

73631-2

03-03-2011

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

MAR 3 - 2011

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Dr. Paul D. Smith
SRM Chemical, Ltd. Co.
1436 Second Street, Ste. 331
Napa, CA 94558

Subject: Label Notification(s) for Pesticide Registration Notice 98-10
1. Typographical error

Dear Dr. Smith:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 and 98-10 dated January 17, 2011 for:

EPA Registration 73631-2

FLU-PRO EC

The Registration Division (RD) has conducted a review of this request for applicability under 98-10 and finds that the label change(s) requested falls within the scope of PRN 98-10. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Nicole Williams of my staff at 703-308-5551.

Sincerely,

A handwritten signature in black ink that reads "Paul J. Mastradone".

Paul J. Mastradone, Ph.D.
Acting Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

EPA	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company / Product Name 73631-2	2. EPA Product Manager Tony Kish	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company / Product (Name) Flu-Pro EC	PM# 22	
5. Name and Address of Applicant (Include ZIP Code) SRM Chemical, Ltd. Co. 1436 Second Street, Suite 331 Napa, CA 94558 <input type="checkbox"/> check if this is a new address		6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(I), my product is similar or identical in composition and labeling to: EPA Reg No. _____ Product Name _____

Section II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____.
<input type="checkbox"/> Resubmission in response to Agency letter dated _____.	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
Notification of Change in Container Disposal Statements, per PR Notice 2007-4.
 This notification is consistent with the provisions of PR Notices 98-10 and 2007-4, and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notices 98-10 and 2007-4 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Section - III

1. Material This Product Will Be Packaged In:

Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted		If "Yes" Unit Packaging wgt No. Per container	If "Yes" Packaging wgt No. Per container


3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container 1 gallon	5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input checked="" type="checkbox"/> On Labeling accompanying product
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6. Manner in Which Label is Affixed to Product
 Lithograph Other
 Paper glued
 Stenciled

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name Paul D. Smith	Title President	Telephone No. (Include Area Code) (707)-265-8550
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Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.			6. Date Application Received (Stamped)
2. Signature 	3. Title President		
4. Typed Name Paul D. Smith	5. Date April 14, 2010		

FLUPRO[®]-EC

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FOR CONTROL OF SUCKERS ON TOBACCO

Net contents:

COMPOSITION

Active Ingredient: (% by weight)	
flumetralin (2-chloro-N-[2,6-dinitro-4-(trifluoromethyl)phenyl]-N-ethyl-6-fluorobenzenemethanamine).....	13.7%*
Other Ingredients**:	86.3%
Total:	100.0%

*contains 1.2 lb. active ingredient per gallon, or 144 grams active ingredient per liter

**contains petroleum distillate

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 ON SKIN OR ON CLOTHING | <ul style="list-style-type: none">• Take off contaminated clothing.• Rinse skin immediately with plenty of water for 15 to 20 minutes.• Call a poison control center or doctor for treatment advice. |
| IF SWALLOWED | <ul style="list-style-type: none">• Immediately call a poison control center or doctor.• Do not induce vomiting unless told to do so by a poison control center or doctor.• Do not give <u>any</u> liquid to the person.• 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 to 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. |

NOTE TO PHYSICIAN: Contains petroleum distillate. Vomiting may cause aspiration pneumonia. Probable mucosal damage may contraindicate the use of gastric lavage.

EMERGENCY ASSISTANCE: Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

EMERGENCY PHONE	707-265-8550
SAFETY DATA AND INFORMATION	707-265-8550
TRANSPORTATION EMERGENCY (CHEMTREC)	800-424-9300

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING • AVISO

Causes skin irritation. Harmful if swallowed or absorbed through skin. Causes moderate eye irritation. Do not get on skin or on clothing. Avoid contact with eyes. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals. Wash thoroughly with soap and water after handling.

PERSONAL PROTECTIVE EQUIPMENT (PPE):

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category G on an EPA chemical resistance category selection chart.

