

81959-17

9/7/2006

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs  
Registration Division (7505C)  
1200 Pennsylvania Ave., N.W.  
Washington, D.C. 20460

EPA Reg. Number:

81959-17

Date of Issuance:

SEP 7 2006

NOTICE OF PESTICIDE:

Registration  
 Reregistration  
(under FIFRA, as amended)

Term of Issuance:

Conditional

Name of Pesticide Product:

ET-009

Name and Address of Registrant (include ZIP Code):

**Etigra, LLC**  
**% Pyxis Regulatory Consulting, Inc.**  
**4110 136<sup>th</sup> St., NW**  
**Gig Harbor, WA 98332**

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA section 3(c)(7)(A) provided that you:

1. Submit and/or cite all data required for registration of your product under FIFRA sec 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of your product under FIFRA section 4.

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Signature of Approving Official:

*Mary L. Waller*

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

Date:

9/7/2006

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SEP 7 2006

2. Submit an acceptable one year storage stability study (830.6317) and an acceptable corrosion characteristics study (830.6317) within 18 months of the date of this registration.
3. Make the following changes to the label:
  - a. In the Note to Physician:
    1. Change "ENS-009" to "ET-009"
    2. Change "Give a saline laxative and supportive therapy." to "Give supportive therapy."
  - b. Change the product registration number to "EPA Reg. No. 81959-17"
  - c. Add a statement to the "DIRECTIONS FOR USE": "Formulated products must not be stored in metal containers or come into contact with metal or metal ions."
  - d. In the section "Condition of Sale and Limitation of Warranty and Liability":
    1. Change the second paragraph to read "The Directions for Use of this product must be followed carefully." *Note: the remainder of this paragraph is not appropriate for a technical product.*
    2. In the third paragraph, delete the phrase "or under abnormal conditions"
    3. In the third paragraph, change "EXCEPT AS STATED ABOVE" to "EXCEPT AS STATED ON THIS LABEL."
    4. In the fourth paragraph, change "To the extent allowed by state law..." to "To the extent consistent with applicable law..."
    5. In the fourth paragraph, change "THE EXCLUSIVE REMEDY OF THE USER..." to "TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER..."
4. Submit one copy of the revised final printed label for the record before the product is released for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A copy of the label stamped "Accepted with Comments" is enclosed for your records. A copy of the Agency's Acute Toxicity Similarity Review dated June 29, 2006 and the Agency's Product Chemistry Review dated August 3, 2006 are enclosed for your records.



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

Enclosure: Label stamped "Accepted with Comments"  
Acute Toxicity Similarity Review dated June 29, 2006  
Product Chemistry Review dated August 3, 2006

# ET-009

## FOR FORMULATION OF FUNGICIDES

### ACTIVE INGREDIENT:

Propiconazole (1-[[2-(2,4-dichlorophenyl)-4-propyl-1,3-dioxolan-2-yl]methyl]-1H-1,2,4-triazole) ..... 96.5%

OTHER INGREDIENTS: ..... 3.5%

TOTAL: ..... 100.0%

## KEEP OUT OF REACH OF CHILDREN WARNING

FIRST AID	
<b>If in eyes:</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If on skin or clothing:</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If swallowed:</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by the poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
<b>If inhaled:</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
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 1-800-424-9300 for emergency medical treatment information.	
NOTE TO PHYSICIAN	
There is no specific antidote for ENS-009. Induce emesis or lavage stomach. Give a saline laxative and supportive therapy.	

EPA Reg. No. 81959-

Manufactured for:  
Etigra, LLC  
25 Greystone Manor  
Lewes, DE 19958

**ACCEPTED  
with COMMENTS  
in EPA Letter Dated**

EPA Est. No.

SEP 7 2006  
Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
as amended, for the pesticide  
registered under EPA Reg. No.

81959-17

Net Weight: \_\_\_\_\_

**PRECAUTIONARY STATEMENTS  
HAZARDS TO HUMANS AND DOMESTIC ANIMALS  
WARNING**

Causes substantial but temporary eye injury. Do not get in eyes, on skin, or on clothing. Harmful if swallowed, inhaled, or absorbed through the skin. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals.

**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 cleaning of equipment or disposal of wastes. 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.

**DIRECTIONS FOR USE**

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

Only for formulation into fungicides for (1) the following uses: turf, ornamentals and wood treatment; (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.

**STORAGE AND DISPOSAL**

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

**PESTICIDE STORAGE:** Store in a cool, dry, well-ventilated area.

**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.

**CONTAINER DISPOSAL:** Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into manufacturing equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by state and local authorities. Triple rinse (or equivalent) the steel drum. Then, offer for recycling or reconditioning, or puncture and dispose in a sanitary landfill, or by other procedures approved by state and local authorities.

**CONDITION OF SALE AND LIMITATION OF WARRANTY AND LIABILITY**

**NOTICE:** Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product should be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather, presence of other materials or other influencing factors in the use of the product, which are beyond the control of Etigra, LLC or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Etigra, LLC and Seller harmless for any claims relating to such factors.

Etigra, LLC warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks referred to above, when used in accordance with directions under normal use conditions. This warranty does not extend to the

use of this product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of Seller or Etigra, LLC, and Buyer and User assume the risk of any such use. ETIGRA, LLC MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

To the extent allowed by state law, neither Etigra, LLC or Seller shall be liable for any incidental, consequential or special damages resulting from the use or handling of this product. **THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF ETIGRA, LLC AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF ETIGRA, LLC OR SELLER, THE REPLACEMENT OF THE PRODUCT.**

Etigra, LLC and Seller offer this product, and Buyer and User accept it, subject to the foregoing Conditions of Sale and Limitation of Warranty and Liability, which may not be modified except by written agreement signed by a duly authorized representative of Etigra, LLC.