

2935-550

2/15/2011

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

FEB 15 2011

Ms. Anne Downs
Wilbur Ellis Company
841 W. Elkhorn Blvd.
Rio Linda, CA 95673

Subject: Nubark Mancozeb AS
EPA Registration Number 2935-550
Decision Number 444342

Dear Ms. Downs:

The Agency is in receipt of your November 8, 2010 Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call Summer Gardner-Jenkins at 703-308-9353 or you may call me at 703-308-9354.

Sincerely,

Mary L. Waller
Product Manger (21)
Fungicide Branch
Registration Division (7504P)



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

2097

	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company/Product Number 2935-550	2. EPA Product Manager Mary Waller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Nubark Mancozeb AS	PM# 21	
5. Name and Address of Applicant (Include ZIP Code) Wilbur-Ellis Company P.O. Box 1286 Fresno, CA 93715 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification changing the product currently designated as an Alternate Brand Name (Nubark Mancozeb AS, EPA Reg. No. 2935-550) to the Primary Brand Name, per PR Notice 98-10. "This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the Confidential Statement of Formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under Section 12 and 14 of FIFRA."

Section - III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Package wgt No. per container	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted			
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container	5. Location of Label Directions	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other _____			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Anne Downs	Title Senior Registration Specialist	Telephone No. (Include Area Code) 916-991-9816
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Senior Registration Specialist	(Stamp area)
4. Typed Name Anne Downs	5. Date November 8, 2010	



WILBUR-ELLIS®

8887502
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November 8, 2010

Ms. Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Document Processing Desk (NOTIF)
Office of Pesticide Programs
One Potomac Yard, Room S-4900
2777 S. Crystal Drive
Arlington, VA 22202-4501

RE: Submission changing the designated Primary Brand Name and Alternate Brand Name products, per PR Notice 98-10, Nubark Mancozeb AS, EPA Reg. No. 2935-550.

Dear Ms. Arrington:

Wilbur-Ellis Company, PO Box 1286, Fresno, CA 03715, Company Number 2935, is submitting a notification requesting that our product currently designated as an Alternate Brand Name (Nubark Mancozeb AS, EPA Reg. No. 2935-550) be changed to the Primary Brand Name. Conversely, that product currently designated as our Primary Brand Name, Potato Seed Treater A-Strep, EPA Reg. No. 2935-550, should be designated as an Alternate Brand Name, per PR Notice 98-10. The following item is enclosed in support of this notification:

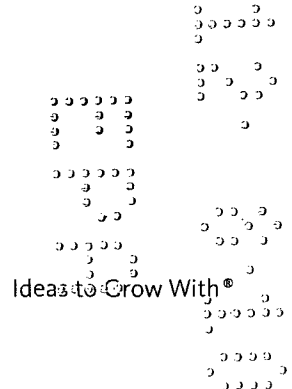
- Application for Pesticide Amendment, EPA Form 8570-1

This notification is consistent with provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statements to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under Section 12 and 14 of FIFRA.

If you have any questions, please contact me at 916.991.9816. Also, please send any correspondence, regarding this request, to my attention at: Wilbur-Ellis Company, 841 W. Elkhorn Blvd., Rio Linda, CA 95673. I have included two labels to help facilitate my request. Thank you.

Sincerely,

Anne Downs
Senior Registration Specialist



NUBARK[®] MANCOZEB AS

POTATO SEED PROTECTANT — FUNGICIDE

ACTIVE INGREDIENTS:

Mancozeb: A coordination product of zinc ion and manganese ethylene bisdithiocarbamate.....8.00%

Manganese**.....1.6%

Zinc**.....0.2%

Ethylene bisdithiocarbamate ion (C₄ H₆ N₂ S₄)⁻.....6.2%

Streptomycin Sulfate.....0.02%

OTHER INGREDIENTS.....91.98%

100.00%

EPA Reg. No. 2935-550

EPA Est No. 2935-CA-1

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	
If in eyes:	-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 inhaled:	-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.
If on skin or clothing:	-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:	-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.

NOTIFICATION
FEB 15 2011

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are neoprene, polyvinyl chloride or nitrile. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart.

Loaders, applicators, and other handlers must wear: A) Long-sleeved shirt and long pants; B) Chemical-resistant gloves made out of any waterproof material; C) Shoes and socks and D) a NIOSH-approved respirator with dust/mist filter with MSHA/NIOSH approval number prefix TC-21C or any N, R, P, or HE filter.

See engineering controls for additional requirements.

USER SAFETY REQUIREMENTS

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing or other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

ENGINEERING CONTROLS

Large scale seed piece treatment facilities that, on any given week in the current year or in the past year, treated $\geq 50,000$ cwt ($\geq 2,500$ tons) must use dust collection system during the treatment of the seed pieces that prevents dust from contacting handlers or other persons.

Handlers using the dust collection system must wear: A) Long-sleeved shirt and long pants; B) Chemical-resistant gloves made of any waterproof material; C) Shoes and socks and D) must be provided with, have immediately available, and wear in an emergency, such as a broken package, spill, or equipment breakdown: a NIOSH-approved respirator with dust/mist filter with MSHA/NIOSH approval number prefix TC-21C or any N, R, P, or HE filter.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to aquatic organisms and may be hazardous to aquatic plants. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not apply directly to water, or to areas where surface water is present, or to inter-tidal areas below the mean high water mark. Do not contaminate water when cleaning equipment or disposing of equipment washwater or rinsate.