Applicators and Other Handlers Must Wear: Long-sleeved shirt and long pants; chemical-resistant gloves made of any waterproof material, such as nitrile, butyl, Neoprene or barrier laminate; chemical-resistant footwear plus socks.



Manufactured for:
SRM Chemical Ltd. Co.,
1436 Second Street, Suite 331
Napa, CA 94559 USA

EPA Reg. No. 73631-2

EPA Est. No.

002

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. Follow manufacturer's instructions for cleaning and maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry. When handlers use closed systems or enclosed cabs in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-5)], the handler PPE requirements may be reduced or modified as specified in the WPS.

USER SAFETY RECOMMENDATIONS

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

ENVIRONMENTAL HAZARDS

This product is **toxic to fish**. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water by disposal of equipment washwaters.

Use coarse spray only, directed down tobacco stalk. Do not use fine sprays. Avoid drift to adjacent crops as injury may result.

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. Read all label directions carefully before use.

Do not apply this product through any type of irrigation system.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the **restricted entry interval (REI) of 24 hours**.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is:

- long-sleeved shirt and long pants; chemical-resistant gloves made of any waterproof material, such as nitrile, butyl, Neoprene, or barrier laminate; chemical-resistant footwear plus socks; protective eyewear (goggles, face shield or safety glasses).

FAILURE TO FOLLOW THE DIRECTIONS FOR USE AND PRECAUTIONS CONTAINED IN THIS LABEL MAY RESULT IN POOR SUCKER CONTROL AND/OR CROP INJURY.

FOR USE ON TOBACCO

FLUPRO®-EC is a plant growth regulator for control of suckers on flue-cured, burley, Maryland, and cigar tobacco.

Read this label carefully and observe all directions and precautions. FLUPRO-EC mixes readily with water to form a yellow, creamy emulsion. If a spray mixture is allowed to stand several hours, agitate thoroughly before resuming treatments.

Note: Do not mix FLUPRO-EC with insecticides or fungicides. See APPLICATION NOTES for additional important information.

APPLICATION EQUIPMENT

FLUPRO-EC may be applied with motorized field sprayers (high-clearance or tractor-mounted) equipped with solid-cone nozzles that deliver a coarse spray. For example, a three solid-cone nozzle arrangement directed over the row, operating at 20 to 25 pounds per square inch (psi), delivers a coarse spray that runs down the stalk and wets suckers in the leaf axils.

This product may also be applied to individual plants by using a hand-held dropline, a knapsack sprayer, or jug application.

All sprayers should be equipped with a pressure regulator and pressure gauge.

TIMING OF APPLICATION

ON FLUE-CURED TOBACCO, apply FLUPRO-EC 5 to 7 days after the last fatty alcohol contact treatment.

ON AIR-CURED (BURLEY, MARYLAND, CIGAR) TOBACCO, FLUPRO-EC may be applied just before or immediately after topping. If this product is applied after topping, apply within 24 hours of topping.

Top leaves to be harvested should be at least 8 inches long at treatment time. All suckers greater than 1 inch long should be removed by hand prior to treating with this product. Any suckers that were shielded and escaped treatment should be removed by hand two to three weeks after treatment.

Sucker control may not be consistent within a field if tobacco plants are not uniform when treated. In fields where a contact material (fatty alcohol) has not been used and a wide range of flowering exists, early flowering plants should be topped and suckers removed by hand. Then, when most plants are in the elongated button to early flower stage, remove all suckers one inch or longer from all plants, and then apply FLUPRO-EC. If this product is applied using precision hand application, early flowering plants can be topped and treated selectively; later flowering plants can be topped and treated as they reach the proper treatment stage; and a contact may not be needed.

METHOD AND RATE OF APPLICATION

Apply this product alone or in a tank mix with ROYAL MH-30® or other maleic hydrazide product. Consult with you local Extension Service tobacco specialist for recommended treatment in your area. For all application methods, excess mixture should not be allowed to reach the ground line and puddle around the base of each plant.

