



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

MAY - 7 2009

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES
TOXIC SUBSTANCES

Ms. Sue-Chi Shen
Agent for Kureha Corporation
c/o Valent U.S.A. Corporation
2301 Ohio Drive, Suite 137
Plano, TX 75093

Subject: Metconazole Fungicide Technical
EPA Registration No. 72078-1
Your submission dated: November 15, 2007, revised label submitted
on May 4, 2009 – Adding new uses (corn, cotton, and canola)
Decision No. 820285

Dear Ms. Shen:

The label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act as amended is acceptable provided the following conditions are met:

- 1) Make the following label changes:
 - a) On page 1 above the company address, add the phrase "Manufactured for:"
 - b) On page 3, move the heading "Directions for Use" so that it is above the misuse statement "It is a violation of Federal law to use this product in a manner inconsistent with its labeling" and delete the heading "Instructions for Formulation" appearing at the top of page 3.
 - c) On page 3, delete the sentence "Buyer assumes all risks associated with the use of this product in any manner or under conditions not specifically directed or approved on this label" and delete the sentence "For formulation of metconazole containing fungicide products only" which appears in bold text as it is redundant.
 - d) On page 1, add the word "CAUTION" above the "Precautionary Statements".

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e) Delete the first sentence on page 4 under "Steps to be taken in case material is released or spilled".

2) Conditional Data Requirements:

a) 860.1360 – Multi-residue Method: an appropriate FDA multiresidue method testing metconazole. This is due by June 2009.

b) The following studies are due by September 2009: 72-1 – Freshwater Fish LC50 (both cold and warm fish); 72-2 – Freshwater invertebrate LC50; 72-3(c) - estuarine/marine invertebrate LC50; 72-4(a) – Fish early life stage (estuarine/marine)

c) Additional field trials are needed to obtain adequate geographic representation for sweet corn stover. Five additional field trials must be conducted for sweet corn stover in Zones 1, 3, 10, 11 and 12 (1 trial each). These trials will now have a due date of May 2010.

d) An immunotoxicity study is now required under the revised 40 CFR 158.340. This study will now have a due date of May 2010.

e) Additional data are required for 1,2,4-T, TA, and TAA reflecting frozen storage for up to 5 months in/on corn forage and stover, and for up to 6 months in/on cotton gin byproducts. This study is due May 2010.

f) Regarding the canola data requirements, a field trial was not conducted in "Zone 2". One field trial is needed in "Zone 2" to provide adequate geographic representation. This study is due May 2010.

One copy of the label stamped "Accepted, with comments" is enclosed for your records. Please submit one copy of the final printed label before the product is released for shipment. If you have any questions, please contact Tracy Keigwin of my team at (703) 305-6605 and/or via email at keigwin.tracy@epa.gov

Sincerely,



Mary L. Waller
Product Manager (21)
Fungicide Branch
Registration Division (7505P)

Enclosure: "Accepted with comments" label



Metconazole Fungicide Technical

THIS FUNGICIDE IS FOR FORMULATING USE ONLY.

Active Ingredient	By Wt.
Metconazole (5-(4-Chlorobenzyl)-2,2-dimethyl-1-(1H-1,2,4-triazol-1-ylmethyl)cyclopentanol) ..	97.0%
Other Ingredients	<u>3.0%</u>
Total	100.0%

EPA Reg. No. 72078-1

EPA Est. No.

KEEP OUT OF REACH OF CHILDREN

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS & DOMESTIC ANIMALS**

CAUTION

Harmful if swallowed, absorbed through skin or inhaled. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco. Avoid breathing (dust). Remove and wash contaminated clothing and wash clothing before reuse.

See the following pages for additional Precautionary Statements, First Aid, Directions for Use and Conditions of Sale and Warranty

Country of Manufacturer: Japan

NET CONTENTS _____

Kureha Corporation
3-3-2, Nihonbashi-Hamacho, Chuo-ku,
Tokyo 103-8552, Japan

**ACCEPTED
with COMMENTS
In EPA Letter Dated
May 7, 2009
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
72078-1**

ENVIRONMENTAL HAZARDS:

Do not discharge effluent containing this product 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.

PHYSICAL OR CHEMICAL HAZARDS:

Do not use or store near heat or open flame.

FIRST AID

- If swallowed:**
 - 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 the poison control center or doctor.
 - Do not give anything by mouth to an unconscious person.

