

Supplemental Label

merivon[®]
XEMIUM[®] BRAND FUNGICIDE

For disease control and plant health in the following crops: bulb vegetables, cucurbit vegetables, leafy vegetables, root vegetables, strawberries, and tree nuts

This supplemental label expires on September 30, 2016 and must not be used or distributed after this date.

Powered by Xemium[®] and F500[®] fungicides

Active Ingredients:

| | |
|---|--------|
| fluxapyroxad*: 1 <i>H</i> -Pyrazole-4-carboxamide, 3-(difluoromethyl)-1-methyl-N-(3',4',5'-trifluoro[1,1'-biphenyl]-2-yl)- | 21.26% |
| pyraclostrobin**: (carbamic acid, [2-[[[1-(4-chlorophenyl)-1 <i>H</i> -pyrazol-3-yl]oxy]methyl]phenyl]methoxy-, methyl ester) | 21.26% |

| | |
|---------------------------------|---------|
| Other Ingredients: | 57.48% |
| Total: | 100.00% |

* Equivalent to 2.09 pounds of fluxapyroxad per gallon

** Equivalent to 2.09 pounds of pyraclostrobin per gallon

EPA Reg. No. 7969-310

Environmental Hazards

This pesticide is toxic to fish and aquatic invertebrates. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas.

DO NOT apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. **DO NOT** contaminate water when disposing of equipment washwaters or rinsate.

This product may impact surface water quality due to runoff of rain water. This is especially true for poorly draining soils and soils with shallow groundwater.

Surface Water Advisory

This product is classified as having high potential for reaching aquatic sediment via runoff for several months or more after application. Poorly draining soils and soils with shallow water tables are more prone to produce runoff that contains this product. A level, well-maintained vegetative buffer strip between areas to which this product is applied and surface water features such as ponds, streams, and springs will reduce the potential loading of this active ingredient or its degradates from runoff water and sediment. Runoff

of this product will be reduced by avoiding applications when rainfall is forecast to occur within 48 hours. Sound erosion control practices will reduce this product's potential to reach aquatic sediment via runoff.

Groundwater Advisory

This chemical has properties and characteristics associated with chemicals detected in groundwater. This chemical may leach into groundwater if used in areas where soils are permeable, particularly where the water table is shallow.

Directions For Use

- It is a violation of federal law to use this product in a manner inconsistent with its labeling.
- The supplemental labeling and the entire **Merivon[®] Xemium[®] brand fungicide** container label, EPA Reg. No. 7969-310, must be in possession of the user at the time of application.
- Read the label affixed to the container for **Merivon** before applying.

 **BASF**

The Chemical Company

- Use of **Merivon® Xemium® brand fungicide** according to this labeling is subject to the use precautions and limitations imposed by the label affixed to the container for **Merivon**.

Restrictions and Limitations

Crop Rotation Restriction - Barley, berries and small fruits, Brassica leafy vegetables, bulb vegetables, corn (all types), cotton, cucurbit vegetables, dried shelled peas and beans, edible-podded legume vegetables, fruiting vegetables (including tomato), grapes, leafy vegetables, millet, oat, oilseed crops (including flax seed, rapeseed and sunflower), peanut, pome fruits, root vegetables, rye, sorghum, soybean, stone fruits, strawberries, succulent shelled peas and beans, sugar

beet, sugarcane, tree nuts, tuberous and corm vegetables (including potato), and wheat and triticale may be planted immediately following the last application. For rice, **DO NOT** plant sooner than 14 days after the last application. For all other crops, **DO NOT** plant sooner than 365 days after the last application.

Application Instructions

Apply **Merivon** according to the rate, timing, and resistance management use instructions in the **Crop-specific Directions** in this label. Observe the additional instructions on application methods, additive use and mixing order on the **Merivon** main label.