A. TANK MIXES WITH ROYAL MH-30 or other maleic hydrazide product.

Before using any tank mix combination, carefully read and follow the label directions of all products used.

Mix 2 quarts of FLUPRO-EC with 1/2 to full rate of ROYAL MH-30 (or other maleic hydrazide product), in sufficient water to total 50 gallons. Remove all suckers one inch long or longer and apply at the recommended time for application of maleic hydrazide. Apply the mixture as a coarse spray at a volume of 50 gallons/A with a spray pressure maintained at 20 to 25 psi. For best results, follow precautions and restrictions on the FLUPRO-EC and maleic hydrazide labels.

Application sequence: (1) Apply contact material according to its label directions. (2) After removing all suckers one inch long or longer, apply the tank mix of FLUPRO-EC and maleic hydrazide at the timing suggested on the maleic hydrazide product label. (3) Make only one application of the tank mixture of FLUPRO-EC plus maleic hydrazide per tobacco crop.

B. SEQUENTIAL TREATMENT PROGRAMS

WHEN APPLIED BEFORE MALEIC HYDRAZIDE TREATMENT:

Apply 2 quarts of this product in 49.5 gallons of water per acre at the elongated button to early flower growth stage. Apply as a coarse spray. Top leaves to be harvested should be at least 8 inches long at treatment time. Five to seven days later, apply ROYAL MH-30 or other maleic hydrazide product according to label directions, precautions and restrictions.

WHEN APPLIED AFTER MALEIC HYDRAZIDE TREATMENT:

Apply the regular schedule of contact sucker chemicals. Follow with ROYAL MH-30 or other maleic hydrazide product according to label directions, precautions and restrictions. About 3 weeks later, remove all suckers one inch long or longer and apply FLUPRO-EC at 2 quarts in 49.5 gallons of water per acre. Apply as a coarse spray to get rundown on the stalk. To increase effectiveness for extended control, you may add a commercial non-ionic surfactant similar to X-77® or R-11® at the rate of 1 quart per 100 gallons of spray solution (0.25%). The commercial surfactant must be cleared for application to growing crops.

®X-77 is a registered trademark of Loveland Industries, Inc.

®R-11 is a registered trademark of Wilbur-Ellis Company

C. USED ALONE

One application of FLUPRO-EC will provide full season control of excessive sucker development in tobacco. Remove all suckers one inch long or longer before application.

WHEN USING MOTORIZED SPRAYERS OR HAND-HELD DROPLINES, mix 1 gallon FLUPRO-EC in 49 gallons of water and apply at a rate of 30 to 50 gallons spray volume per acre. Use the higher spray volume in tall types of tobacco, such as flue-cured, burley, Maryland, and cigar. Use the lower spray volume only in short types of tobacco, such as dark. Apply only once per season. Spray volume should be sufficient to run down the stalk, contacting each leaf axil and just reach the ground line. Excessive spray volume beyond the point of runoff to the soil may result in carryover injury to rotational crops.

Apply FLUPRO-EC as a coarse spray directed downward to the top of the tobacco stalk. With motorized sprayers, this is best accomplished with 3 full cone nozzles per row; one nozzle directed downward over the center of the row and one 7 to 9 inches to each side of the center, directed at the top of the stalk. Maintain nozzles at a height of 12 to 18 inches above the top of the stalk during application. Maintain boom pressure at 20 to 25 psi, not exceeding 30 psi.

WHEN APPLYING THIS PRODUCT USING THE KNAPSACK SPRAYER OR JUG METHOD, mix 2.5 fluid ounces of FLUPRO-EC per gallon of water and apply about one-half fluid ounce of spray mixture per plant. Apply the spray mixture at a rate sufficient to run the stalk, contacting each leaf axil and just reach the ground line. Excessive spray volume may result in carryover injury to rotational crops. Do not exceed 30 gallons spray volume per acre when using hand application methods. One gallon of spray mixture should treat about 250 plants.

