

80289-8

12/15/2008

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

DEC 15 2008

Mel Graben
Isagro S.p.a.
430 Davis Dr., Suite 240
Morrisville, NC 27560

Subject: Mettele 125 ME Fungicide
EPA Reg. No. 80289-8
Your Submission of March 22, 2007 – Adding the new use, grapes
OPP Decision Number 365789

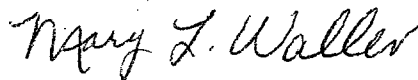
Dear Mr. Graben:

The amendment referred to above, submitted in connection with registration under Section (3) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) as amended is acceptable provided the following revisions are made:

1. In the ingredient statement on page 1, line up the percentage decimal points.
2. On page 1, change "80289-" to "80289-8".
3. On page 2, move the Spanish statement in the precautionary statement section to the first page immediately below the signal word.
4. On page 2, delete the extra period after the second sentence in the precautionary statements.
5. On page 3, in the General Information section, add the following text to the end of item #2. Tank mixtures: "Follow the more restrictive labeling for any tank mix partner. Do not mix with any product which contains a prohibition on tank mixing."
6. On page 8, revise the first sentence, fourth paragraph from the bottom to read "To the extent consistent with applicable law, ISAGRO or seller shall not be liable for any. . .".

Submit one copy of the final printed label before the product is released for shipment. One copy of the label stamped "Accepted" is enclosed for your records. If you have any questions, please contact Lisa Jones by phone at (703) 308-9424 or via email at jones.lisa@epa.gov.

Sincerely,



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

Enclosure

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METTLE™ 125ME Fungicide

Active Ingredient:
 Tetraconazole* 11.6%
 Other Ingredients 88.4%
 Total 100.0%
 *1-[2-(2,4-dichlorophenyl)-3-(1,1,2,2-tetrafluoroethoxy)propyl]1H-1,2,4-triazole
 Contains 1 lb active ingredient (tetraconazole) per gallon

METTLE 125ME is a trademark of Isagro USA, Inc.

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID	
IF SWALLOWED:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have affected person sip a glass of water if able to swallow. • Do not induce vomiting unless told by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
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 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.
Have the product container or label with you when calling a poison control center or doctor or going for treatment.	
For Chemical Emergency Spill Leak Fire Exposure or Accident Call CHEMTREC Day or Night Domestic North America 800-424-9300 International 703-527-3883 (collect calls accepted) [See (back) (side) panel for precautionary statements]	

EPA Registration No.: 80289-_____

Manufactured by Isagro SpA for:



Isagro USA, Inc.
 430 Davis Drive, Suite 240
 Morrisville NC 27560

ACCEPTED
with COMMENTS
In EPA Letter Dated:

12/15/2008

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

EPA Establishment No. _____
 NET CONTENTS: 2.5 GALLONS

80289-8

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Other Ingredients	88.4%
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EPA Registration No.: 80289-_____

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Isagro USA, Inc.
430 Davis Drive, Suite 240
Morrisville NC 27560

EPA Establishment No. _____
NET CONTENTS: 2.5 GALLONS

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**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS (AND DOMESTIC ANIMALS)**

CAUTION / PRECAUCION

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. [If you do not understand this label, find someone to explain it to you in detail.]

Harmful if swallowed or absorbed through the skin. Causes moderate eye irritation. . Avoid contact with eyes, skin, and clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco.

PERSONAL PROTECTIVE EQUIPMENT (PPE): Some materials that are chemical resistant to this product are barrier laminate, butyl rubber ≥ 14 mils, nitrile rubber ≥ 14 mils, polyvinyl chloride (PVC) ≥ 14 mils, and viton ≥ 14 mils. If you want more options, follow the instructions for category C on an EPA chemical-resistant category selection chart. Applicators and other handlers must wear:

- Long sleeved shirt and long pants
- Shoes plus socks
- Chemical resistant gloves

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

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.

Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS:

This product may be toxic to fish and aquatic invertebrates. Do not apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean high water mark. Drift or runoff from treated areas may be hazardous to aquatic organisms adjacent to treatment areas. Exercise caution when making applications of METTLE 125ME and do not apply when atmospheric conditions favor drift or runoff. Do not contaminate water when disposing of equipment wash waters or rinsate.

DIRECTIONS FOR USE

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

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 instruction 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 12 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:

- Coveralls
- Chemical resistant gloves
- Shoes plus socks

GENERAL INFORMATION

METTLE 125ME is formulated as a one pound active ingredient per gallon micro emulsion (ME). The active ingredient in METTLE 125ME is tetraconazole, a triazole fungicide (Group 3) that works by inhibiting demethylation and other processes in sterol biosynthesis. Tetraconazole is a systemic, protectant and curative fungicide and is absorbed quickly into the plant tissue. Optimal disease control is achieved when METTLE 125ME is applied in a regularly scheduled spray program.

