



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

April 18, 2016

Julie Kozlowski
Regulatory Affairs Specialist
Nichino America, Inc
4550 New Linden Hill Rd.
Wilmington, DE 19808

Subject: Label Amendment – Updating label to include uses with previously established tolerances
Product Name: Flutolanil Technical
EPA Registration Number: 71711-5
Application Date: 1/14/2016
Decision Number: 513236

Dear Julie Kozlowski:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable. This approval does not affect any conditions that were previously imposed on this registration. You continue to be subject to existing conditions on your registration and any deadlines connected with them.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. “To distribute or sell” is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

Should you wish to add/retain a reference to the company’s website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product’s label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA’s Office of Enforcement and Compliance.

Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance

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with FIFRA section 6. If you have any questions, please contact Nathan Mellor by phone at 703-347-8562, or via email at mellor.nathan@epa.gov.



Shaja B. Joyner, Product Manager 20
Fungicide-Herbicide Branch
Registration Division 7505P



ACCEPTED
 04/18/2016
 Under the Federal Insecticide, Fungicide
 and Rodenticide Act as amended, for the
 pesticide registered under
 EPA Reg. No. 71711-5

Flutolanil Technical

For Formulating Use Only

ACTIVE INGREDIENTS:

Flutolanil* 98.3%

OTHER INGREDIENTS 1.7%

TOTAL 100.0%

*Benzamide, N-[3-(1-methylethoxy)phenyl]-2-(trifluoromethyl)-

EPA Reg. No. 71711-5

EPA Est. No. _____

**KEEP OUT OF REACH OF CHILDREN
 CAUTION**

| FIRST AID | |
|--|---|
| 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. |
| HOTLINE NUMBER | |
| Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For additional information on this pesticide product, including human health concerns and medical emergencies, call 1-800-348-5832. In case of fire or spills, information may be obtained by calling 1-800-424-9300. | |

Net Contents: _____

[Manufactured in _____,] [formulated in _____,] [and] [packaged in _____,] for:

Nichino America Inc.
 4550 New Linden Hill Rd.
 Wilmington, DE 19808
 888-740-7700

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION

Harmful if absorbed through skin. Avoid contact with skin, eyes, or clothing. 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.

Environmental Hazards

Do not discharge effluent containing this product directly into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant 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.

DIRECTIONS FOR USE

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

Only for formulation into a fungicide, for:

(1) The following uses:

- peanuts
- rice
- potatoes
- brassica (cole) leafy vegetables (crop group 5)
- turnip greens
- seed-piece treatment on potato
- seed treatment for cotton, soybeans and sugar beets
- turf and ornamentals

(2) Uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration;

(3) Uses for experimental purposes that are in compliance with USEPA requirements.

Formulation Information

Each formulator is responsible for obtaining EPA registration for his/her own end-use products. Technical information on formulations of this product as well as its physical and chemical characteristics may be obtained from Nichino America, Inc.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in original container, and keep tightly closed when not in use. Store in a cool, dry place.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL:

[Nonrefillable paper bag]

Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment, then offer for recycling if available or dispose of empty bag in a sanitary landfill or by other procedures approved by state and local authorities.

IMPORTANT: READ BEFORE USE

By using this product, user or buyer accepts the following conditions, warranty, disclaimer of warranties and limitations of liability.

CONDITIONS: The directions for use of this product are believed to be accurate and must be followed carefully. However, because of extreme weather and soil conditions, use methods and other factors beyond the control of Nichino America, Inc. (NAI), it is impossible for NAI to eliminate all risks associated with the use of this product. As a result, crop injury or ineffectiveness is always possible. To the extent consistent with applicable law, all such risks are assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THERE ARE NO WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, WHICH EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of NAI is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. To the extent consistent with applicable law, NAI disclaims any liability whatsoever for incidental or consequential damages, including, but not limited to, liability arising out of breach of contract, express or implied warranty (including warranties of merchantability and fitness for a particular purpose), tort, negligence, strict liability or otherwise.

LIMITATIONS OF LIABILITY: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT THE ELECTION OF NICHINO AMERICA, THE REPLACEMENT OF PRODUCT.

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