



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

June 22, 2021

William R. Berti, Ph.D.
Regulatory and Science Affairs Manager
Nichino America, Inc.
4550 Linden Hill Road, Suite 501
Wilmington, DE 19808

Subject: PRIA Label Amendment – IR-4 Petition (9E8807) to Establish New Use on Globe Artichoke
Product Name: Tolfenpyrad Technical
EPA Registration Number: 71711-30
Application Date: October 25, 2019
Decision Number: 556965

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)(B), 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. Be aware that proposed data requirements have been identified in a Tolfenpyrad Final Work Plan. For more information on these proposed data requirements, 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 Briana Hanlon by phone at (703) 347-8337, or via email at hanlon.briana@epa.gov.

Enclosure

Sincerely,

A handwritten signature in blue ink, appearing to read "M. Johnson, Jr.", with a stylized flourish at the end.

Marion Johnson, Jr.
Chief, Invertebrate-Vertebrate Branch 2
Registration Division, OPP
7505P



| | | | |
|-------------|-------|-----|-------------|
| TOLFENPYRAD | GROUP | 21A | INSECTICIDE |
| | GROUP | 39 | FUNGICIDE |

Tolfenpyrad Technical

For Formulating Use Only

ACTIVE INGREDIENT:

Tolfenpyrad (1H-Pyrazole-5-carboxamide, 4-chloro-3-ethyl-1-methyl-N-[[4-(4-methylphenoxy)phenyl]methyl]-..... 99.50%

OTHER INGREDIENTS 0.50%

TOTAL 100.00%

EPA Reg. No. 71711-30

EPA Est. No.

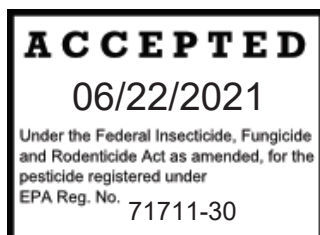
KEEP OUT OF REACH OF CHILDREN

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 | |
|--|--|
| If swallowed | <ul style="list-style-type: none"> • Call 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 the poison control center or doctor. • Do not give anything by mouth to an unconscious person. |
| 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 by 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. |
| HOT LINE NUMBER | |
| Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For additional information on this pesticide product, including human health concerns and medical emergencies, call 1-800-348-5832. | |

Net Contents: _____



Active Ingredient Made in [Japan] [India]
Nichino America, Inc.
 4550 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. 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, gloves, shoes plus socks. Wash hands thoroughly with soap and water 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 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.
Not for formulation into products with residential uses.**

Only for formulation into an insecticide:

(1) For the following uses:

- Artichoke, globe
- Avocado
- Berry, Low Growing Group (Crop Subgroup 13-07G) excluding cranberry and blueberry, lowbush
- Bulb Vegetables Group (Crop Group 3-07)
- Bushberry Subgroup (Crop Subgroup 13-07B)
- Caneberry Subgroup (Crop Subgroup 13-07A)
- Citrus Fruit (Crop Group 10-10)
- Cottonseed Subgroup (Crop Subgroup 20C) (limited to states of Arizona, California, New Mexico)
- Fruit, small, vine climbing, except fuzzy kiwifruit, subgroup 13-07F(limited to states of California, Oregon, Washington)
- Leafy Greens Subgroup (Crop Subgroup 4-16A), Arugula, Garden Cress, Upland Cress
- Leaf Petiole Vegetable Subgroup (Crop Subgroup 22B), Celtuce, Florence Fennel
- Vegetables, Tuberous and Corm, Subgroup (Crop Subgroup 1C)
- Stone Fruit (Crop Group 12-12)
- Tree Nut (Crop Group 14-12)
- Persimmon
- Pomegranate
- Leafy Vegetables (Except Brassica Vegetables) (Crop Group 4)
- Brassica Head and Stem Vegetable (Crop Group 5-16)
- Brassica Leafy Greens (Crop Subgroup 4-16B)
- Cucurbit Vegetables, (Crop Group 9); field-grown
- Fruiting Vegetable (Crop Group 8-10); field-grown
- Pome Fruit (Crop Group 11-10)

- (2) **For the following greenhouse uses:** cucumbers and tomatoes (not for use in residential areas).
- (3) Ornamental plants (greenhouse and outdoor; not for use in residential areas).
- (4) **Uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration;**
- (5) **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.

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.

In case of fire or spills, information may be obtained by calling 1-800-424-9300.

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, EXPRESSED 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.