Pest Management Strategies

1. **IPM:** Integrate METTLE 125ME into a comprehensive disease and pest management program. Follow cultural practices known to reduce disease development. Consult your local extension specialist, pest control adviser and/or Isagro representative for additional IPM strategies established for your area. Use METTLE 125ME in Agricultural Extension advisory (disease forecasting) programs, which recommend application timing based on environmental factors favorable for disease development.
2. **Tank mixtures:** METTLE 125ME may be used in tank mixtures with fungicides having a different mode of action which are registered/permitted for the same use and are effective against the target pathogen. Tank-mixing METTLE 125ME with other Group 3 fungicides is not recommended.

RAINFASTNESS

METTLE 125ME is rainfast 2 hour after application. **Do not** apply if rain is expected within 2 hours of application or disease control may be reduced.

COMPATIBILITY OF MIXTURES

METTLE 125ME is believed to be compatible with most commonly used agricultural fungicides, insecticides, growth regulators, micronutrients and adjuvants. When preparing tank mixtures, user should consult spray compatibility charts available from State Cooperative Extension Service Specialists. It is always advisable to conduct a spray tank compatibility test before mixing this product with other products. To determine the physical compatibility of METTLE 125ME conduct a simple jar test as follows:

1. Add 1 pt. of water to a quart jar. The water should be from the same source and temperature as which will be used in the spray tank mixing operation.
2. Add 1 ml of METTLE 125ME to the quart jar; gently mix until product goes into suspension.
3. Add the proportionate amount of the mix product(s), with agitation. Add 1 ml of a non-ionic surfactant (if being used) first, then dry formulations, then flowables, and then emulsifiable concentrates.
4. Place cap on jar, invert 10 times, let stand for 15 minutes, evaluate.
5. An ideal tank-mix combination will be uniform and free of suspended particles. If any of the following conditions are observed the mixture should not be used:
 - a) Layer of oil or globules on the mixture's surface.
 - b) Flocculation: fine particles in suspension or as a layer on the bottom of the jar.
 - c) Clabbering: Thickening texture (coagulated) like gelatin.
6. It is recommended that combinations be used on a small number of plants before treating large areas.

SPRAYER PREPARATION

Before applying METTLE 125ME start with clean, well maintained application equipment. The spray tank, as well as all hoses and booms, must be cleaned to ensure no residue from the previous spraying operation remains in the sprayer. The spray equipment must be cleaned according to the manufacturer's directions for the last product used before the equipment is used to apply METTLE 125ME. If two or more products were tank mixed prior to METTLE 125ME application, follow the most restrictive cleanup procedure.

Frequently check all application equipment (pressure, nozzles) to ensure complete coverage of the target crop and accurate rate of pesticide application.

MIXING INSTRUCTIONS

1. Fill clean spray tank 1/2 to 2/3 of desired level with clean water.
2. While agitating, slowly add the METTLE 125ME to the spray tank. Agitation should create a rippling or rolling action on the water surface.
3. If tank-mixing METTLE 125ME with other labeled pesticides, add water soluble bags first, followed by dry formulations, flowables, emulsifiable concentrates, and then solutions.
4. Add any required adjuvants.
5. Fill spray tank to desired level with water. Agitation should continue until all spray solution has been applied.
6. Mix only the amount of spray solution that can be applied the day of mixing. METTLE 125ME should be applied within 24 hours of mixing.

SPRAYER CLEANUP

Clean spray equipment each day following METTLE 125ME application. After METTLE 125ME is applied; use the following steps to clean the spray equipment:

1. Completely drain the spray tank, rinse the sprayer thoroughly, including the inside and outside of the tank and all in-line screens.
2. Fill the spray tank with clean water and flush all hoses, booms, screens and nozzles.
3. Drain tank completely.
4. Remove all nozzles and screens and rinse them in clean water.

SPRAY DRIFT MANAGEMENT

The interaction of many factors including equipment and weather during application determines the potential for spray drift. Applicators are responsible for considering all of these factors when making application decisions. Where states have more stringent regulations, observe them.

When applying by air, observe drift management restrictions and precautions listed under "AERIAL APPLICATION".

GROUND APPLICATION

Apply product in sufficient water for thorough coverage of vines and fruit. Increase spray volume as vine growth increases. Spray coverage is affected by nozzle type and spacing, sprayer pressure, gallonage per acre, applicator speed, and other factors.

