



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

May 29, 2020

William Berti, Ph.D.
Manger, Regulatory Affairs
Nichino America, Inc.
4550 Linden Hill Rd, Suite 501
Wilmington, DE 19808

Subject: PRIA Label Amendment – New uses in/on Peanuts and Tropical and Subtropical,
Medium to Large Fruit, Smooth, Inedible Peel, Subgroup 24B, Except Banana
Product Name: FENPYROXIMATE TECHNICAL
EPA Registration Number: 71711-18
Application Date: May 17, 2019
Decision Number: 551157

Dear Dr. Berti:

The application referred to above, submitted under the Federal Insecticide, Fungicide and Rodenticide Act, as amended is acceptable under FIFRA sec 3 (c)(5). You must submit and/or cite all data required for registration/reregistration/registration review of your product when the Agency requires all registrants of similar products to submit such data.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one (1) 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.

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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 with FIFRA section 6. If you have any questions, please contact Elizabeth Fertich by phone at 703-347-8560, or via email at fertich.elizabeth@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'J S', with a horizontal line extending to the right.

Jennifer Saunders; Acting Chief
Invertebrate & Vertebrate Branch 1
Registration Division (7505P)
Office of Pesticide Programs

Enclosure

Fenproxiimate Technical

For Formulating Use Only

ACTIVE INGREDIENT:

Fenproxiimate: Benzoic acid, 4-[[[E]-[1,3-dimethyl-5-phenoxy-1H-pyrazol-4-yl)methylene]

amino]oxy]methyl]-1,1-dimethylethyl ester 99.0%

OTHER INGREDIENTS: 1.0%

TOTAL 100.0%

EPA Reg. No. 71171-18

EPA Est. No.

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.)

| 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 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 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 to an unconscious person. |
| HOTLINE 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. | |

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

May be fatal if inhaled. May be fatal if swallowed. Harmful if absorbed through skin. Do not breathe dust. Remove and wash contaminated clothing before reuse. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. Avoid contact with skin, eyes, or clothing. Wear long-sleeved shirt and long pants, socks, shoes, and gloves. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

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 Environmental Protection Agency.

PHYSICAL AND CHEMICAL HAZARDS

Do not expose contents to sunlight. Do not store contents in metal containers. Do not store contents at high temperatures (>120°F).

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 the following terrestrial food crop uses: Banana; bean, snap; blackeyed pea, succulent shelled; broad bean, succulent shelled; chickpea, succulent shelled; cowpea, succulent shelled; crowder pea, succulent shelled; goa bean, succulent shelled; lablab bean, succulent shelled; lima bean, succulent shelled; succulent bean, succulent shelled; southern pea, succulent shelled; soybean, edible, succulent shelled; and velvet bean, succulent shelled; Berry Subgroup, Low-Growing Subgroup 13-07G excluding Cranberry; Bushberry Subgroup 13-07B excluding Highbush Cranberry; Caneberry Subgroup 13-07A; Citrus Fruit Group 10-10; Cottonseed Subgroup 20C; Field Corn, Popcorn, Silage Corn, Seed Corn; Fruiting Vegetables Group 8-10; Hops; Leaf Petiole Vegetable Subgroup 22B; Mamey Sapote; Melon Subgroup 9A; Peppermint, Tops; Spearmint, Tops; Peanut; Pome Fruit Group 11-10; Sapodilla; Small Fruit Vine Climbing, Except Fuzzy Kiwifruit, Subgroup 13-07F; Squash/Cucumber Subgroup 9B; Stone Fruit Group 12-12; Tree Nut Group 14-12; Tropical and Subtropical, Medium to Large Fruit, Smooth, Inedible Peel Subgroup 24B; Tuberosus and Corm Vegetable Subgroup 1C
- Greenhouse food-crop uses: Cucumber, Pepper, Tomato
- Terrestrial Nonfood Crops – Indoor and Outdoor Ornamentals
- Uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration.
- Uses for experimental purposes that are in compliance with USEPA requirements.

Products formulated from this product will require registration with the Environmental Protection Agency.

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

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage and disposal.
STORAGE: Store in original container and keep closed. 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 HANDLING: 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 in a sanitary landfill or by incineration or 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 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.

NET CONTENTS:

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

Nichino America, Inc.

4550 Linden Hill Road, Suite 501

Wilmington, DE 19808

888-740-7700

{Information in {curly brackets} is note to reviewer}
{Information in [brackets] is optional language}

