



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

SEP 8 1994

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

THERESA KAMICKER
CIBA-GEIGY CORP.
P.O. BOX 18300
GREENSBORO, N.C. 27419

Subject: Label Amendment Submission of 09/15/93 in Response to PR Notice 93-7
EPA Reg. No. 100-670
APRON & CAPTAN FUNGICIDE SEED TREATMENT

IMPORTANT NOTICE: This Letter Requires You to Submit a Notification to the Office of Compliance Monitoring within 20 Days.

Dear Registrant:

The labeling cited above and submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is accepted subject to the comments listed on the enclosed sheet. A copy of your proposed labeling stamped "ACCEPTED WITH COMMENTS" is enclosed.

SERIOUS ERROR(S) ON SUBMITTED LABELING:

EPA has determined that one or more of the errors on the labeling you submitted to the Agency is categorized as "serious" as defined in PR Notice 93-11. In general, serious errors are those that may create a potential for harm to workers, handlers, other persons, or the environment; or those that prevent the achievement of the basic goals of the Worker Protection Standard (WPS) or FIFRA.

YOU MUST NOT SELL OR DISTRIBUTE (INCLUDING RELEASE FOR SHIPMENT) ANY PRODUCT BEARING THE SUBMITTED LABELING. Sale or distribution of any product with the incorrect labeling is a violation of FIFRA that could result in initiation of an action for civil penalties and/or cancellation of your product. This matter has been referred to the Office of Compliance Monitoring (OCM) for further action.

YOU MUST SUBMIT A NOTIFICATION TO THE OFFICE OF COMPLIANCE MONITORING WITHIN 20 DAYS OF THE DATE OF THIS LETTER.



Recycled/Recyclable
Printed with Soy/Canola Ink on paper that
contains at least 50% recycled fiber

Each notification must include the following information:

1. Registrant's name and address.
2. EPA Registration number of the product for which the labeling was submitted.
3. Whether any product already has been sold or distributed (this includes released for shipment) bearing the submitted labeling.

In addition, the notification must include the following information, IF you have already sold or distributed any product bearing the submitted labeling:

1. Quantity of the product that has been sold or distributed.
2. EPA Producing Establishment number.
3. Location of the product, if known.
4. Proposed plan for assuring that product with the incorrect labeling in your control, as well as that in the hands of dealers/distributors/users, will be corrected. The plan must include your proposal for assuring that the labeling is corrected as soon as possible.

Submit the notification to:

Michael Wood, Director
Compliance Division, (7203)
Worker Protection Notification
Office of Compliance Monitoring
U.S. Environmental Protection Agency
401 M Street SW
Washington, DC 20460

Failure to submit a notification also may result in initiation of an action under FIFRA for civil penalties, if you sold or distributed (this includes released for shipment) product bearing the incorrect labeling.

IN ADDITION, YOU SHOULD CONTACT IMMEDIATELY THE PERSONS TO WHOM YOU SOLD OR DISTRIBUTED YOUR PRODUCT AND INFORM THEM NOT TO SELL OR DISTRIBUTE ANY PRODUCT WITH THE INCORRECT LABELING.

WHAT THIS ACCEPTANCE MEANS:

Based on your certification, the Agency has accepted the labeling changes that are necessary to comply with the WPS labeling requirements of 40 CFR part 156, subpart K, described in PR Notices 93-7 and 93-11. Any other labeling changes submitted in connection with this amendment application but not directly related to compliance with the WPS have neither been reviewed nor accepted by the Agency. If you wish to make such changes, you must submit a separate amendment application proposing them. If your product is currently suspended, the acceptance of this labeling amendment does not affect the suspension in any way.

WHAT YOU NEED TO DO NEXT:

Submit the required notification. Then by the next label printing make all the specified changes to your labeling. Send to EPA one (1) copy of the final printed labeling:

- BEFORE selling or distributing any product bearing the final printed labeling as amended

AND

- WITHIN one year from date of this acceptance.