- 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 further treatment advice.

- If in eyes:**
 - 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.

- If inhaled:**
 - 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.

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 **800-892-0099** for emergency medical treatment information.

INSTRUCTIONS FOR FORMULATION

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

READ ENTIRE LABEL. USE STRICTLY IN ACCORDANCE WITH PRECAUTIONARY STATEMENTS AND DIRECTIONS, AND WITH APPLICABLE STATE AND FEDERAL REGULATIONS.

Buyer assumes all risks associated with the use of this product in any manner or under conditions not specifically directed or approved on this label.

FOR FORMULATION OF METCONAZOLE CONTAINING FUNGICIDE PRODUCTS ONLY.

This product is intended only for use in the formulation of metconazole fungicide containing products. Products formulated with Metconazole Fungicide Technical will require registration with the Environmental Protection Agency.

DIRECTIONS FOR USE

Only For Formulation Into Fungicide Products Intended For The Following Uses:

Terrestrial Food Uses on: Barley, Canola, Cotton, Field Corn, Pop Corn, Sweet Corn, Oat, Peanut, Rye, Soybean, Sugar Beet, Triticale, Wheat, Tree Nuts including Pistachio (Crop Group 14), Stone Fruit (Crop Group 12)

Indoor Terrestrial Non-Food Uses On: Ornamental Plants in Indoor Nurseries including Greenhouses, Shadehouses and Lathhouses.

Outdoor Residential and Non-Residential Terrestrial Non-Food Uses On: Conifers, Deciduous Trees, Non-Bearing Fruit Trees, Non-Bearing Nut Trees, Non-Bearing Vines, Ornamental Plants, Shrubs, and Turfgrass including Athletic Fields, Golf Courses, Lawns, Landscape areas (around Residential, Institutional, Public, Commercial and Industrial Buildings), Parks, Recreational Areas and Sod Farms.

Uses for experimental purposes that are in compliance with USEPA requirements.

This product may be used to formulate products for specific use(s) not listed on the Technical label if the formulator, user group or grower has complied with U.S. EPA data submission requirements regarding the support of such use(s).

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STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage, disposal or cleaning of equipment.

PESTICIDE STORAGE

Keep pesticide in original container.
Store in a cool, dry, secure place.
Do not put formulation or dilute spray solution into food or drink containers.
Not for use by residents or storage in or around the home.
Do not contaminate food or foodstuffs.
Do not store or transport near feed or food.
For help with any spill, leak, fire or exposure involving this material, call day or night (800) 892-0099.

PESTICIDE DISPOSAL

Wastes resulting from the use of this product maybe disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL

Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

In Case of Emergency

In case of large-scale spillage regarding this product, call:
CHEMTRAC 800-424-9300
Valent U.S.A. Corporation 800-892-0099

In case of medical emergency regarding this product, call:

- 1. Your local doctor for immediate treatment.
- 2. Your local poison control center (hospital).
- 3. Valent U.S.A. Corporation - 800-892-0099

Steps to be taken in case material is released or spilled:

Wear an approved respirator for this product to prevent inhalation. Dike and contain spill with inert material (sand, earth, etc.) and transfer liquid and solid material to separate labeled containers for disposal. Remove contaminated clothing and wash affected skin areas with water. Wash clothing before reuse. Keep spill out of all sewers and open bodies of water.

Conditions of Sale and Warranty

Kureha Corporation warrants that this product conforms to the chemical description on the label and the specifications thereof.

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Kureha Corporation MAKES NO OTHER EXPRESS OR IMPLIED WARRANTIES INCLUDING THE WARRANTY OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

Handling, storage and use of the product by Buyer are beyond the control of Kureha Corporation, and, to the extent consistent with applicable law, Kureha Corporation shall not be liable for, and Buyer assumes responsibility for, all material, whether the same is used alone or in combination with other substances.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, KUREHA CORPORATION SHALL NOT BE RESPONSIBLE FOR SPECIAL INCIDENTAL OR CONSEQUENTIAL DAMAGES WHETHER BUYER'S CLAIM IS IN CONTRACT, NEGLIGENCE OR OTHERWISE.

To the extent consistent with applicable law, Buyer assumes all risks associated with the use of this product in any manner or under conditions not specifically directed or approved on this label.

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