

71711-16

7/10/2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUL 10 2009

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Ms. Marie A. Maks, Manager, Regulatory Affairs
Nichino America, Inc.
Linden Park, Suite 501
4550 New Lindon Hill Road
Wilmington, DE 19808

Subject: New Uses on Brassica, Coffee, and Pomegranate

EPA Reg. Nos.: Buprofezin Technical (EPA Reg. No. 71711-16), Buprofezin 40SC Insect Growth Regulator (EPA Reg. No. 71711-20), Applaud 70 DF Growth Regulator (EPA Reg. No. 71711-21)

Decisions: 396787, 391754, 396789, 391757, 391758

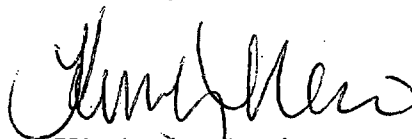
The labeling referred to above, submitted in connection with registration under the Federal insecticide, Fungicide, and Rodenticide Act (FIFRA), is acceptable subject to the comments listed below.

Nichino must conduct and submit the following four studies with the timeframe listed below as a condition of registration:

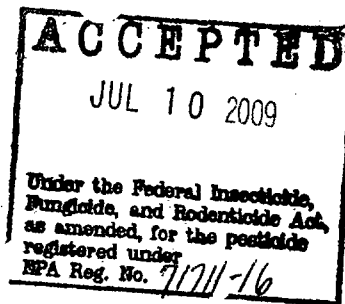
- a. Acute Neurotoxicity study (OPPTS Guideline No. 870.6200(a)) within 1 year of the date of this letter;
- b. Subchronic Neurotoxicity study (OPPTS Guideline No. 870-6200(b)) within 18 months of the date of this letter;
- c. Immunotoxicity study (OPPTS Guideline No. 870.7800) within 18 month of the date of this letter; and
- d. Developmental Thyroid study (Special Study) within 2 years of the date of this letter.

If you have any questions/comments, please contact Melody Banks on (703) 305-5413.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kimberly Nesci', written in a cursive style.

Kimberly Nesci
Product Manager 11
Insecticide Branch
Registration Division (7507P)



BUPROFEZIN TECHNICAL

For Manufacturing or Formulating Use Only

Active Ingredient:Buprofezin: 2-*tert*-butylimino-3-isopropyl-5-phenyl-1,3,5-thiadiazinan-4-one 99.1%**Other Ingredients:** 0.9 %**TOTAL** 100.0%

Contains 0.70 lbs. buprofezin per pound of product

EPA Reg. No. 71711-16

EPA Est. No. 67017- JPN- 005

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 by mouth to-mouth, if possible • Call a poison control center or doctor for further treatment advice.
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.
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 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.

HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-348-5832 for emergency medical treatment information. In case of fire or spills, information may be obtained by calling 1-800-424-9300.

NOTE TO PHYSICIAN: There is no specific antidote. All treatment should be based on observed signs and symptoms of distress in the patient. Overexposure to materials other than this product may have occurred.

Active Ingredient Made in Japan for
 Nichino America, Inc.
 4550 New Linden Hill Road, Suite 501
 Wilmington, DE 19808

PRECAUTIONARY STATEMENTS
Hazards to Humans and Domestic Animals

CAUTION

Harmful if swallowed. Wash thoroughly with soap and water after handling. Harmful if absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Harmful if inhaled. Avoid breathing spray mist. Remove contaminated clothing and wash before reuse.

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Waterproof gloves
- Shoes plus socks

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

ENVIRONMENTAL HAZARDS

Do not discharge effluent containing this product 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 sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the Environmental Protection Agency.

IMPORTANT-Read the entire Directions for Use and Disclaimer of Warranties before using this product.

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 an insecticide, for:

- (1) Almonds, Pistachios; Bananas; Citrus; Coffee; Cotton; Cucurbits; Fruiting Vegetables; Grapes; Leafy Vegetables; Brassica, head and stem subgroup 5A; Low-Growing Berries (subgroup 13-07G); Olives; Pome Fruit; Snap Beans, Stone Fruit including pomegranates;

Acerola, atemoya, avocado, biriba, black sapote, canistel, cherimoya, custard apple, feijoa, guava, ilama, jaboticaba, longan, lychee, mamey sapote, mango, papaya, passion fruit, pulasan, rambutan, sapodilla, soursop, Spanish lime star apple, starfruit, sugar apple, and wax jambu.

Ornamentals (greenhouse and outdoor)

- (2) This product may be used to formulate products for specific use(s) not listed on this label if the formulator, user group, or grower has complied with U.S. EPA data submission requirements regarding the support of such use(s).

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in original container, unopened, in a cool, dry place.

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: Nonrefillable container. Do not reuse or refill this container. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into formulation equipment. Then offer for recycling if available or dispose of liner in a sanitary landfill, or by incineration, or, if allowed by State or local authorities, by burning. If burned, stay out of smoke. If drum is contaminated and cannot be reused, dispose of in the manner required for its liner.

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.