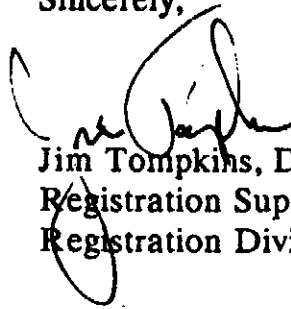
Submit the final printed labeling via the U.S. Postal Service to:

Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs (7505C)
U.S. Environmental Protection Agency
401 M Street, SW
Washington, D.C. 20460-0001

Hand or courier deliveries of final labeling may be made to:

Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs
Room 266A, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202

Sincerely,



Jim Tompkins, Deputy Chief
Registration Support Branch
Registration Division (7505W)

Attachment

cc: Office of Compliance Monitoring

GREGORY R. WATSON
CEIBY GEIGY CORPORATION

Comments for: EPA REG. NO. 100-670
APRON + CAPTAN SEED PROTECTANT

The following specific comments pertain to your WPS labeling submission concerning the product cited above:

The restricted entry interval as outlined in supplement Three-A should be added as shown in item 4 of section F.

The Personal Protective Equipment for early-entry as outlined in Supplement Three of PR 93-7 must be added to your label.

You may add the following acceptance to allow early entry if there will be no contact with treated seed. "Exception: if treated seed is soil incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated."

Correct the typographical error in the spanish text circled on your proposed label.

6912

WPS

Front Panel

Apron® + Captan
Fungicide Seed Protectant

ACCEPTED
with COMMENTS
In EPA Letter Dated

SEP 8 1994

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
100-670

An on-farm soybean and sorghum seed
treatment for protection against seed
rots and certain diseases caused by Pythium
and Phytophthora spp.

Active Ingredients:

Metalaxyl: N-(2,6-dimethylphenyl)-N-	
(methoxyacetyl) alanine methyl ester	12.5%
*Captan:	30.8%
Related derivatives:7%
<u>Inert Ingredients:</u>	<u>56.0%</u>
Total:	100.0%

*N-trichloromethylthio-4-
cyclohexene-1,2-dicarboximide

Apron + Captan is a powder for dry seed treatment.

EPA Est. 42056-IL-1
EPA Reg. No. 100-670

Keep Out of Reach of Children

DANGER/PELIGRO

Si usted no entiende la etiqueta, busque a alguien para que se
la explique a usted en detalle. (If you do not understand the
label, find someone to explain it to you in detail.)

Front Panel (Continued)

Statement of Practical Treatment

<u>If in eyes:</u>	Flush with plenty of water. Call a physician.
<u>If swallowed:</u>	Drink promptly a large quantity of milk, egg whites, gelatin solution, or if these are not available, large quantities of water. Avoid alcohol. Do not induce vomiting or give anything by mouth to an unconscious person.
<u>If inhaled:</u>	Remove victim to fresh air. If not breathing, give artificial respiration, preferably mouth to mouth. Get medical attention.
<u>If on skin:</u>	Wash with plenty of soap and water. Get medical attention if irritation persists.
<u>Note to Physician:</u>	Probable mucosal damage may contraindicate the use of gastric lavage.

See additional precautionary statements on back of container.

See directions for use on back of container.

Five Pounds
Net Weight

Ciba-Geigy

Back of Container

DIRECTIONS FOR USE AND CONDITIONS OF SALE AND WARRANTY

IMPORTANT: Read the entire Directions for Use and the Conditions of Sale and Warranty before using this product.

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 should be followed carefully. However, it is impossible to eliminate all risks inherently associated with 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 Ciba-Geigy or the Seller. All such risks shall be assumed by the Buyer.

Ciba-Geigy 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. Ciba-Geigy makes no other express or implied warranty of Fitness or Merchantability or any other express or implied warranty. In no case shall Ciba-Geigy or the Seller be liable for consequential, special, or indirect damages resulting from the use or handling of this product. Ciba-Geigy 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 Ciba-Geigy.