Table 1. Merivon® Xemium® brand fungicide Restrictions and Limitations Overview*

| Crop** | Minimum Time from Application to Harvest (PHI) (days) | Maximum Product Rate per Application (fl ozs/A) | Maximum Number of Applications per Season | Maximum Number of Sequential Applications | Maximum Product Rate per Season (fl ozs/A) |
|--|---|---|---|---|--|
| Bulb vegetables group | 7 | 11 | 3 | 2 | 33 |
| Cucurbit vegetables group | 0 | 5.5 | 3 | 1 | 16.5 |
| Leafy vegetables group (except Brassica) | 1 | 11 | 3 | 2 | 33 |
| Root vegetables (except sugar beet) subgroup | 7 | 5.5 | 3 | 2 | 16.5 |
| Strawberries | 0 | 11 | 3 | 2 | 33 |
| Tree nuts group | 14 | 6.5 | 3 | 2 | 20.4 |

* See **Table 2. Merivon® Xemium® brand fungicide Crop-specific Directions** for additional directions.

For a complete list of crops within a crop group, see **Table 2. Merivon® Xemium® brand fungicide Crop-specific Directions.

Table 2. Merivon® Xemium® brand fungicide Crop-specific Directions (continued)

| Crop | Target Disease | Product Use Rate per Application (fl ozs/A) | Maximum Number of Applications per Season | Maximum Product Rate per Season (fl ozs/A) | Minimum Time from Application to Harvest (PHI) (days) |
|---|--|---|---|--|---|
| Bulb vegetables group* Chive, fresh leaves Chive, Chinese, fresh leaves Daylily, bulb Elegans hosta Fritillaria, bulb Fritillaria, leaves | Powdery mildew (<i>Leveillula taurica</i>) Purple blotch and leaf blight (<i>Alternaria porri</i>) Stemphylium leaf blight and stalk rot (<i>Stemphylium vesicarium</i>) | 4 to 11 | 3 | 33 | 7 |
| Garlic, bulb Garlic, great-headed, bulb Garlic, serpent, bulb Kurrat Lady's leek Leek Leek, wild Lily, bulb Onion, Beltsville bunching Onion, bulb Onion, Chinese, bulb Onion, fresh Onion, green Onion, macrostem Onion, pearl Onion, potato, bulb Onion, tree, tops Onion, Welsh, tops Shallot, bulb Shallot, fresh leaves | Botrytis leaf blight (<i>Botrytis</i> spp.) Botrytis neck rot (<i>Botrytis</i> spp.) <u>Suppression Only:</u> Downy mildew (<i>Peronospora destructor</i>) | 8 to 11 | | | |

Application Directions. Begin applications of **Merivon** prior to onset of disease development and continue on a 7 to 14 day interval. Use the shorter interval and/or the higher rate when disease pressure is high.

Resistance Management. To limit the potential for development of resistance, **DO NOT** apply more than 33 fl ozs of **Merivon** per acre per season. **DO NOT** apply more than three (3) applications of **Merivon** per season.

DO NOT make more than two (2) sequential applications of **Merivon** before alternating to a labeled **non-Group 7** or **non-Group 11** fungicide.

*Not registered for use in California.

Table 2. Merivon® Xemium® brand fungicide Crop-specific Directions (continued)

| Crop | Target Disease | Product Use Rate per Application (fl ozs/A) | Maximum Number of Applications per Season | Maximum Product Rate per Season (fl ozs/A) | Minimum Time from Application to Harvest (PHI) (days) |
|---|--|---|---|--|---|
| Cucurbit vegetables group Chayote Chinese waxgourd Citron melon Cucumber Gherkin Pumpkin Watermelon Edible gourd Hyotan Cucuzza Chinese okra Momordica spp. Balsam apple Balsam pear Bitter melon Chinese cucumber Muskmelon Cantaloupe Casaba Crenshaw melon Golden pershaw melon Honeydew melon Honey balls Mango melon Persian melon Pineapple melon Santaclaus melon Snake melon Summer squash Crookneck squash Scallop squash Straightneck squash Vegetable marrow Zucchini Winter squash Butternut squash Calabaza Hubbard squash Acorn squash Spaghetti squash | Alternaria leaf blight (<i>Alternaria cucumerina</i>) Powdery mildew (<i>Podosphaera</i> spp., <i>Sphaerotheca</i> spp., <i>Erysiphe</i> spp.,) | 4 to 5.5 | 3 | 16.5 | 0 |
| | Anthracnose (<i>Colletotrichum orbiculare</i>) Cercospora leaf spot (<i>Cercospora citrulina</i>) Gummy stem blight (<i>Didymella bryoniae</i>) Microdochium blight (<i>Plectosporium tabacinum</i>) Target leaf spot (<i>Corynespora cassiicola</i>) <u>Suppression Only:</u> Downy mildew (<i>Pseudoperonospora cubensis</i>) | 5.5 | | | |

(continued)

Table 2. Merivon[®] Xemium[®] brand fungicide Crop-specific Directions *(continued)*

Cucurbit vegetables group, *continued*

Application Directions. For optimal disease control, begin applications of **Merivon** prior to disease development and continue on a 7 to 14 day interval if conditions are conducive for disease development. Use the higher rate and shorter interval when disease pressure is high.

