



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

September 18, 2019

William R. Berti, Manager
Regulatory Affairs
Nichino America
4550 Linden Hill Road, Suite 501
Wilmington, DE 19808

Subject: PRIA Label Amendment – Adding Cottonseed subgroup 20C; Fruit, small, vine climbing, except fuzzy kiwi, subgroup 13-07F; Fruit, stone, group 12-12; Nut, Tree, group 14-12; Tropical and subtropical, small fruit, edible peel, subgroup 23A; Vegetable, tuberous and corm, subgroup 1C
Product Name: ET-751 40MB
EPA Registration Number: 71711-27
Application Date: 5/7/18
Decision Number: 541123 and 541125

Dear Dr Berti:

The application referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable under FIFRA Section 3(c)(7)(A), subject to the following conditions:

1. You must submit and/or cite all data required for registration/reregistration/registration review of your product under FIFRA when the Agency requires all registrants of similar products to submit such data.
2. You are required to comply with the data requirements described in the DCI identified below:
 - a. Pyraflufen-ethyl GDCI-03009-1468

You must comply with all of the data requirements within the established deadlines. If you have questions about the Generic DCI listed above, you may contact the Chemical Review Manager in the Pesticide Reevaluation Division:

<http://iaspub.epa.gov/apex/pesticides/f?p=chemicalsearch:1>

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.

Your release for shipment of the product constitutes acceptance of these conditions. If you fail to satisfy these data requirements, EPA will consider appropriate regulatory action including, among other things, cancellation under FIFRA section 6(e). 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

Enclosure

ET-751 40MB MUP

For Manufacturing or Formulating Use Only

Active Ingredient:

Pyraflufen ethyl: Acetic acid,

[2-chloro-5-[4-chloro-5-(difluoromethoxy)-1-methyl-1H-pyrazol-3-yl]-4

-fluorophenoxy]-, ethyl ester..... **40.0%**

Other Ingredients:..... **60.0%**

Total: **100.0%**

EPA Reg. No. 71711-27

EPA Est. No.

Alternate Brand Name: Pyraflufen-ethyl 40MB MUP

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID

If on skin or clothing

- 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. 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 and before eating, drinking, chewing gum, using tobacco, or using the toilet.

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.

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: •Corn; Cottonseed Subgroup 20C; Dates; Feijoa; Figs; Hops; Kiwifruit; Mango; Persimmon; Pome Fruit Group 11-10; Pomegranates; Small Fruit Vine Climbing Subgroup except Fuzzy Kiwifruit 13-07F; Soybean; Stone Fruit Group 12-12; Tree Nut Group 14-12; Triticale/ Wheat; Tropical and Subtropical, Small Fruit, Edible Peel Subgroup 23A; Tuberous and Corm Vegetables Subgroup 1C. •Limited to preplant burndown with exceptions listed above: Brassica (Cole) Leafy Vegetable Group 5; Bulb Vegetable Group 3; Cereal Grains Group 15; Cucurbit Vegetable Group 9; Fruiting Vegetables (Except Cucurbits) Group 8; Leafy Vegetables (Except Brassica Vegetables) Group 4; Legume Vegetables (Succulent or Dried) Group 6; Oilseed Group 20; Root and Tuber Vegetable Group 1; Sugarcane. •Non-cropland, Uncultivated Agricultural Areas, Conservation Reserve Program (CRP)Land/Federal Set-Aside Acreage (nonfood producing). •Non-crop 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

{Notes to reviewer: Optional text in [brackets]}

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 similar agricultural and industrial non-crop sites. •Established ornamental turf lawns (residential, industrial, and institutional), parks, cemeteries, athletic fields, golf courses (fairways, aprons, greens, 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.

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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NET CONTENTS: [lbs.] [kg]

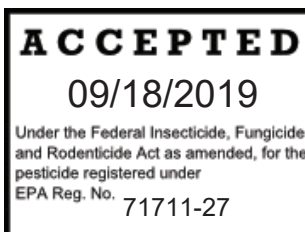
Formulated and Packaged in [Japan] (United States) for

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Wilmington, DE 19808

1-888-740-7700



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