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08-06-2007

1/5



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

WASHINGTON, D.C. 20460

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

Kris Venkatesh, PhD, agent  
For Nations Ag II, LLC  
Makhteshim Agan of North America, Inc.  
4515 Falls of Neuse Road, Suite 300  
Raleigh, NC 27609

AUG - 6 2007

SUBJECT: Amendment to Label  
Nations Ag II Chlorothalonil Technical  
EPA Reg. No. 72167-2  
Your Submission Dated January 12, 2007 and Resubmission of March 9, 2007

Dear Dr. Venkatesh:

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

1. On page 1, in the Note to Physician statement, the word "probably" should be changed to "probable."
2. On page 2, in the For Formulation Purposes Only section, fourth line, item 1, the word "or" should be changed to "of".
3. Delete "municipal parks" because these turf sites are not approved.
4. For cabbage/cole crops and cucurbits, list each crop for which this this product is approved in 40 CFR. Alternatively if the product was approved for each entire crop group, provide evidence and no change is required.
5. Change "may be a potential skin sensitizer" to the standard statement "Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals."
6. In the warranty statement, add "To the extent consistent with applicable law" before "all such risks...."

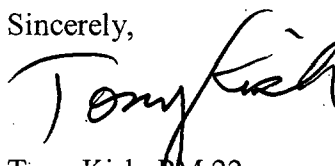
2

2/5

Submit one copy of your revised final printed labels within 30 days from the date of this letter.

If you have any questions regarding this correspondence, contact Rose Kearns of my staff by phone at 703-305-5611 or via email at [kearns.rosemary@epa.gov](mailto:kearns.rosemary@epa.gov) or myself at 703-308-9443 or via email me at [kish.tony@epa.gov](mailto:kish.tony@epa.gov).

Sincerely,



Tony Kish, PM 22  
Fungicide Branch  
Registration Division (7504P)

Enclosure



4/5

**PRECAUTIONARY STATEMENTS**  
**Hazards to Humans and Domestic Animals**

Danger: Corrosive. Causes severe eye damage. May be fatal if inhaled; do not breathe dust. May be a potential skin sensitizer. Do not get in eyes or on clothing. Harmful if swallowed or absorbed through the skin.

Wear any NIOSH-approved respirator with an N, R, P, or HE filter. Wear goggles or a face shield, chemical-resistant gloves such as nitrile, butyl rubber or natural rubber, long sleeved shirt and long pants when handling this product. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

**ENVIRONMENTAL HAZARDS**

This product is toxic to fish and wildlife. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with 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.

**DIRECTIONS FOR USE**

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

**NOTE TO USER:** Chlorothalonil Technical may produce temporary allergic side effects characterized by redness of the eyes, mild bronchial irritation, and redness or rash on exposed skin areas. Persons having allergic reaction should contact a physician.

**FOR FORMULATION PURPOSES ONLY:** This product is intended for use only by formulators in preparing end-use fungicides.

When manufacturing wettable powder formulations: This product may only be used to manufacture wettable powder formulations that 1) are packaged in water soluble packets, the outside of which contain a pictogram depicting that users should not cut, rip, or tear; or 2) bear the labeling "For use in closed mixing/loading systems only."

This product must not be formulated into products labeled for use on turf sites frequented by children such as home lawns; non-residential turf sites around apartment buildings, daycare centers, playgrounds, parks, athletic fields, campgrounds, schools, churches, theme parks; or similar sites.

Do not use for formulating into products intended for sod farm uses at application rates greater than 13 pounds of active ingredient per acre per year.

This product may be formulated into end-use fungicides having the following use sites:

1. Field and row crops: asparagus, beans (snap and dry), cabbage and other cole crops, carrots, celery, corn, cucurbits, grasses grown for seed, mint, mushrooms, onion (garlic, leek, shallots), parsnips, peanuts, potatoes, soybeans, and tomatoes.
2. Fruit and tree crops: almonds, blueberries, cranberry, filberts, mango, papaya, passion fruit, pistachios, stone fruit (peach, nectarine, apricot, cherry, plum, prune), pine and spruce in forest stands, Christmas tree plantations, and nurseries.
3. Ornamental plants: A wide range of ornamental plants species grown in field, nursery, and greenhouses.
4. Grasses grown on sod farms, golf courses (tees, fairways, greens) and municipal parks

This product must not be formulated into a product intended as a mildewcidal paint additive for direct sale to retail customers, e.g. in a "pillow pack" or other small volume or one-use package. This product must not be used to formulate products for use as in-container preservatives. This product may only be formulated into mildewcidal paint additive products that are labeled as follows: The product may only be added to paint products that are labeled A) with product-specific instructions for the use of a respirator during applications, or B) as follows: "When applying with a sprayer, wear a dust/mist filtering respirator (MSHA/NIOSH approval number TC-21C) or a NIOSH approved respirator with any R, P, or HE filter." If oil is not present in the paint product or recommended for use as an additive in the paint product, add "N" as an additional respirator type.

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

**STORAGE AND DISPOSAL**

Do not contaminate water, food, or feed by storage or disposal. Open dumping is prohibited.

**PESTICIDE STORAGE:** Store in cool dry area. Protect from excessive heat.

5/5

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. Improper disposal of excess pesticide or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instruction, contact your State Pesticide or Environmental Control Agency or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

**CONTAINER DISPOSAL:** Completely empty container into formulation equipment. Then dispose of empty container in sanitary landfill or by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

#### **LIMITATION OF WARRANTY AND LIABILITY**

Read the entire Directions for Use, Conditions of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

**CONDITIONS:** The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Nations Ag II, LLC. All such risks shall be assumed by the user or buyer.

**DISCLAIMER OF WARRANTIES:** To the extent consistent with applicable law, Nations Ag II, LLC makes no other warranties, express or implied, of merchantability or of fitness for a particular purpose or otherwise, that extend beyond the statements made on this label. No agent of Nations Ag II, LLC is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. To the extent consistent with applicable law, Nations Ag II, LLC disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

**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 Nations Ag II, LLC's election, the replacement of product.