

400-113

3-28-2003

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EPA	United States	<input type="checkbox"/> Registration	OPP Identifier Number
	Environmental Protection Agency	<input type="checkbox"/> Amendment	
	Washington, DC 20460	<input checked="" type="checkbox"/> Other	

Application for Pesticide - Section I

1. Company / Product Name 400-113	2. EPA Product Manager Mary Waller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company / Product (Name) Vitavax®-17 Flowable Fungicide	PM# 21	
5. Name and Address of Applicant (Include ZIP Code) Crompton Corporation 74 Amity Road Bethany, Connecticut 06524-3402 <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 to a NOTIFICATION EPA Reg No. _____ Product Name <u>MAR 28 2003</u>	

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.)

- This notification is consistent with the provisions of PR Notice 95-2 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 95-2 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

- Deletion of label statement: "This product contains the toxic inert ingredient Rhodamine B dye."
- Updated "Do not apply directly to water..." statement.
- Added "First Aid" heading.

Section - III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No	Child Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	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	If "Yes" Unit Packaging wgt	No. Per container	If "Yes" Packaging wgt
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container	5. Location of Label Directions <input type="checkbox"/> Label <input type="checkbox"/> On Label accompanying product	
6. Manner in Which Label is Applied to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other			

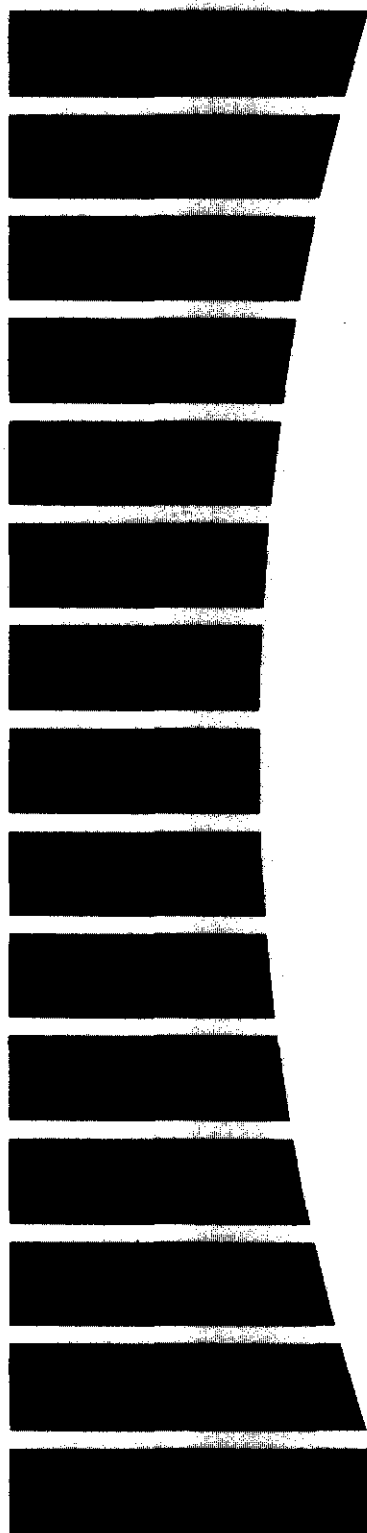
Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)			
Name Willard F. Cummings	Title Manager U.S. Registration	Telephone No. (Include Area Code) (203) 393-2163	
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 statements may be punishable by fine or imprisonment or both under applicable law.			6. Date Application Received (Stamped)
2. Signature 	3. Title Manager U.S. Registration		
4. Typed Name Willard F. Cummings	5. Date February 25, 2003		

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NOTIFICATION
MAR 28 2003

Vitavax®-17 Flowable Fungicide



Net Contents:

Active Ingredients: (% by weight)	
Carboxin (5,6-dihydro-2-methyl-N-phenyl-1,4-oxathiin-3-carboxamide)*	17.1%
Inert Ingredients:	82.9%
Total:	100.0%

*Contains 1.50 pounds of active Carboxin per gallon.