DO NOT apply **Merivon** to any crops in the Cucurbit Vegetables Group as a tank mix with any other pesticide products (including fungicides, insecticides, herbicides), adjuvants, liquid fertilizers, nutrients, any other additives, or anything other than water.

Mix **Merivon** with water only for applications to crops listed in the Cucurbit Vegetables Group.

Resistance Management. To limit the potential for development of resistance, **DO NOT** apply more than 16.5 fl ozs of **Merivon** per acre per season. **DO NOT** make more than one (1) application of **Merivon** before alternating to a labeled **non-Group 7** or **non-Group 11** fungicide. In areas where gummy stem blight resistance to **Group 7** or **Group 11** fungicides have been confirmed, tank mix with chlorothalonil at full label rates and adhering to all label precautions.

Table 2. Merivon® Xemium® brand fungicide Crop-specific Directions (continued)

| Crop | Target Disease | Product Use Rate per Application (fl ozs/A) | Maximum Number of Applications per Season | Maximum Product Rate per Season (fl ozs/A) | Minimum Time from Application to Harvest (PHI) (days) |
|---|---|---|---|--|---|
| Leafy vegetables group* (except Brassica) Amaranth Arugula Cardoon Celery Celery, Chinese Celtuce Chervil Chrysanthemum (edible-leaved and garland) Corn salad Cress (garden and Upland) Dandelion Dock Endive Fennel, Florence Lettuce (head and leaf) Orach Parsley Purslane (garden and winter) Radicchio (red chicory) Rhubarb Spinach Spinach (New Zealand and vine) Swiss chard | Alternaria leaf spot (<i>Alternaria</i> spp.) Anthracnose (<i>Colletotrichum</i> spp.) Ascochyta leaf spot (<i>Ascochyta</i> spp.) Cercospora leaf spot (<i>Cercospora</i> spp.) Phoma (<i>Phoma</i> spp.) Powdery mildew (<i>Erysiphe</i> spp., <i>Phyllactinia</i> spp., <i>Sphaerotheca</i> spp.) Rust (<i>Puccinia</i> spp., <i>Uromyces</i> spp.) Septoria leaf spot (<i>Septoria</i> spp.) White rust (<i>Albugo</i> spp.) | 4 to 11 | 3 | 33 | 1 |
| | <u>Suppression Only:</u> Downy mildew (<i>Peronospora</i> spp., <i>Pseudoperonospora</i> spp.) Botrytis rot (<i>Botrytis</i> spp.) Lettuce drop caused by <i>Sclerotinia minor</i> Lettuce downy mildew (<i>Bremia</i> spp.) | 8 to 11 | | | |

(continued)

Table 2. Merivon® Xemium® brand fungicide Crop-specific Directions (continued)

Leafy vegetables group, *continued*

Application Directions. Begin applications of **Merivon** prior to onset of disease development and continue on a 7 to 14 day interval. Use the shorter interval and/or the higher rate when disease pressure is high.

Tank Mix Restrictions

Spinach (all varieties). **DO NOT** apply **Merivon** to spinach as a tank mix with any other pesticide products (including fungicides, insecticides, herbicides), adjuvants, liquid fertilizers, nutrients, any other additives, or anything other than water.

Mix **Merivon** with water only for applications to Spinach (all varieties).

Leafy vegetables (except spinach). It is impossible for BASF to test all varieties of leafy vegetables for sensitivity to **Merivon** under all environments and all potential product mixture combinations. Local conditions can also influence crop tolerance and may not match those under which BASF has conducted testing. Proceed with caution with regard to **Merivon** use, particularly in tank mixes and/or adjuvant combinations on leafy vegetables. To reduce the risk of leafy vegetable injury, BASF recommends testing **Merivon** or **Merivon** tank mixtures on a small portion of the crop before broadscale use.

