

pm 21 618-84
United States Environmental Protection Agency
Washington, D.C. 20460

File
page 194

Office of
Prevention, Pesticides and
Toxic Substances

OCT 12 1993

Margaret Waters
MERCK & CO INC
AGENT FOR: MERCK & CO INC
HILLSBOROUGH RD
THREE BRIDGES NJ 08887

Subject: Label Amendment Submission of 06/10/93
in Compliance with WPS Labeling Requirements
EPA Reg No. 618-84
MERTECT LSP FUNGICIDE

Dear Registrant:

The labeling cited above and submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is accepted subject to the comments listed below.

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

A copy of your proposed labeling stamped "Accepted with comments" is attached. Make any required changes described in the attached and send three copies of final labeling as soon as it is available to:

2 4 4

Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs (H-7504C)
U.S. Environmental Protection Agency
401 M Street SW
Washington, DC 20460-0001

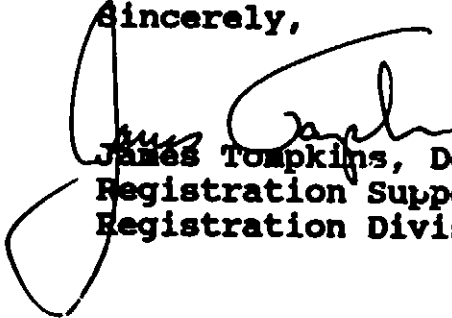
Hand or courier deliveries of final labels may be made to:

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

Please correct the typographical errors circled on the draft before printing final labeling.

In your final labeling the "Agricultural Use Requirements" text" must be contained in a clearly separate box. This box may be set apart by a line, by another graphical device, by a different color background, or in any other way that clearly distinguishes it from surrounding text.

Sincerely,



James Tompkins, Deputy Chief
Registration Support Branch
Registration Division (H7505W)

3 of 4

MERCK & CO INC
MERTECT LSP FUNGICIDE
618-84 06/10/93
Original Submission

You have not transcribed the first paragraph in the Agricultural Use Requirements section exactly as prescribed in the Main Labeling Guidance.

BEST AVAILABLE COPY

Product
48009

FLOWABLE
(Water Dispersible Suspension)

MERTECT® LSP FUNGICIDE

WHEAT SEED TREATMENT
To Control Seed- and Soil-Borne Common Bunt (Stinking Smut)
and Dwarf Bunt of Wheat

Active ingredient
2-(4-chlorophenyl)
benzimidazole 30%
Inert ingredients 70%

PRECAUTIONARY STATEMENTS

Harmful to Humans and Domestic Animals

KEEP OUT OF REACH OF CHILDREN

CAUTION
HARMFUL IF SWALLOWED

Do not get in eyes or on skin. *add*
FIRST AID—If in eyes or on skin: Flush with water; for eyes, get medical attention.
Environmental Hazards
This pesticide is toxic to fish. Do not apply directly to water. Do not contaminate
water by cleaning of equipment or disposal of wastes.

See Side Panel for Directions for Use
EPA Est. 00701-AB-1 U.S. Pat. 2,370,957 EPA REG. NO. 616-04-0A

5 GALLONS
(18.9 liters)

MSD AGVET
Division of MERCK & CO., INC.
Rahway, New Jersey 07065, U.S.A.

5 Gallons

MERTECT® LSP

Product 48009

DIRECTIONS FOR USE

General Classification

It is a violation of Federal (U.S.A.) law to use
this product in a manner inconsistent with its labeling. *add (1) and (2) →*

GENERAL—MERTECT LSP is a systemic fungicide especially formulated as a liquid suspension seed protectant
for use as a spray mist or slurry seed treatment.

MERTECT LSP is recommended for the control of seed- and soil-borne Common Bunt (Stinking Smut)
attacking wheat; also aids in control of Dwarf Bunt. If treatment is not effective following use of MERTECT LSP
as recommended, a tolerant strain of fungus may be present.

SHAKE OR STIR WELL BEFORE USE

Seed Treatment—Clean seed treatment equipment thoroughly before using MERTECT LSP. This product has
no vapor action; therefore, it is essential that thorough coverage of the seed be obtained. In this regard,
MERTECT LSP is recommended to be dispersed with water to aid distribution on the seed. When dispersed with
water, however, the resulting suspension must be kept under constant agitation. Treated seed has been stored
for a period of one year without loss of fungicidal efficacy.

WINTER AND SPRING WHEAT—Control of Seed- and Soil-borne Common Bunt (Stinking Smut): For ready-
mix or slurry seed treatments, disperse 2.0 fluid ounces of MERTECT LSP for Seed-borne Common Bunt, or 2.0-4.0
fluid ounces for Soil-borne Common Bunt, in an equal amount of water (1:1 ratio) and apply this dispersion per
bushel. Keep dispersion under constant agitation. *(2)*

WINTER WHEAT ONLY—Aids in Control of Dwarf Bunt in Colorado, Idaho, Montana, Oregon, Washington,
Wyoming, and Utah: For ready-mix or slurry seed treatments, disperse 4.0-8.0 fluid ounces MERTECT LSP in an
equal amount of water (1:1 ratio) and apply this selected dispersion per bushel. Keep dispersion under constant
agitation. For best results against Dwarf Bunt, plant winter wheat treated with MERTECT LSP as late in the
growing season as is practical, but only on normal or late winter wheat plantings. Use the lower rate for late
plantings of winter wheat. The level of product effectiveness will vary with the weather conditions and amount
of plant growth which occurs prior to the disease infection period.

USE RESTRICTIONS—When seed has been treated with MERTECT LSP, do not graze or cut green forage for
livestock feed.

SEED LABELING—Treated seed labels should include "This seed treated with MERTECT LSP Fungicide. Do not
use for food, feed, or all purposes."

STORAGE AND DISPOSAL

STORAGE: Product freezing temperature is 32°F. Satisfactory ability is restored after thawing and mixing
of product stored as low as 0°F. Repeated freezing and thawing should be avoided. Keep cover on opened
container to prevent drying.

DISPOSAL: Prohibitions—Do not contaminate water, food, or feed by storage or disposal. Open dumping
is prohibited. Do not reuse empty container. Pesticide Disposal—Pesticides, spray mixture or slurry that
cannot be used according to label instructions must be disposed of according to Federal, State or local
procedures under the Resource Conservation and Recovery Act. Container Disposal—Triple rinse (or
equivalent), then puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and
local authorities, by burning. If burned, stay out of smoke.

NOTICE OF 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 MSD AGVET or the Seller.
All such risks shall be assumed by the Buyer.

MSD AGVET 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. Buyer
assumes all risks of use and handling which are at variance in any way with the directions herein. MSD AGVET
makes no other express or implied warranty of fitness or merchantability or any other express or implied
warranty. In no case shall MSD AGVET or the Seller be liable for consequential, special, or indirect damages
resulting from the use or handling of this product. MSD AGVET and the Seller offer this product and the Buyer
and user accept it, subject to the foregoing Notice of Warranty which may be varied only by agreement in
writing signed by a duly authorized representative of MSD AGVET.

094287

Personal Protective Equipment: Some materials that are chemical resistant
to this product are listed below. If you want more options, follow the instructions
for category B on an EPA chemical resistance category selection chart. Applicators
and other handlers must wear long-sleeved shirt and long pants, chemical-
resistant gloves such as barrier laminate, nitrile rubber, neoprene rubber, or Viton,
and shoes plus socks. 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.

Under
Funding
no an
regime