful if absorbed through skin, inhaled, or if swallowed. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Avoid breathing dust. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Remove and wash contaminated clothing before reuse.

Environmental Hazards

This pesticide is toxic to estuarine invertebrates. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or public waters unless in accordance with the requirements of a National Pollutant Discharge Eliminations 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 sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the Environmental Protection Agency.

DIRECTIONS FOR USE

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

This material requires further mixing before use

Only for formulation into a fungicide for the following uses:

(1) Terrestrial Food/Feed Crops: Asparagus, Bananas, Barley (seed treatment and foliar application), Beans (fresh & dry except succulent shelled), Cherries, Corn (sweet corn, field corn, field corn grown for seed, and popcorn), Cotton, Cucurbit Vegetable Group (Chayote, Chinese waxgourd, Citron melon, Cucumber, Gherkin, Grapes, Edible gourd (includes hyotan, cucuzza, hechima and Chinese okra), Momordica spp. (includes balsam apple, balsam pear, bitter melon and Chinese cucumber), Muskmelon (includes cantaloupe, casaba, crenshaw melon, golden pershaw melon, honeydew melon, honey balls, mango melon, Persian melon, pineapple melon, Santa Claus melon and snake melon), Nectarines, Oats (seed treatment), Peaches, Peanuts, Plantains, Pumpkin, Summer squash (includes crookneck squash, scallop squash, straightneck squash, vegetable marrow and zucchini), Winter squash (includes butternut squash, calabaza, hubbard squash, acorn squash and spaghetti squash), Watermelon, Dry bulb onion, Garlic, Great-headed (elephant) garlic, Welch onion, Shallot, Green onion, Leek, Spring onion, Scallion, Japanese bunching onion, Green shallots, Green eschalots, Hops, Leafy Brassica Greens (includes broccoli raab, Chinese cabbage (bok choy), Collards, Kale, Mizuma, Mustard greens, Mustard spinach, Rape greens, Turnip greens), Garden beet roots and tops, Lychee, Mango (post-harvest), Okra, Pecan, Soybean, Sunflower, Turnip (East of the Rockies only), Wheat (seed treatment and foliar application), Tree Nuts (Almond, Beechnut, Brazil nut, Butternut, Cashew, Chestnut, Chinquapin, Filbert, Hickory nut, Macadamia nut, Pistachios, and Walnut); Pome Fruits (Apple, Crabapple, Loquat, Mayhaw, Pear, Pear oriental, and Quince); Stone Fruits (Plum, Plumcot, Prune (fresh)), Plums (post-harvest) including Chicksaw, Damson, Japanese, Plumcot, Prune (fresh). Seed Treatment – Corn (includes sweet corn, field corn, field corn grown for seed, and popcorn).

Terrestrial Non-Food: Grasses Grown for Seed, Roses, Flowers, Christmas Trees, Ornamental trees, Ornamental shrubs, Groundcovers, and Vines.

Wood Protection: UPI Tebuconazole Technical Fungicide can be formulated into end-use Aqueous and Solvent System products to protect wood against wood-rotting fungi. It may also be formulated into end-use products used to protect:

Millwork: Window frames, wood doors, doorframes, etc.

In-Ground Contact Uses: Wood products for in-ground uses (pilings, telephone poles, wood building materials, etc.

Sapstain Control: Fresh-cut lumber

Wood Stains (Preservative Incorporation): Wood siding, lumber, plywood, particleboard, wood decks, wood furniture, (outdoor).

(2) Uses for which U.S. EPA has accepted the required data and/or citation of data that the formulator has submitted in support of registration; and

(3) Uses for experimental purposes that are in compliance with U.S. EPA requirements.

Formulators using this product are responsible for obtaining U.S. EPA registration for their formulated product which may be labeled for the use patterns as found listed on this label.

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Storage and Disposal

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

PESTICIDE STORAGE

Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, water, food, or feed. Keep out of reach of children and animals. Store in original containers only.

In case of spill, avoid contact, isolate area, and keep out animals and unprotected persons. Confine spills. Do not package Tebuconazole Technical in metal containers.

PESTICIDE DISPOSAL

Pesticide wastes are toxic. Do not contaminate water, food or feed by storage or disposal. Improper disposal of excess pesticide, or rinsate is a violation of Federal law. Dispose of excess waste or pesticide by use according to label directions, or contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL

Nonrefillable container. Do not reuse or refill. Completely empty container into the processing equipment by shaking and tapping sides and bottom to loosen clinging particles. Then dispose of empty liner in a sanitary landfill or by incineration, if allowed by State and local authorities, by burning. If burned, stay out of smoke. If drum is contaminated and cannot be reused, dispose of in the same manner.

IMPORTANT INFORMATION -READ BEFORE USING PRODUCT

CONDITIONS OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability 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.

United Phosphorus, Inc. 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. UNITED PHOSPHORUS, INC. MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

To the extent allowed by law, United Phosphorus, Inc. or Seller shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF UNITED PHOSPHORUS, INC. AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT SHALL BE, AT THE ELECTION OF UNITED PHOSPHORUS, INC. OR SELLER, THE REPLACEMENT OF THE PRODUCT, OR COMPENSATION LIMITED TO DAMAGES NOT EXCEEDING THE FAIR MARKET PURCHASE PRICE, AND SHALL NOT INCLUDE INCIDENTAL OR CONSEQUENTIAL DAMAGES.**

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