

71711-26

08/10/2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460-0001

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

August 10, 2010

Ms. Danielle A. Larochelle,  
Registration Product Manager  
Bayer CropScience LP  
c/o Nichino America, Inc. (U.S. subsidiary of Nihon Nohyaku Co., Ltd.)  
P.O. Box 12014, 2 T.W. Alexander Drive  
Research Triangle Park, NC 27709-2014

**Subject: Revised Labeling – Proposed Uses on Legume Vegetables, Soybeans and Christmas Trees; Import Tolerance on Rice Grain; and Rotational Crop Tolerance on Rice Straw  
FLUBENDIAMIDE Technical, EPA Reg. No. 71711-26  
Your Submission Dated March 3, 2009**

Dear Ms. Larochelle:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable.

A copy of your label stamped "Accepted" is enclosed for your records along with copies of the HED and EFED risk assessments which were completed in support of the referenced actions. If you have any questions about this label review, please contact Mr. Carmen J. Rodia, Jr. at (703) 306-0327 or via e-mail at [Rodia.Carmen@epa.gov](mailto:Rodia.Carmen@epa.gov).

Sincerely yours,

Richard J. Gebken  
Product Manager (10)  
Insecticide Branch  
Registration Division (7504P)

- Enclosures:
- Copy of label stamped "Accepted"*
  - Copy of HED Human Health Risk Assessment, dated April 30, 2010*
  - Copy of Amendment to HED Human Health Risk Assessment, dated June 28, 2010*
  - Copy of Memo/DER for Bridging Residue Study Conducted with an Adjuvant in Support of Proposed Use on Soybeans and Legume Vegetables, dated July 13, 2010*
  - Copy of HED Acute and Chronic Aggregate Dietary Risk Assessment, dated March 31, 2010*
  - Copy of HED Summary of Analytical and Residue Data/DERs, dated April 5, 2010*
  - Copy of EFED Risk Assessment, dated May 17, 2010*
  - Copy of EFED Drinking Water Risk Assessment, dated October 28, 2009*

# FLUBENDIAMIDE Technical

## For Use in the Manufacture of Insecticides

### ACTIVE INGREDIENT:

Flubendiamide\* (*N*<sup>2</sup>-[1,1-dimethyl-2-(methylsulfonyl)ethyl]-3-iodo-*N*<sup>1</sup>-[2-methyl-4-[1,2,2,2-tetrafluoro-1-(trifluoromethyl)ethyl]phenyl]-1,2-benzenedicarboxamide).....97.76%

OTHER INGREDIENTS:.....2.24%

Total:.....100.00%

\*CAS Number: 272451-65-7

EPA Reg. No. 71711-26

EPA Est. No.

## KEEP OUT OF REACH OF CHILDREN CAUTION

For MEDICAL And TRANSPORTATION Emergencies ONLY Call 24 Hours A Day 1-800-334-7577

For PRODUCT USE Information Call 1-866-99BAYER (1-866-992-2937)

### FIRST AID

<b>IF INHALED</b>	<ul style="list-style-type: none"> <li>• Move the person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>
<b>IF SWALLOWED:</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
<b>IF ON SKIN OR CLOTHING:</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<p>Have the product container or label with you when calling a poison control center or doctor or going for treatment. For medical emergencies, health concerns, or pesticide incidents, you may call the Bayer CropScience Emergency Response toll free number 24 hours a day at 1-800-334-7577.</p>	

### PRECAUTIONARY STATEMENTS

#### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

##### CAUTION

Harmful if inhaled, swallowed or absorbed through skin. Avoid contact with skin, eyes, or clothing. Avoid breathing dust. Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. Wear long-sleeved shirt and long pants, socks, shoes and chemical-resistant gloves. Remove and wash contaminated clothing before reuse.

#### ENVIRONMENTAL HAZARDS

This pesticide is toxic to aquatic invertebrates. 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 local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.



M-343254-01-1

ACCEPTED

August 10, 2010

Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under:

EPA. Reg. No: 71711-26

## DIRECTIONS FOR USE

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

This product may be used only for formulation into an insecticide for:

- the following uses:  
 Terrestrial Food and Feed Crops: Brassica (Cole) Leafy Vegetables, Corn (Field Corn, Pop Corn, Sweet Corn, Silage, and Corn Grown for Seed), Cotton, Cucurbit Vegetables, Fruiting Vegetables, Grapes, Leafy Vegetables (except Brassica), Legume Vegetables, Okra, Pome Fruit, Soybean, Stone Fruit, Tobacco, and Tree Nuts.  
 Terrestrial Nonfood Crop: Christmas Trees.
- uses for which the U.S. EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration and
- uses for experimental purposes that are in compliance with U.S. EPA requirements.

### STORAGE AND DISPOSAL

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

#### PESTICIDE STORAGE

Do not store for more than 30 consecutive days at an average daily temperature exceeding 100° F. Keep container tightly closed when not in use. Avoid cross contamination with other pesticides.

#### PESTICIDE DISPOSAL

Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

#### CONTAINER DISPOSAL

Completely empty bag by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into the processing equipment. Nonrefillable container. Do not reuse or refill this container. 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.

### IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

**CONDITIONS:** 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. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Nichino America, Inc. All such risks shall be assumed by the user or buyer.

**DISCLAIMER OF WARRANTIES:** TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, NICHINO AMERICA, INC. MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Nichino America, Inc. is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, NICHINO AMERICA, INC. DISCLAIMS ANY LIABILITY WHATSOEVER FOR SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

**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 NICHINO AMERICA, INC.'S ELECTION, THE REPLACEMENT OF PRODUCT.

### NET CONTENTS:

Nichino America, Inc.  
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Suite 501  
Wilmington, DE 19808

Flubendiamide Technical (PENDING) 02/16/09