To the extent consistent with applicable law, the user assumes all risks associated with adding products to the **Merivon** spray solution. Refer also to the **Conditions of Sale and Warranty** section of this label.

Resistance Management. To limit the potential for development of resistance, **DO NOT** apply more than 33 fl ozs of **Merivon** per acre per season. **DO NOT** apply more than three (3) applications of **Merivon** per season.

DO NOT make more than two (2) sequential applications of **Merivon** before alternating to a labeled **non-Group 7** or **non-Group 11** fungicide.

*Not registered for use in California.

Table 2. Merivon® Xemium® brand fungicide Crop-specific Directions (continued)

| Crop | Target Disease | Product Use Rate per Application (fl ozs/A) | Maximum Number of Applications per Season | Maximum Product Rate per Season (fl ozs/A) | Minimum Time from Application to Harvest (PHI) (days) |
|--|---|---|---|--|---|
| Root vegetables (except sugar beet) subgroup* Beet, garden Burdock, edible Carrot Celeriac Chervil, turnip-rooted Chicory Ginseng Horseradish Parsley, turnip-rooted Parsnip Radish Radish, Oriental Rutabaga Salsify Salsify, black Salsify, Spanish Skirret Turnip | Alternaria leaf spot/blight (<i>Alternaria</i> spp.) | 4 to 5.5 | 3 | 16.5 | 7 |
| | Powdery mildew (<i>Erysiphe</i> spp., <i>Leveillula</i> spp.) Cercospora leaf spot/blight (<i>Cercospora</i> spp.) | 5.5 | | | |
| <p>Application Directions. For optimal disease control, begin applications of Merivon prior to disease development and continue on a 7 to 14 day interval if conditions are conducive for disease development. Use the higher rate and shorter interval when disease pressure is high.</p> <p>Resistance Management. To limit the potential for development of resistance, DO NOT apply more than 16.5 fl ozs of Merivon per acre per season. DO NOT make more than two (2) sequential applications of Merivon before alternating to a labeled non-Group 7 or non-Group 11 fungicide.</p> <p>*Not registered for use in California, except on carrot.</p> | | | | | |

Table 2. Merivon® Xemium® brand fungicide Crop-specific Directions (continued)

| Crop | Target Disease | Product Use Rate per Application (fl ozs/A) | Maximum Number of Applications per Season | Maximum Product Rate per Season (fl ozs/A) | Minimum Time from Application to Harvest (PHI) (days) |
|--------------|---|---|---|--|---|
| Strawberries | Leaf spot (<i>Mycosphaerella fragariae</i> , <i>Ramularia tulasnei</i>) Powdery mildew (<i>Sphaerotheca macularis</i>) | 4 to 7 | 3 | 33 | 0 |
| | Anthracnose (<i>Colletotrichum</i> spp.) | 5.5 to 8 | | | |
| | Botrytis gray mold (<i>Botrytis cinerea</i>) | 8 to 11 | | | |

Application Directions. Begin applications of **Merivon** no later than 10% bloom, or prior to disease development and continue on a 7 to 14 day interval. Use the shorter interval and/or the higher rate when disease pressure is high.

The restricted entry interval (REI) for treated strawberries is **12 hours**. Refer to the **Agricultural Use Requirements** on the **Merivon** main label for PPE required for early entry to treated areas as permitted under the Worker Protection Standard.

Resistance Management. To limit the potential for development of resistance, **DO NOT** apply more than 33 fl ozs of **Merivon** per acre per season. **DO NOT** make more than two (2) sequential applications of **Merivon** before alternating to a labeled **non-Group 7** or **non-Group 11** fungicide.