Airblast (Air Assist) Specific Recommendations for Vineyards: Airblast sprayers deliver the spray mixture into the canopy of vines through a laterally directed airstream. The following drift management practices should be followed when using an Airblast sprayer:

- Adjust deflectors and aiming devices so that spray is only directed into the canopy
- Block off upward pointed nozzles when there is no overhanging canopy
- Use only enough air volume to penetrate the canopy and provide good coverage
- Do not allow the spray to go beyond the edge of the cultivated area (i.e. turn off sprayer when turning at end rows)
- Only spray inward, toward the orchard or vineyard, for applications to the outside rows.

AERIAL APPLICATION

Apply in a minimum of 10 gallons of water per acre. Avoid application under conditions when uniform coverage cannot be obtained or when excessive spray drift may occur.

Aerial Spray Drift Reduction Section

Spray Droplet Size: The best drift management strategy is to apply the largest droplets that provide sufficient plant coverage and pest control. Larger droplets reduce drift potential, but will not prevent drift if applications are made improperly, or under unfavorable environmental conditions (see Wind, Temperature and Humidity, and Temperature Inversions).

Spray Droplet Size Control:

- **Volume** – Use high flow rate nozzles to apply the highest practical spray volume. Nozzles with higher rated flows produce larger droplets.

- **Pressure** – Do not exceed the nozzle manufacturer's recommended pressures. For many nozzle types lower pressure produces larger droplets.
- **Number of Nozzles** – Use the minimum number of nozzles that provide uniform coverage.
- **Nozzle Orientation** – Orienting nozzles so that the spray is released parallel to the air stream produces larger droplets than any other orientations and is the recommended practice.
- **Nozzle Type** – Use a nozzle type that is designed for the intended application. With most nozzle types, narrower spray angles produce larger droplets. Consider using low-drift nozzles. Solid stream nozzles orientated straight back produce the largest droplets and the lowest drift.

Boom Length: Reducing the effective overall boom length to 70% of the wingspan of fixed-wing aircraft or 80% of a helicopter rotor width may further reduce drift without reducing swath width.

Application Height: Applications should not be made at a height greater than 10 feet above the top of the largest plants.

Application Swath Adjustment: When applications are made with a crosswind, the swath will be displaced downwind. Therefore, the applicator must compensate for this displacement by adjusting the path of the aircraft or boom on-off. Swath adjustment distances should increase, with increasing drift potential (higher wind, height, smaller drops, etc.).

Wind: Drift potential is lowest between wind speeds of 2-10 mph. However, many factors, including droplet size and equipment type determine drift potential at any given speed. Application should be avoided below 2 mph due to variable wind direction and high inversion potential. Application is not allowed when wind speeds exceed 10 mph due to risk of direct drift to nontarget sensitive crops or locations. **Note:** Wind patterns can be affected by local terrain. All applicators must be familiar with local wind patterns and how they affect spray drift. **Note:** Follow State and local regulations with regard to minimum and maximum wind speeds during aerial application, as they may be more restrictive. Applicators should be familiar with State and local regulations.

Temperature and Humidity: Applications made during periods of low relative humidity require set-up of equipment to produce larger droplets to compensate for evaporation. Droplet evaporation is typically greatest when conditions are both hot and dry.

Surface Temperature Inversion: Do not apply this product during a local, low level temperature inversion because drift potential is high. Small droplets can be transported in unpredictable directions due to the light and variable winds common during temperature inversions. Temperature inversions are typically characterized by temperatures that increase with altitude and they are common on nights with limited cloud cover and light to no wind. Their presence can be indicated by ground fog; however, if fog is not present, inversions can also be identified by the movement of smoke from a ground source or an aircraft smoke generator. Smoke that layers and moves laterally in a concentrated cloud (under low wind conditions) indicates an inversion, while smoke that moves upward and rapidly dissipates indicates good vertical air mixing.

ROTATIONAL CROP RESTRICTIONS

Do not plant crops other than grapes within 15 days following the last application of METTLE 125ME.

RESTRICTIONS AND LIMITATIONS

1. Do not make more than two (2) applications of METTLE 125ME to grapes per year.
2. There must be a timeframe of at least 14 days between multiple applications of METTLE 125ME
3. Harvest must be 14 days or later after the last application of METTLE 125ME (PHI=14 days)
4. Do not apply more than 10 fl.oz (0.08 lb ai tetraconazole) of METTLE 125ME per acre per season.
5. A restricted entry interval (REI) of 12 hours is to be followed.
6. **Chemigation:** Do not apply METTLE 125ME through any type of irrigation system.

