



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

JUL 29 2008

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Jane Rothwell
Irvita Plant Protection N.V. c/o MANA, Inc.
4515 Falls of Neuse Rd., Suite 300
Raleigh, NC 27609

Subject: Tebuconazole Technical
EPA Registration No. 74054-4
Decision 369610
Your Submission dated July 28, 2008

Dear Ms. Rothwell:

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

LABEL REVISIONS

- 1) Revise the first sentence of your "Environmental Hazards" statement to read "This pesticide is toxic to mammals, fish and aquatic invertebrates".
- 2) Revise the terrestrial food crop use sites listed in the Directions for Use as follows: bananas, barley (seed and foliar treatment), brassica leafy greens subgroup 5B, bulb vegetable crop group 3-07A and 3-07B, cherries, grapes, grasses grown for seed, nectarines, oats (seed and foliar treatment), peaches, peanuts, and wheat (seed and foliar treatment).
- 3) Delete "coatings" and "paint systems" from the industrial preservative use sites listed in the Directions for Use.
- 4) Revise the last sentence in the Limitation of Warranty and Liability, Conditions, to read "To the extent consistent with applicable law, all such risks shall be assumed by the user or buyer."

CONDITIONS OF REGISTRATION

As a condition of registration, you must submit or cite data to satisfy the following data gaps in the timeframe specified below:

- 1) Submit barley field trial data from regions 10 and 11 (along with concurrent storage stability data on barley straw). Submission Due by: December 2011
- 2) Comply in the timeframe specified with the future Agency Data Call-in for all triazole derivative active ingredients.
- 3) Submit a Whole Sediment Toxicity Study for benthic invertebrates. Submission due by: December 2011.
- 4) Submit Aerobic and Anaerobic Aquatic Metabolism Studies. Submission due by: December 2011.
- 5) Submit one additional field trial for mustard greens conducted in Zone 3. Submission due by: December 2011.
- 6) Submit one copy of the final printed label before the product is released for shipment.

One copy of the label stamped "Accepted, with comments" is enclosed for your records. 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

3 8 5

TEBUCONAZOLE TECHNICAL FUNGICIDE

FOR USE IN THE MANUFACTURE OF FUNGICIDES

ACTIVE INGREDIENT:	% BY WT.
Tebuconazole: alpha-[2-(4-chlorophenyl)ethyl]-alpha-(1,1-dimethylethyl)-1H-1,2,4-triazole-1-ethanol.....	98.0%
OTHER INGREDIENTS:	2.0%
	TOTAL 100.0%

EPA Reg. No. 74054-4

EPA Est. No. [REDACTED]

Manufactured for:
Irvita Plant Protection, N.V.
Pos Cabai Office Park, Unit 13, P.O.B. 403
CURACAO, NETHERLANDS ANTILLES

Net Contents: 1102 Pounds

KEEP OUT OF REACH OF CHILDREN WARNING

FIRST AID

- | | |
|--------------------------------|--|
| 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. |
| 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 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. |
| IF SWALLOWED: | <ul style="list-style-type: none">• Call a poison control center or doctor for further treatment advice.• Call a poison control center or doctor immediately for further treatment advice.• Do not induce vomiting unless told to do so by a poison control center or doctor.• Have person sip a glass of water if able to swallow.• Do not give anything by mouth to an unconscious person. |

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact PROSAR at 1-877-250-9291 for emergency medical treatment information.

Note to Physician: No specific antidote is available. Treat symptomatically.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS WARNING

May be fatal if inhaled. Harmful if swallowed. Causes eye irritation. Do not breathe dust and avoid contact with eyes or clothing. Wear a mask or pesticide respirator jointly approved by the Mine Safety and Health Administration and the National Institute for Occupational Safety and Health. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to estuarine invertebrates. 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 the 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.

Formulators using this product are responsible for obtaining EPA registration for their formulated product.

Only for formulation into a fungicide for the following uses:

1. **TERRESTRIAL FOOD CROPS:** bananas, barley, cherries, grapes, grasses grown for seed, nectarines, oats, peaches, peanuts, wheat, dry bulb onion, garlic, great-headed (elephant) garlic, Welch onion, shallot, green onion, leek, spring onion, scallion, Japanese bunching onion, green shallots, green eschalots, leafy brassica greens (including broccoli raab, Chinese cabbage (bok choy), collards, kale, mizuna, mustard greens, mustard spinach, rape greens, turnip greens), garden beet
TERRESTRIAL NONFOOD CROPS: Roses, Flowers, Ornamental Trees and Shrubs, Groundcovers, Vines, Houseplants
MILLWORK: Window frames, wood doors, door frames, etc.
WOOD STAINS (Preservative Incorporation): Wood siding, lumber, plywood, particleboard, wood decks, wood furniture (outdoor)
IN-GROUND CONTACT USES: Wood products for in-ground uses (pilings, telephone poles, wood building materials, etc.)
SAPSTAIN CONTROL: Fresh cut lumber
INDUSTRIAL PRESERVATIVE USES: Plastics, coatings and paint systems, glues and adhesives, metalworking fluids
2. Uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and
3. Uses for experimental purposes that are in compliance with USEPA requirements.

RESTRICTIONS: Do not package Tebuconazole Technical in metal containers.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Store in original container and out of the reach of children, preferably in a locked storage area.

Handle and open container in a manner as to prevent spillage. If the container is leaking or material spilled for any reason or cause, carefully sweep material into a pile. Refer to Precautionary Statement on label for hazards associated with the handling of this material. Do not walk through spilled material. Dispose of pesticide as directed below. In spill or leak incidents, keep unauthorized people away.

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 instructions, contact your State Pesticide or Environmental Control Agency or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: Do not use container in connection with food, feed, or drinking water. Completely empty container into the processing equipment. Then dispose of empty container in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke. In the event of a major spill, fire, or other emergency, contact INFOTRAC at 1-800-535-5053.

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 Irvita Plant Protection N.V. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: To the extent consistent with applicable law, Irvita Plant Protection N.V. 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 Irvita Plant Protection N.V. is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. To the extent consistent with applicable law, Irvita Plant Protection N.V. 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 Irvita Plant Protection N.V.'s election, the replacement of product.

Tebuconazole Technical (74054-4)(to EPA 7-28-08)

**ACCEPTED
with COMMENTS
In EPA Letter Dated:**

JUL 29 2008

**Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.**

74054-4