

71711-30

12/23/2013

JACKET

1/5



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

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

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

DEC 23 2013

Subject: Label Amendment – Adding First Food Uses  
Product Name: Tolfenpyrad Technical  
EPA Registration Number: 71711-30  
Submission Date: September 29, 2010  
Decision Number: 440578  
Associated Tolerance Petition: 0F7791

Dear Ms. Maks:

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

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.

Products released for shipment after 18 months from the date on this notice or the next printing of the master label whichever occurs first, must bear the new revised label. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA. Your release for shipment of this product constitutes acceptance of these conditions. As required by 40 CFR 156.10(6), you must submit one copy of the final printed label before the product is released for shipment.

If you have any questions regarding this action, please feel free to contact me.

SEE NEXT PAGE

Page 2 of 2  
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Sincerely,



Michael Walsh  
Acting Product Manager (13)  
Insecticide Branch  
Registration Division

Enclosure

3/5

# NICHINO AMERICA

## Tolfenpyrad Technical

For Formulating Use Only

**ACTIVE INGREDIENT:**

Tolfenpyrad (4-chloro-3-ethyl-1-methyl-N-[4-(p-tolyloxy)benzyl]pyrazole-5-carboxamide)..... 99.50%

**OTHER INGREDIENTS** ..... 0.50%

**TOTAL** ..... 100.00%

EPA Reg. No. 71711-30

EPA Est. No.

### KEEP OUT OF REACH OF CHILDREN

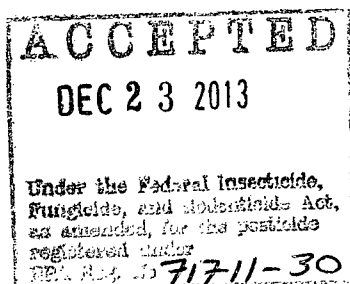
### WARNING - AVISO

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	
<b>If swallowed</b>	<ul style="list-style-type: none"> <li>• Call poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by the poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
<b>If inhaled</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</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>
<b>If in eyes</b>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
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.	

**Net Contents:**

Active Ingredient Made in Japan  
**Nichino America, Inc.**  
4550 New Linden Hill Road, Suite 501  
Wilmington, DE 19808  
888-740-7700



**PRECAUTIONARY STATEMENTS  
HAZARDS TO HUMANS AND DOMESTIC ANIMALS  
WARNING-AVISO**

May be fatal if swallowed. Harmful if absorbed through skin. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Remove and wash contaminated clothing before reuse. Wear long-sleeved shirt and long pants, socks, shoes, and gloves.

**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 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**

**Only for formulation into an insecticide:**

**(1) For the following uses:**

- Cotton (in AZ, CA and NM)
- Fruit, citrus, group 10-10
- Fruit, stone, group 12-12
- Grape (in CA, OR and WA)
- Nut, tree, group 14-12
- Persimmon
- Pomegranates
- Potatoes (West of the Mississippi)
- Vegetable, leafy, group 4, except brassica vegetable

**(2) Ornamental plants (greenhouse)**

**(3) Uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration;**

**(4) Uses for experimental purposes that are in compliance with USEPA requirements.**

**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.

5/15

**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. 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 and local authorities by burning. If burned stay out of smoke. If drum is contaminated and cannot be reused, dispose of in the same manner.

**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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