APPLICATION NOTES

1. Apply FLUPRO-EC only once per tobacco crop, whether in tank-mix combination, in sequence, or alone. Do not mix with insecticides or fungicides.
2. Carefully follow the use rates and spray volume recommended, and spray field uniformly. Volume should be sufficient to run down the stalk, contact the leaf axil, and just reach the ground line.
3. This product is most effective when the spray contacts the sucker buds directly. In fields where tobacco plants are lodged or leaning, plants should be straightened prior to treatments, so spray mixture runs down the stalk evenly and contacts all sucker buds. FLUPRO-EC will not control large suckers. **All suckers one inch or longer on all plants must be removed before application.** Suckers that escape treatment should be removed by hand about two to three weeks after application.
4. Timing is important. For best results, applications should be made at timing described above. Applications made before the elongated button stage of growth may result in chemical topping or distortion of leaves that were too immature at time of application. Immature leaves that are less than 8 inches long at the time of treatment with this product may develop cupped or curled appearance. Spraying too late may result in poor sucker control.
5. Rain occurring more than **two hours** after FLUPRO-EC treatments should not affect the effectiveness of this product. Refer to labels of tank mix partner products for any additional rain-free precautions.
6. Applying treatments to wet plants immediately after heavy rain or when there is heavy dew is not recommended.
7. Plants that are under drought stress when treated may not respond to sucker control products properly.
8. Applying treatments on windy days is not recommended, as sprays may not be deposited uniformly on the leaf axils and sucker buds.

IMPORTANT PRECAUTIONS

To avoid illegal residues and possible injury to rotational crops planted in the autumn or following spring, do not apply excessive spray volume to the point of runoff onto the soil. FLUPRO-EC residues in the soil may interact with dinitroaniline herbicides (such as Treflan® or Prowl®) to increase early season stunting. Thorough disking and deep tillage in the autumn are recommended where an excessive amount of FLUPRO-EC may have reached the soil.

When tobacco is in a state of very rapid, succulent growth, due to high nitrogen and rainfall, FLUPRO-EC may cause crop injury. Under these conditions, use only by hand application (e.g., hand-held dropline, knapsack sprayer, or jug application), and avoid contacting the leaves with the spray solution.

Treflan® is a registered trademark of Dow AgroSciences

Prowl® is a registered trademark of BASF

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Do not store near fertilizers, seeds, insecticides or fungicides. Store in original container only. After partial use, replace lid and close tightly. Store in a secure place that is temperate and dry. Store above 32°F.

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

For minor spills, leaks, etc., follow all precautions provided in this label and clean up immediately. Take special care to avoid contamination of equipment and facilities during cleanup and disposal of wastes. In the event of a major spill, fire, or other emergency, call 1 (707) 265-8550.

CONTAINER DISPOSAL

Nonrefillable Container

Plastic Containers: Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Then offer container for recycling, reconditioning, or puncture and dispose of in a sanitary landfill, by incineration, or if allowed by State and local authorities, by burning. If burned, stay out of smoke.

Triple rinse as follows: For containers with capacities equal to or less than 5 gallons: Empty the remaining contents into application or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

Recycling: Once cleaned, some agricultural plastic pesticide containers can be taken to a container collection site or picked up for recycling. To find the nearest site, contact your chemical dealer or manufacturer, or contact the Ag Container Recycling Council (ACRC) at 1-877-952-2272 (toll free) or www.acrecycle.org.

IMPORTANT NOTICE—Seller warrants that this product conforms to its chemical description and is reasonably fit for the purposes stated on the label when used in accordance with the directions and instructions specified on the label under normal conditions of use, but neither this warranty nor any other warranty of merchantability or fitness for a particular purpose, express or implied, extends to the use of this product, contrary to label instructions, or under conditions not reasonably foreseeable to seller, and to the extent consistent with applicable law, the buyer assumes the risk of any such use.

® FLUPRO is a registered trademark of SRM Chemical Ltd. Co.

® MH-30 is a Registered Trademark of Chemtura Corporation

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U.S. Patent Nos. 6,018,079 and 6,137,009