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CROP USE RATES AND TIMING OF APPLICATIONS

Grape (wine, table and raisin)			
Disease	Use Rate	When to Apply	Special Use Instructions
Powdery Mildew (<i>Uncinula spp.</i>)	3.0 to 5.0 fl oz/A (0.023 to 0.04 lb. ai./A)	Begin application at prebloom (12-18 inch shoots) and continue applications using spray intervals of up to 21 days in low to moderate disease pressure. Use 14-day schedule when disease pressure is severe.	Do not apply within 14 days of harvest. Do not apply more than 10 ounces of METTLE 125 ME (0.08 lb active ingredient) per acre per year.
Black Rot (<i>Guignardia spp.</i>)	3.0 to 5.0 fl oz/A (0.023 to 0.04 lb. ai./A)	<u>Preventive Application:</u> Begin first application at 1- to 3-inches of new shoot growth and continue at 14-day intervals. Use higher rate under heavy disease pressure. When heavy disease pressure requires a shorter application interval, use alternate chemistries in between Mettle applications. <u>Post Infection Application:</u> Apply within 72 hours after the beginning of infection.	

Crop	Diseases Controlled	METTLE 125ME Rate per Acre	Pre-harvest Interval	Application Directions
Sugarbeets	Cercospora leafspot, Powdery mildew	13 fluid ounces	14 days	Apply METTLE at intervals of 21 to 28 days, beginning when conditions are favorable for Cercospora leafspot or powdery mildew. Applications of METTLE must be alternated with a non-triazole fungicide which is registered for use on sugarbeets. If the alternate fungicide is known to provide protection for up to 14 days, applications of METTLE should be no longer than 28 days apart. Do not make more than two (2) applications of METTLE per growing season. Crops other than sugarbeet must not be grown within 120 days following the last application of METTLE 125ME .

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed through storage and disposal.

Pesticide Storage:

Store under well-vented, cool and dry storage conditions. Do not store under moist conditions.

Pesticide Disposal:

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

Container Type:

This is a nonrefillable container. Do not reuse or refill this container.

Container Disposal:

Empty the package completely and triple rinse container (or equivalent) promptly after emptying with water to be used for application. Then dispose of the empty container according to state and local regulations. Place in trash or offer for recycling if available or return it to the Seller, or, if allowed by state and local authorities, by burning. If burned stay out of smoke.

Triple Rinsing Instructions:

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container one-fourth 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.

LIMITATION OF WARRANTY AND LIABILITY

Read the entire label before using this product, including this Limitation of Warranty and Liability.

If the terms are not acceptable, return the product at once unopened for a refund of the purchase price.

This Company warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes set forth in the Directions for Use, subject to the inherent risks described below, when used in accordance with the Directions for Use under normal conditions.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ISAGRO MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

Buyers and Users of this product must be aware that there are inherent unintended risks associated to the use of this product, independent from the control of Isagro. These risks include, but are not limited to, weather conditions, soil factors, moisture conditions, diseases, irrigation practices, condition of the crop at the time of application, materials which are present in the tank mix with this product or prior to the application of it, cultural practices or the manner of use or application, all risks which are impossible to eliminate. The Buyers and Users should be aware that these factors may cause: ineffectiveness of the product, reduction of harvested yield of the crop (entirely or partially), crop injury or injury to non-target crops or plants or to rotational crops caused by carryover in the soil, resistance of the target weeds to this product. Therefore additional care, treatment and expense are required to take the crop to harvest.

If the Buyer does not agree with the acceptance of these risks, then THE PRODUCT SHOULD NOT BE APPLIED. To the extent consistent with applicable law, by applying this product the Buyer acknowledges and accepts these inherent unintended risks and AGREES THAT ALL SUCH RISKS ASSOCIATED WITH THE APPLICATION AND USE ARE ASSUMED BY THE BUYER.

To the extent consistent with applicable law, in no event shall ISAGRO or Seller be liable for any incidental, consequential or special damages resulting from the use or handling of this product (including claims based in contract, negligence, strict liability, other tort or otherwise). To the extent consistent with applicable law, the exclusive remedy of the User or Buyer and the exclusive Liability of Isagro or Seller shall be the return of the purchase price of the product, or at the election of Isagro or Seller, the replacement of the product.

To the extent consistent with applicable law, this Company does not warrant any product reformulated or repackaged from this product except in accordance with this Company's stewardship requirements and with express written permission from this Company.

Isagro or its Seller must have prompt notice of any claim so that an immediate inspection of Buyer's or User's can be made. To the extent consistent with applicable law, if Buyer and User do not notify Isagro or Seller of any claims, in proper time, it shall be barred from obtaining any remedy.

To the extent consistent with applicable law, Buyers and Users are deemed to have accepted the terms of this Limitation of Warranty and Liability, which may not be modified by any verbal or written agreement.

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