Table 2. Merivon® Xemium® brand fungicide Crop-specific Directions (continued)

| Crop | Target Disease | Product Use Rate per Application (fl ozs/A) | Maximum Number of Applications per Season | Maximum Product Rate per Season (fl ozs/A) | Minimum Time from Application to Harvest (PHI) (days) |
|---|---|---|---|--|---|
| <p>Tree nuts group</p> <p>Almond Beech nut Brazil nut Butternut Cashew Chestnut Chiquapin Filbert Hickory nut Macadamia nut Pecan Pistachio Walnut (black and English)</p> | <p>Alternaria late blight (<i>Alternaria</i> spp.)</p> <p>Anthracnose (<i>Colletotrichum</i> spp.)</p> <p>Botrytis blossom and shoot blight (<i>Botrytis cinerea</i>)</p> <p>Brown rot/Blossom Blight (<i>Monilinia</i> spp.)</p> <p>Green fruit rot/Jacket rot (<i>Botrytis cinerea</i>, <i>Sclerotinia sclerotiorum</i>, <i>Monilinia laxa</i>)</p> <p>Leaf rust (<i>Tranzschelia discolor</i>)</p> <p>Panicle and shoot blight (<i>Botryosphaeria dothidea</i>)</p> <p>Scab (<i>Cladosporium carpophilum</i>, <i>C. caryigenum</i>)</p> <p>Shothole (<i>Wilsonomyces carpophilus</i>)</p> <p>Suppression Only:</p> <p>Hull rot (<i>Rhizopus stolonifer</i> and <i>Monilinia</i> spp.)</p> | <p>5 to 6.5</p> | <p>3</p> | <p>20.4</p> | <p>14</p> |

(continued)

Table 2. Merivon® Xemium® brand fungicide Crop-specific Directions *(continued)*

Tree nuts group, continued

Application Directions. For almond, begin applications of **Merivon** prior to the onset of disease development, and continue on a 7 to 14 day interval up to 14 days before harvest.

For filbert, begin applications at budswell to budbreak, or prior to infection and onset of disease development. Continue on a 7 to 14 day interval to cover and protect new growth.

For pecan, begin applications of **Merivon** prior to onset of disease development and continue on a 7 to 21 day interval for the control of scab. Use the shorter interval and/or the higher rate when disease pressure is high.

For pistachio, apply **Merivon** prior to onset of disease development and continue on a 10 to 30 day interval. Use the higher rate and shorter intervals when disease pressure is high.

For all other crops listed, apply **Merivon** prior to disease development and continue on a 7 to 28 day interval. In all cases use the shorter interval when shoot growth is rapid.

No restriction on livestock feeding of almond hulls.

For aerial application to tree nuts, **DO NOT** use less than 10 gallons of spray solution per acre.

Resistance Management. To limit the potential for development of resistance, **DO NOT** apply more than 20.4 fl ozs of **Merivon** per acre per season. **DO NOT** make more than two (2) sequential applications of **Merivon** before alternating to a labeled **non-Group 7** or **non-Group 11** fungicide.

Conditions of Sale and Warranty

The **Directions For Use** of this product reflect the opinion of experts based on field use and tests. The directions are believed to be reliable and must be followed carefully. However, 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 use of the product in a manner inconsistent with its labeling, all of which are beyond the control of BASF CORPORATION ("BASF") or the Seller. To the extent consistent with applicable law, all such risks shall be assumed by the Buyer.

BASF warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the **Directions For Use**, subject to the inherent risks, referred to above.

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

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S EXCLUSIVE REMEDY AND BASF'S EXCLUSIVE LIABILITY, WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE, SHALL BE LIMITED TO REPAYMENT OF THE PURCHASE PRICE OF THE PRODUCT.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BASF AND THE SELLER DISCLAIM ANY LIABILITY FOR CONSEQUENTIAL, EXEMPLARY, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

BASF and the Seller offer this product, and the Buyer and User accept it, subject to the foregoing **Conditions of Sale and Warranty** which may be varied only by agreement in writing signed by a duly authorized representative of BASF.

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Merivon® Xemium® brand fungicide is specially formulated and sold by BASF for the control of pests according to the directions on this label. The purchase price of **Merivon** includes a royalty whereby the purchaser acquires a prepaid license under U.S. Patent No.5,438,070 and (pending No. 2008/0153707 A1) under which purchaser agrees to employ the purchased quantity of **Merivon** only for the above-specified uses under BASF's United States patent rights and to provide notice of the terms and conditions of this license to any subsequent purchaser. Uses of **Merivon** other than those specified on this label are not licensed through the purchase of this product and the use of this product for other purposes may violate this license and patent rights of BASF.

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The Chemical Company