



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

June 21, 2019

Ms. Regiane G. Pereira
Regulatory Manager
Nichino America
4550 Linden Hill Road, Suite 501
Wilmington, DE 19808

Subject: Label Amendment – Revising Container Handling Statement for New Product
Registered on May 30, 2019
Product Name: Tolfenpyrad 15SC MUP
EPA Registration Number: 71711-49
Application Date: June 20, 2019
Decision Number: 552283

Dear Ms. Pereira:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable. This approval does not affect any conditions that were previously imposed on this registration. You continue to be subject to existing conditions on your registration and any deadlines connected with them.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one 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 these conditions are not complied with, the registration will be subject to cancellation in accordance

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with FIFRA section 6. If you have any questions, please contact me by phone at (703) 308-2972, or via email at walsh.michael@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Walsh', written in a cursive style.

Michael Walsh
Product Manager 11
Invertebrate & Vertebrate Branch 2
Registration Division
Office of Pesticide Programs

Attachment

TOLFENPYRAD 15SC MUP

For Manufacturing/Repackaging/Formulating Use Only

Active Ingredient:

Tolfenpyrad 1H-Pyrazole-5-carboxamide, 4-chloro-3-ethyl-1-methyl-N-[[4-(4-methylphenoxy)phenyl]methyl]- 15.0%
 OTHER INGREDIENTS: 85.0%
 Total..... 100.0%

EPA Reg No. 71711-49 EPA Est. No.

KEEP OUT OF REACH OF CHILDREN WARNING – AVISO

FIRST AID	
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 mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.
If swallowed	<ul style="list-style-type: none"> Call a 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 a poison control center or doctor. Do not give anything by mouth to an unconscious person.
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. Call a poison control center or doctor for 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.
HOTLINE 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.	

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals - WARNING - AVISO. May be fatal if inhaled. Do not breathe the vapor or spray mist. Harmful if swallowed or if absorbed through skin. Avoid contact with skin, eyes, or clothing. Causes moderate eye irritation. Remove and wash contaminated clothing before reuse. Wash 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, waterproof gloves, shoes plus socks, protective eyewear (goggles, face shield, or safety glasses), and a minimum of a NIOSH-approved elastomeric half mask respirator with organic vapor (OV) cartridges and a combined N, R, or P filter; OR a NIOSH-approved gas mask with OV canisters; OR a NIOSH-approved powered air-purifying respirator with OV cartridges and combination HE filters.

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 or Chemical Hazards

Do not use or store near heat or open flame.

Directions for Use

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Only for manufacturing/repackaging/formulating into an insecticide, for (1) For the following uses: 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), Leaf Petiole Vegetable Subgroup (Crop Subgroup 22B), Celtnuce, Florence Fennel, Vegetables, Tuberosus and Corm, Subgroup (Crop Subgroup 1C), Stone Fruit (Crop Group 12-12), Tree Nut (Crop Group 14-12), Persimmon, Pomegranate, 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.**

Storage and Disposal
 Do not contaminate water, food, or feed by storage or disposal.
STORAGE: Store in original container, and keep tightly closed when not in use. Store in a cool, dry place.
PESTICIDE DISPOSAL: Wastes resulting from the use of this product must be disposed on site or at an approved waste disposal facility.
CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. Empty completely. When emptied, offer for recycling if available or reconditioning if appropriate or puncture and dispose of in a sanitary landfill or by other procedures approved by state and local authorities
 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, 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

Net Contents:

[Manufactured in ____.] [formulated in ____.] [and] [packaged in ____] for:

NICHINO AMERICA, INC.

4550 Linden Hill Rd, Suite 501

Wilmington, DE 19808

MAS-466 06-20-2019