9/12

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, and 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) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

FAILURE TO FOLLOW THE DIRECTIONS FOR USE AND PRECAUTIONS ON THIS LABEL MAY RESULT IN CROP INJURY, POOR DISEASE CONTROL, AND/OR ILLEGAL RESIDUES.

General Information

Apron + Captan Fungicide Seed Protectant is a dry powder formulated specifically for seed treatment application at planting time in soybeans and sorghum. Unique formulation technology has been incorporated to help lubricate the planter; thus allowing a smooth even flow of seed to the furrow, while providing uniform seed coverage and adherence to the seed.

Diseases Controlled

The combination of Apron with Captan provides protectant activity against seed rot organisms and protectant and systemic activity against Pythium damping-off, as well as early season control of Phytophthora diseases of soybeans and downy mildew of sorghum.

Apron + Captan should be applied at planting time, utilizing either the Gustafson JF-1 farm unit treater or the Gustafson

CF-80* treater to maximize seed coverage. (*Calibrate the Gustafson CF-80 treater as per the manufacturer's instructions.)

Seed should be placed in the treater and then the chemical added as follows:

Soybeans: Apply 2 ozs. of Apron + Captan per 50 lbs. of seed for protection against seed rots, Pythium damping-off and early season Phytophthora.

Sorghum: Apply 2 ozs. of Apron + Captan per 50 lbs. of seed for protection against seed rots and Pythium damping-off. For control of early season downy mildew, apply 4 ozs. per 50 lbs. of seed.

Notes: (1) For planters with electric eye monitors, periodically clean them with brushes provided by the planter manufacturer, according to their directions. (2) Treated seed must not be used or mixed with food or animal feed, or processed for oil. (3) Treat only those seeds needed for immediate use, minimizing the interval between treatment and planting. (4) Do not store excess treated seeds beyond planting time.

Storage and Disposal

Pesticide Storage and Disposal

Store in a cool, dry place. Do not contaminate water, food, or feed by storage or disposal, or cleaning of equipment. Open dumping is prohibited. Wastes resulting from the use of this product are acutely hazardous. Improper disposal of unused pesticide is a violation of federal law. Pesticide that cannot be used according to label instructions must be disposed of according to federal, state, or local procedures. For guidance in proper disposal methods, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste Representative at the nearest EPA Regional Office.

Container Disposal

Do not reuse empty container. Triple rinse container (or equivalent), puncture and dispose of in a sanitary landfill, by incineration, or if allowed by state and local authorities, by burning. If burned, keep out of smoke.

For minor spills, etc., follow all precautions indicated on this label and clean up immediately. Take special care to avoid contamination of equipment and facilities during cleanup procedures and disposal of wastes. In the event of a major spill, fire, or other emergency, call 1-800-888-8372 day or night.

Precautionary Statements

Hazards to Humans and Domestic Animals

DANGER/PELIGRO

Causes irreversible eye damage. Harmful if swallowed, inhaled, or absorbed through skin. Do not get in eyes or on clothing. Avoid breathing dust and contact with skin.

Personal Protective Equipment:

Applicators and other handlers (other than mixers and loaders) must wear:

- Long-sleeved shirt and long pants
- Waterproof gloves
- Shoes plus socks
- Protective eyewear

Mixers and loaders must wear:

- Long-sleeved shirt and long pants
- Waterproof gloves
- Shoes plus socks
- Protective eyewear
- Chemical-resistant apron when mixing and loading
- Dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C)

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

User Safety Recommendations:

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Environmental Hazards

This pesticide is toxic to fish. Keep out of any body of water. Do not clean equipment or dispose of equipment wash waters in a manner that will contaminate water resources. In the event that treated seeds are spilled and cannot be salvaged, completely cover them with soil.

Apron® trademark of Ciba-Geigy Corporation for metalaxyl
U.S. Patent 4,151,299

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Ciba Plant Protection
Ciba-Geigy Corporation
Greensboro, North Carolina 27419

CGA 83L1 (WPS)

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Revised - 9/17/93 - WPS

[GANNONC.LABELA]ACAPWPS - 9/17/93