

84863-1

6/1/2009

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TED STATES ENVIRONMENTAL PROTECTION AGENCY



U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Biopesticides and Pollution Prevention Division (7511P)
1200 Pennsylvania Avenue NW
Washington, DC 20460

EPA Reg. Number: 84863-1
Date of Issuance: 6-1-09

Term of Issuance: Unconditional

Name of Pesticide Product: NEXY

NOTICE OF PESTICIDE:

☒ Registration
☐ Reregistration
(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

BioNext sprl
c/o SynTech Global, LLC
P.O. Box 640
Hockessin, DE 19707

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Biopesticides and Pollution Prevention 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 registration does not eliminate the need for continual reassessment of the pesticide. If the EPA determines at any time, that additional data are required to maintain in effect an existing registration, the Agency will require submission of such data under section 3(c)(2)(B) of FIFRA.

This product is registered in accordance with FIFRA section 3(c)(5) and is subject to the following terms and conditions:

- 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.
- 2. Submit two (2) copies of the final printed labeling before you release the product for shipment. Refer to the A-79 enclosure for further description of a final printed label.

A stamped copy of the label is enclosed for your record.

Signature of Approving Official:

W. Michael McDavit

W. Michael McDavit, Associate Director
Biopesticides and Pollution Prevention Division

Date:

6-1-09

EPA Form 8570-6

CONCURRENCES

SYMBOL	7511P						
SURNAME	Ruef						
DATE	5/28/09						

EPA Form 1320-1A (1/90)

Printed on Recycled Paper

OFFICIAL FILE COPY

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NEXY

Biofungicide for the post-harvest control of *Botrytis cinerea* (gray mold) and *Penicillium expansum* (blue mold) on apples and pears

Active Ingredient: <i>Candida oleophila</i> Strain O*	57.0%
Other Ingredients:	43.0%
Total	100.0%

* contains a minimum of 6×10^9 colony forming units (CFU) per gram

Keep Out of Reach of Children
CAUTION

See additional precautionary statements on the back panel

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. • 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 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. • 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 1-800-222-1222 for emergency medical treatment information.	

EPA Reg. No. 84863-1
 EPA Est. Number:
 Net Weight: 1.1 lbs., 2.2 lbs., 11.1 lbs.
 Batch No. _____
 Use before date: _____

Manufactured for:
 BioNext sprl
 Passage des Deportes, 2
 5030 Gembloux
 Belgium

ACCEPTED

JUN 01 2009

Under the Federal Insecticide, Fungicide,
 and Rodenticide Act, as amended, for
 the pesticide registered under
 EPA Reg. No. 84863-1

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION

Causes moderate eye irritation. Harmful if absorbed through skin or inhaled. Avoid contact with skin, eyes, or clothing. Avoid breathing dust. Wear a long-sleeved shirt, long pants, socks, shoes, waterproof gloves, and protective eyewear when mixing, loading, and applying this product or when handling crates containing treated apples and pears. Wear a dust/mist filtering respirator meeting NIOSH standards of at least N-95, R-95, or P-95 when mixing and loading this product. Repeated exposure to high concentrations of microbial proteins can cause allergic sensitization. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove and wash contaminated clothing before reuse.

Environmental Hazards

Do not contaminate water when cleaning equipment or disposing of equipment washwaters or rinsate.

DIRECTIONS FOR USE

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

General Information

NEXY is a selective fungal antagonist for control of *Botrytis cinerea* (gray mold) and *Penicillium expansum* (blue mold) on apples and pears.

Use Restrictions

Do not use this package if vacuum has been breached. Dispose of unused product in accordance with the storage and disposal instructions.

NEXY is designed for use only with the NEXY ADDITIVE and is not to be sold separately.

For use only as an indoor post-harvest treatment to control *Botrytis cinerea* (gray mold) and *Penicillium expansum* (blue mold) on pears and apples.

Residues of some chemical fungicides from pre-harvest treatments to apples or pears may reduce the efficacy of NEXY and should be avoided when possible.

If fruit is intended for processing, consult processor before treatment with NEXY to ensure treatment is acceptable to processor.

Mixing instructions

- 1) Reactivate NEXY before use.

To reactivate:

- 1) Add the required quantity of NEXY indicated in the Application Rate Table to a mixing jar or other suitable container. Then add one pint of water for each ounce of NEXY and seal the container. Agitate mixture thoroughly for several minutes, 2-3 times as needed, over a period of at least one hour.
- 2) Then half-fill the application tank with clean water.
- 3) Add the reactivated NEXY and the amount of NEXY ADDITIVE indicated in the Application Rate Table to the application tank.
- 4) Complete filling the application tank with clean water and maintain agitation of the suspension.

Application instructions

Apply the treatment mixture of NEXY, NEXY ADDITIVE, and water by dipping or drenching. Drench apples and pears with the treatment mixture for at least 30 seconds, or dip apples and pears in the treatment mixture between 30 seconds and 2 minutes. In the case of dipping, ensure homogenization of the treatment mixture by constant agitation.

For both dipping and drenching, apply the treatment mixture to apples and pears indoors, after harvest, and before storage. One application of the treatment mixture ensures control of gray mold and blue mold through the entire storage season.

Before cold storage, keep treated fruit at ambient temperature for a maximum 24 hours to promote fruit drying and yeast growth.

After treatment, achieve destruction of the yeast in the dipping/drenching tank with disinfectant such as hydrogen peroxide at 0.1% or sodium hypochlorite at 0.5% by volume (sodium hypochlorite with 15% active chlorine). In the case of drenching, run the application equipment with the mixture containing the disinfectant for at least 10 minutes before rinsing twice with clean water.

APPLICATION RATE TABLE	
NEXY:	0.9 ounce of product/20 gallons water
NEXY ADDITIVE:	5.4 ounces of additive/20 gallons water
TOTAL APPLICATION VOLUME:	2.4 to 7.3 gallons treatment mixture/ton of apples or pears

STORAGE and DISPOSAL
Do not contaminate water, food, or feed by storage and disposal
<p>PESTICIDE STORAGE</p> <p>If Unopened: Store in original, tightly closed container in cool dry place and between temperatures of 40°F to 84°F. Temperatures above 84°F will damage the quality of the product. Protect product from frost.</p> <p>If opened: Store in original, tightly closed container in cool dry place and between temperatures of 40°F to 50°F. Temperatures above 50°F will damage the quality of the product. Protect product from frost. Use product within one week.</p>
<p>PESTICIDE DISPOSAL</p> <p>To avoid wastes, use all material in this container by application according to label directions. If wastes cannot be avoided, offer remaining product to a waste disposal facility or pesticide disposal program (often such programs are run by state or local governments or by industry).</p>
<p>CONTAINER HANDLING</p> <p>Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Then offer for recycling if available, or dispose of empty bag in a sanitary landfill, or by incineration. Do not burn unless allowed by state and local ordinances.</p>

NOTICE OF WARRANTY

BioNext sprl warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for the purposes stated on such label only when used in accordance with label directions under normal use conditions. It is impossible to eliminate all risks inherently 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 BioNext sprl. To the extent consistent with applicable law, BioNext sprl shall not be liable for consequential, special or indirect damages resulting from the use or handling of this product. To the extent consistent with applicable law, all such risks shall be assumed by the buyer. To the extent consistent with applicable law, BioNext sprl **MAKES NO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESSED OR IMPLIED WARRANTY EXCEPT AS WARRANTED IN THIS LABEL.**