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CIBA-GEIGY

May 20, 1977

Registration Division (WH-567)
Office of Pesticide Programs
Environmental Protection Agency
401 M Street S.W.
M Washington, D.C. 20460

Attention: Mr. Henry M. Jacoby
Product Manager #24

Gentlemen:

SUBJECT: MEETING OF MAY 17, 1977 BETWEEN
H. CRAVEN, R. FELTHAUSEN AND H. JACOBY - EPA
AND J. BARNETT, L. NEWBY AND J. NORTON -
CIBA-GEIGY

We wish to express our appreciation again for the excellent meeting with you, Henry Craven and Dick Felthausen of May 17, 1977.

We feel that the meeting was very productive, both for EPA and CIBA-GEIGY, because of the important conclusions that were reached regarding test protocols, data requirements and time-tables, specifically as they relate to CIBA-GEIGY's petition for residue tolerances for metolachlor in soybeans and CIBA-GEIGY's application to register Dual® 6E for selective weed control in this crop.

We agree with your conclusions of the meeting and wish to confirm our understanding of the conclusions and agreements reached with the following points:

1. CIBA-GEIGY agreed to conduct a chronic fish bioassay in accordance with the test protocol developed by the U.S. Fish and Wildlife Service, USDI, Columbia, Missouri. We understand this test involves chronic (egg-to-egg) exposure of metolachlor to fathead minnows. CIBA-GEIGY will inform EPA as soon as the test is initiated.
2. The exposure level used in the chronic fish study will be based on results of pilot toxicity testing under dynamic conditions and employing an appropriate safety factor.

Registration Division (WH-567)
May 20, 1977
Page 2

3. EPA will allow two (2) years after the registration date of Dual 6E on corn (November 23, 1978) to complete the chronic fish bioassay. Data from this study will not be required prior to establishing the tolerance of metolachlor in soybeans or prior to registering its use in soybeans. This is conditioned on the fact that data from an aged soil catfish accumulation study is submitted prior to registering Dual 6E on soybeans. We anticipate that this study will be completed by early September, 1977.
4. Results from a metolachlor foodchain study which is nearing completion in Basle, Switzerland, will be submitted to EPA as soon as possible after completion.
5. The "secondary poisoning" study using prey-eating birds and/or mammals and/or fish mentioned in Point 4 of EPA's Experimental Use Permit letter (100-EUP-44) of July 9, 1976, is not required at the present time. Metolachlor could be a candidate for such a study but, if required, it would probably be several years in the future. Should metolachlor become a candidate for this type of study, EPA will notify CIBA-GEIGY.
6. CIBA-GEIGY has agreed that the initial registration of Dual 6E and Dual 6E combinations in soybeans or the Amended Dual 6E corn label will not include aerial applications until phytotoxicant drift data onto non-target areas are available. We understand that these data and the results of the chronic fish bioassay will be required to support aerial applications.

Again, we thank you for an excellent meeting. We trust that our understanding of the conclusions reached during the meeting are the same as yours and respectfully request that you inform us if in your opinion there are any significant differences.

Sincerely,

Jack Norton

Jack A. Norton
Regulatory Specialist

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cc: R. L. Feulner