KEEP OUT OF REACH OF CHILDREN WARNING

FIRST AID

- IF IN EYES:** Immediately flush eyes with plenty of water and get medical treatment.
- IF SWALLOWED:** Call a physician or Poison Control Center. Drink 1 or 2 glass of water and induce vomiting by touching back of throat with finger or blunt object. Do not induce vomiting or give anything by mouth to an unconscious person.
- IF INHALED:** See a physician if an abnormal reaction occurs.
- IF ON SKIN:** Wash thoroughly with soap and water.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS WARNING

Causes eye irritation. Harmful if swallowed. Do not breathe vapors or spray mist. Do not get in eyes, on skin or on clothing. Wash hands and face thoroughly with soap and water after use and before eating or smoking.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, 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.

PHYSICAL OR CHEMICAL HAZARDS

Flammable, keep away from heat and open flame.

EPA REG. NO. 400-113
EPA EST. NO.
001CM

Crompton Manufacturing Company, Inc.
Middlebury, CT 06749

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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 through any type of irrigation system.

VITAVAX-17 is a ready-to-use seed treatment which should be applied as a slurry treatment by machine. Use the higher rate under conditions of expected heavy disease pressure.

BARLEY, OATS, WHEAT AND TRITICALE

For the control of loose smut (*Ustilago nuda*), covered smut (*Ustilago hordei*), of barley, loose smut (*Ustilago avenae*), covered smut (*Ustilago kollerii*), of oats, loose smut (*Ustilago tritici*) and common bunt (*Tilletia caries*) of wheat. Use at the rate of 4 - 6 fl. ounces per 100 pounds of seed.

CORN

VITAVAX-17 controls seed and seedling disease and provides systemic control of seedborne head smut (*Sphacelotheca reiliana*). VITAVAX-17 is also particularly effective against *Rhizoctonia solani*. VITAVAX-17 should be used at the rate of 4 - 8 fl. ounces per 100 pounds of seed when applied to seed that has been treated or will be treated with protectant fungicides such as captan or thiram.

COTTON

VITAVAX-17 provides systemic control of seeds and seedling diseases of cotton. Seed rot, damping-off and sore-shin due to *Rhizoctonia solani* are prevented. VITAVAX-17 Fungicide can be used on both machine and acid delinted cottonseed at the rate of 16 fluid ounces per 100 pounds of seed.

BEANS

VITAVAX-17 should be used at the rate of 6 - 8 fl. ounces per 100 pounds of seed for the control of seedling diseases for beans. Do not allow livestock to graze or feed on bean forage until 60 days after treated seed is planted.

SOYBEANS

VITAVAX-17 should be used at the rate of 6 - 8 fl. ounces per 100 pounds of seed for the control of seedling diseases in soybeans. Do not graze or feed livestock on forage and hay on treated areas.

COMPATIBILITY

VITAVAX-17 can be used in combination with Gustafson's Captan 30-DD and CAPTAN-300 or Gustafson's 42-S flowable seed protectants. All other tank mixes should be pre-tested to determined physical compatibility between formulations, and to assure there will be no adverse phytotoxic reactions.

FOR CORN SEED ONLY

VITAVAX-17 may be tank mixed with the following registered pesticides: Orthocide* 75 Seed Protectant, Orthocide* Methoxychlor 75-3 Seed Protectant, Captan 80 Seed Protectant, Captan Methoxychlor 75-2 Seed Protectant and Cythion**8F. Do not allow mixtures to stand overnight. Thoroughly clean equipment between treating operations.

*Orthocide® trademark of Chevron Chemical Company.

**Cythion® trademark of American Cyanamid.

Observe all cautions and limitations on labeling of all products used in mixture with this product only as specified on this label.