PHYSICAL OR CHEMICAL HAZARDS

IMPORTANT: Keep away from fire and sparks. Store in a safe place. Do not allow to become wet or overheated in storage. This may bring on chemical changes which will impair the fungicidal effectiveness of Nubark Mancozeb AS Potato Seed Protectant Fungicide and may also generate flammable vapors. Keep container closed when not in use.

USER SAFETY RECOMMENDATIONS

Users should: 1) Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. 2) Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. 3) 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

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, greenhouses and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), notification to workers 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 24 hours.

Exception: Once these seed-pieces are planted in soil or other planting media, the Worker Protection Standard allows workers to enter the treated area without restriction if there will be no worker contact with the soil/media subsurface.

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: A) Coveralls; B) Chemical-resistant gloves made out of any waterproof material; C) shoes plus socks.

ALWAYS READ ENTIRE LABEL. USE STRICTLY IN ACCORDANCE WITH PRECAUTIONARY STATEMENTS AND DIRECTIONS, AND WITH APPLICABLE STATE AND FEDERAL REGULATIONS.

NUBARK MANCOZEB AS is a fungicide designed for the dry treatment of potato seed pieces to suppress Fusarium, Rhizoctonia, and Black Leg. Thoroughly dust whole or cut potato seed pieces with NUBARK MANCOZEB AS at the rate of 1 lb. of Nubark Mancozeb AS per 100 lbs. of seed pieces. Apply the treatment so that the cut seed pieces are thoroughly covered with dust by the use of a convenient container or dust attachment over the belt. Do not exceed the label rate.

Thoroughly clean and sanitize cutting machines, knives, trays, tables, barrels, equipment, trucks and planters before cutting and planting seed pieces. If seed potatoes have not sprouted, subject them to temperatures between 50 to 60 degrees F for approximately 10 to 15 days before handling. Treat the warmed seed pieces immediately after they are cut. Seed pieces should be planted immediately after treatment. If cut and treated seed pieces cannot be planted immediately, they should be held for a minimum of one week at cool temperatures and high relative humidity, prior to planting. This holding period promotes suberization and allows the cut surfaces to heal.

This product contains the antibiotic, streptomycin. To reduce the development of drug-resistant bacteria and maintain the effectiveness of this and other antibacterial products, this product should be used only to treat or prevent infections that are proven or strongly suspected to be caused by bacteria.

This material is not to be used for medical or veterinary purposes.

Language required for bags containing treated seed-pieces:

Seed-pieces that have been treated with this product that are then packaged or bagged for future use must contain the following labeling on the outside of the seed/seed-piece package or bag:

"Treated Seed/Seed-Pieces - Do not use for Food, Feed, or Oil Purposes.

When opening this bag or loading/pouring the treated seed/seed-pieces that are treated with the fungicides, mancozeb and streptomycin sulfate, wear long-sleeved shirt, long pants, shoes, socks, chemical resistant gloves, and a NIOSH-approved respirator with a dust/mist filter with MSHA/NIOSH approval number prefix TC-21C or any N, R, P, or HE filter.

After the seeds/seed-pieces have been planted, do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 24 hours. **Exception:** Once the seed/seed-piece are planted in soil or other planting media, the Worker Protection Standard allows workers to enter the treated area without restriction if there will be no worker contact with the soil/media subsurface."

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a safe manner. Store in original container only. Store in cool, dry place. Never allow this product to become wet during storage. Moisture may lead to chemical changes which reduce fungicidal efficacy and create vapors which may be flammable. Reduce stacking height where local conditions, such as humidity or pallet overhang, can affect package strength. Do not store under conditions which might adversely affect the container or its ability to function properly. Such conditions include, but are not limited to, positioning of the container in storage, storage temperature, potential for crushing or damage due to stacking and penetration of moisture.

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

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application 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.

Conditions 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 the product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

ALL STATEMENTS MADE HEREIN ARE SUBJECT TO APPLICABLE LAW, AND TO THE EXTENT THERE IS ANY INCONSISTENCY OR CONTENTION, APPLICABLE LAW SHALL GOVERN.

The Directions for Use of the product must be followed carefully. 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 many different factors including, without limitation, manner of use or application, weather, combination with other products, or crop conditions. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Manufacturer and Seller harmless from any claims relating to such factors.

Seller warrants that this product conforms to the chemical description on the label. EXCEPT FOR THIS WARRANTY, THE PRODUCT IS FURNISHED "AS-IS", AND NEITHER SELLER NOR MANUFACTURER MAKES ANY OTHER WARRANTIES, EXPRESS OR IMPLIED, WITH RESPECT TO THE SELECTION, PURCHASE OR USE OF THIS PRODUCT; SELLER AND MANUFACTURER SPECIFICALLY DISCLAIM ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. Buyer and User accept all risks arising from any use of this product, including without limitation uses contrary to label instructions, under abnormal conditions, or under conditions not reasonably foreseeable to (or beyond the control of) Seller or Manufacturer.

Neither Manufacturer nor 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 BUYER OR USER, AND THE EXCLUSIVE LIABILITY OF MANUFACTURER 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 THIS PRODUCT, OR, AT THE ELECTION OF MANUFACTURER OR SELLER, THE REPLACEMENT OF THE PRODUCT.

These Conditions of Sale and Limitation of Warranty and Liability shall be interpreted in accordance with the laws of the State of California, excluding its conflicts of laws or rules, and may not be amended by any oral or written agreement.

WILBUR-ELLIS Logo® and NUBARK® are registered trademarks of WILBUR-ELLIS Company.

F-091310

In Case of Emergency, Call CHEMTREC: (800) 424-9300

Batch Code _____

WILBUR-ELLIS COMPANY
2903 S. CEDAR AVE., FRESNO CA 93725

NET CONTENTS: 50 POUNDS