

71711-27

02/28/2013

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

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

Kenneth Chisholm
Nichino America, Inc.
4550 New Linden Hill Road, Suite 501
Wilmington, DE 19808

FEB 28 2013

Subject: Label amendment to add peanuts- in association with tolerance petition 1F7944
Product Name: ET-751 40MB
EPA Reg. No: 71711-27
Decision Number(s): 457775 and 457779

Dear Mr. Chisholm:

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

One copy of labeling for these products, stamped "Accepted," is enclosed for your records. Products released for shipment after 18 months from the date on this notice or the next printing of the label, whichever occurs first, must bear the new revised label. Amended labeling will supersede all previously accepted ones.

Per 40 CFR 156.10(6), submit one copy of your final printed labeling before you release the product for shipment. If you have questions or concerns regarding this letter, please contact Beth Benbow at (703) 347-8072 or email at benbow.bethany@epa.gov.

Sincerely,

A handwritten signature in cursive script that reads "Kathryn V. Montague".

Kathryn V. Montague
Product Manager 23
Herbicide Branch
Registration Division (7505P)

FEB 28 2013

ET-751 40MB
For Manufacturing or Formulating Use Only

Active Ingredients:

Pyraflufen ethyl (Ethyl 2-chloro-5-(4-chloro-5-difluoromethoxy-1-methylpyrazol-3-yl)-4-fluorophenoxyacetate 40.0%

Other Ingredients: 60.0%

Total: 100.0%

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EPA Reg. No. 71711-27

EPA Est. No. 67017-JPN-004

Alternate Brand Name: Pyraflufen-Ethyl 40MB

KEEP OUT OF THE 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.
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.	

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. 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. Do not contaminate water when disposing of equipment washwaters.

Net Contents: 20kg

Formulated and Packaged in Japan
Nichino America, Inc.
4550 New Linden Hill Road, Suite 501
Wilmington, DE 19808
1-888-740-7700

DIRECTIONS FOR USE

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

Only for formulation into a herbicide for:

(1) The following uses:

- Bulb Vegetables (Crop Group 3), Cereal Grains (Crop Group 15), Cole Crops (Crop Group 5), Cotton, Cucurbits (Crop Group 9), Dates, Feijoa, Figs, Fruiting Vegetables (Crop Group 8), Grapes, Kiwi Fruit, Leafy Vegetables (Crop Group 4), Legume Vegetables (Crop Group 6), Mango, Oil Seed Crops (Crop Group 20), Olive Trees, Peanuts, Persimmon, Pome Fruit (Crop Group 11), Pomegranates, Root and Tuber Vegetables (Crop Group 1), Soybeans, Stone Fruit (Crop Group 12), Sugarcane, Tree Nuts (Crop Group 14)
- Nonbearing tree fruit, nut trees, and vine crops (excluding citrus)
- Non-cropland, Uncultivated Agricultural Areas, Conservation Reserve Program (CRP) Land/Federal Set-Aside Acreage (nonfood producing)
- Noncrop Weed Control including: airports and airfields, commercial plants, storage and lumber yards, fence lines and fence rows, farmyards and farm buildings, barrier strips and firebreaks, equipment areas, nurseries and ornamental plantings, Christmas trees and conifer plantation site preparation, railroads, roadside and utility rights-of-way, fuel tank farms and pumping stations, dry ditches and ditch banks, vacant lots, and other EPA listed agricultural and industrial non-crop sites
- Established ornamental turf lawns (residential, industrial, and institutional), parks, cemeteries, athletic fields, golf courses (fairways, aprons, tees, and roughs), sod farms, and similar turf areas
- Pasture and rangeland
- Preplant fallow beds and crop stubble

(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 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. Triple rinse (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then, offer for recycling, if available, or reconditioning, if appropriate, or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by State or local authorities, by burning. If burned, stay out of smoke.

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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Label Code: D-80 021913