USE RESTRICTIONS

This product contains a dye which imparts an unnatural color to the seed to help prevent the inadvertent use of treated seed for oil purposes or as food for man or feed for animals. Treated seed must not be used for or mixed with food or animal feed, or processed for oil. Treat only those seeds needed for immediate use, minimizing the Interval between treatment and planting. Do not store excess treated seeds beyond planting time. Do not graze or feed livestock on treated areas for six weeks after planting.

SEED LABELING

"This seed is treated with carboxin (VITAVAX) at the manufacturer's recommended rate. Do not use treated seed for food, feed or oil purposes. On corn, barley and wheat, do not graze or feed livestock on treated areas for six weeks after planting". Add appropriate information for any other chemical treatments.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. **PESTICIDE DISPOSAL:** Wastes resulting from the use of this product may be disposed of on site or at an approved wastes disposal facility.

CONTAINER DISPOSAL: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities.

IMPORTANT NOTICE--Seller warrants that this product conforms to its chemical description and is reasonably fit for the purposes stated on the label when used in accordance with the directions and instructions specified on the label under normal conditions of use, but neither this warranty nor any other warranty of merchantability or fitness for a particular purpose, express or implied, extends to the use of this product, contrary to label instructions, or under abnormal conditions, or under conditions not reasonably foreseeable to seller, and buyer assumes the risk of any such use.

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February 25, 2003

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
Room 266A, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, Virginia 22202

Attention: Ms. Mary Waller, PM 21
Registration Division (7505C)

Subject: **Vitavax®-17 Flowable Fungicide**
EPA Reg. No. 400-113
Removal of List 1 Required Label Wording

Dear Ms. Waller:

Enclosed is amended labeling for the above referenced product. This label change was submitted on November 18, 2002. We hereby request to make the label change via the notification method. Since the dye in the seed treatment product, Rhodamine B dye, has been moved from EPA List 1 to EPA List 4B, we request to delete the following label statement.

"This product contains the toxic inert ingredient Rhodamine B dye."

Background: In 1987 EPA announced its policy on toxic inert ingredients in the FR of April 22, 1987 (52FR13305). EPA encouraged the use of the least toxic inerts available and required the development of data necessary to determine the conditions of safe use of products that contained the toxic inerts. At that time, Rhodamine B dye was placed on List 1, Inerts of Toxicological Concern. Being a list 1 inert, it also was subject to the labeling requirement in the paragraph above. A copy of the FR notice is attached as item 1.

A task force composed of seed treatment companies developed data during the 1990's to demonstrate that under the conditions of use, the chemical is not likely to result in residues in food or feed. In part, as a result of that effort, the EPA created a new subpart E in 40CFR part 180. The subpart is titled: "Pesticide chemicals not requiring a tolerance or an exemption from a tolerance." Rhodamine was placed in the new subpart 180.2020. Rhodamine B is now limited to uses as a dye for seed treatment, and must meet the limits stated in 180.2020: "Not to exceed 2% by weight of the formulated product and 60 ppm on the treated seed." The Final rule was published in 53FR66769. A copy of the Final Rule is attached as item 2.

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Ms. Mary Waller, PM-21
February 25, 2003
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Then in March 2002, the EPA reclassified Rhodamine B from List 1 to List 4B. This notice was published in **67FR10718**. List 4B inerts are "inerts for which EPA has sufficient information to reasonably conclude that the current use pattern in pesticide products will not adversely affect public health or the environment." A copy of that Federal Register notice is attached as item 3.

Kerry Leifer agrees that the List 1 required label statement is no longer appropriate and may be removed from applicable labels. Feel free to contact me if you have any questions.

Sincerely,

CROMPTON CORPORATION



Willard F. Cummings
U.S. Registration Manager
Crop Protection
Research & Development

Attachments:

- 1) Federal Register - 52FR13305
- 2) " " - 66FR66769
- 3) " " - 67FR10718
- 4) Application for Pesticide Label Notification (form 8570-1).
- 5) Five copies of the revised Vitavax®-17 Flowable Fungicide (400-113) label
- 6) One copy of the current Vitavax®-17 Flowable Fungicide (400-113) label.