

83504-1

04/09/2007

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U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (7505P)
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

EPA Reg. Number

83504-1

Date of Issuance

APR 9 2007
APR 9

NOTICE OF PESTICIDE:

Registration
 Reregistration
(under FIFRA, as amended)

Term of Issuance Conditional

Name of Pesticide Product

Technical Fosetyl-Al

Name and Address of Registrant (include ZIP Code):

Kerley Trading Inc.
PO Box 15627
Phoenix, AZ 85060-5627

c/o Janelle Kay
Pyxis Regulatory Consulting Inc.
4110 136th 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 sec. 3(c)(7)(A) provided that you:

1. Submit and/or cite all data required for registration of your product under FIFRA Section 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for re-registration of your product under FIFRA Section 4.
2. Before releasing the product for shipment revise the EPA Registration Number to read, "EPA Reg. No. 83504-1" to your label before you release the product for shipment.
3. On or by June 4, 2008, submit GLP studies: storage stability study (830.6317), corrosion characteristics study (830.6320), stability to metal & metal ions (830.6313), melting point (830.7200), and solubility in water & organic solvents (830.6840).

Signature of Approving Official

Cynthia Giles-Parker
Branch Chief
Fungicide Branch
Registration Division (7505P)

Date:

APR 9 2007

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4. On the front panel of the label, within the "First-Aid Statement," swap section referring to "If Inhaled" for "If Swallowed," thereby establishing consistency with acute toxicity findings.
5. To the "Precautionary Statement" section, beneath the signal word, append "Corrosive" to precede "Causes...damage."
 - a. The second sentence is to be revised to read: "Harmful if absorbed through skin, inhaled, or swallowed."
 - b. Revise the fourth sentence to read as follows or a variation thereof: "Wear protective eyewear, goggles or face shield or safety glasses...gloves."
6. "Directions for Use" section refers to unsupported use sites which must be deleted: Almonds bearing, and stone fruit bearing.
 - a. Furthermore, qualifications are required for the following uses to the effect of: "grapes (East of the Rocky Mountains)," and "asparagus (California Only)."

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

A copy of the label stamped "Accepted with Comments" is enclosed for your records.

Enclosure

Technical Fosetyl-AI

ACTIVE INGREDIENT:
 Aluminum tris (O-ethylphosphonate) 96.0%
OTHER INGREDIENTS:..... 4.0%
TOTAL:..... 100.0%

KEEP OUT OF REACH OF CHILDREN DANGER

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 swallowed:	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
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 by mouth-to-mouth if possible. • Call a poison control center or doctor for further treatment advice.
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 1-800-877-1737 for emergency medical treatment information.	
NOTE TO PHYSICIAN	
Probable mucosal damage may contraindicate the use of gastric lavage.	

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS DANGER

Causes irreversible eye damage. Harmful if swallowed or absorbed through the skin. Do not get in eyes, on skin, or on clothing. Wear goggles or face shield, long pants (or coveralls), long sleeved shirt, shoes, socks, and chemical/water resistant gloves. Remove and wash contaminated clothing before reuse. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.

EPA Reg. No. 83504-
 Manufactured for:
 Kerley Trading Inc.
 PO Box 15627
 Phoenix, AZ 85060

ACCEPTED
 with **COMMENTS**
 In EPA Letter Dated
 APR 9 2007

Under the Federal Insecticide,
 Fungicide, and Rodenticide Act
 as amended, for use as pesticide
 registered under EPA Reg. No.
83504-1

Net Weight:

ENVIRONMENTAL HAZARDS

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 a fungicide for the following uses:

- 1) Almonds (non-bearing and bearing), avocados (non-bearing and bearing), asparagus, bananas, blueberries, Brassica vegetables, caneberries, citrus (non-bearing and bearing), cranberries, Cucurbit vegetables, ginseng, grapes, hops, leafy vegetables, macadamia nuts, onions (dry bulb), pineapple, pome fruits (non-bearing and bearing), stone fruits (non-bearing and bearing), strawberries, tobacco, tomatoes, turf (not for use on home or residential lawns), and ornamentals;
- 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.

Each formulator is responsible for obtaining EPA registration for their end-use product(s).

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.

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 (BAG): Completely empty bag into manufacturing equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

CONTAINER DISPOSAL (LINED FIBER DRUM): 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. If drum is contaminated and cannot be reused, dispose of it in the manner required for its liner.

CONDITIONS OF SALE – LIMITED WARRANTY AND LIMITATIONS OF LIABILITY AND REMEDIES

The directions on this label are believed to be reliable and must be followed carefully. Insufficient control of pests and/or injury to the crop to which the product is applied may result from the occurrence of extraordinary or unusual weather conditions, the failure to follow the label directions, or good application practices, all of which are beyond the control of Kerley Trading Inc., or seller. In addition, failure to follow label directions may cause injury to crops, animals, man or the environment. Kerley Trading Inc. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purpose referred to in the directions for use,

subject to the factors noted above which are beyond the control of Kerley Trading Inc. Except as warranted by this label, Kerley Trading Inc. makes no other warranties or representations of any kind, express or implied, concerning the product, including no implied warranty of merchantability or fitness for any particular purpose. To the extent allowed by applicable law, the exclusive remedy against Kerley Trading Inc. for any cause of action relating to the handling or use of this product is a claim of damage, and in no event shall damages or any other recovery of any kind against Kerley Trading Inc. exceed the price of the product which causes the alleged loss, damage, injury, or other claim. To the extent allowed by applicable law, Kerley Trading Inc. shall not be liable and any and all claims against Kerley Trading Inc. are waived, for special, indirect, incidental, or consequential damages or expense of any nature, including, but not limited to, loss of profits or income, whether or not based on the negligence of Kerley Trading Inc. breach of warranty, strict liability in tort, or any other cause of action. Kerley Trading Inc. and the seller offer this product, and the buyer and users accept it, subject to the foregoing conditions of sale and limitations of warranty, liability and remedies.