

2935-389

10/12/2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OCT 12 2010

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

Ms. Anne Downs  
Senior Registration Specialist for,  
Wilbur-Ellis Company  
P. O. Box 1286  
Fresno, CA 93715

Subject: Nusan 30 EC  
EPA Registration Number 2935-389  
Your Notification Dated September 2<sup>nd</sup>, 2010  
EPA Received Date September 14<sup>th</sup>, 2010

The notification referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to revise the respirator statement as per PR Notice 98-9, is acceptable.

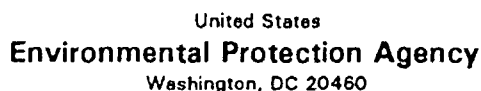
The notification has been made part of the file.

If you have questions concerning this letter, please contact Karen M. Leavy at (703)-308-6237.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Swindell".

Marshall Swindell  
Product Manager 33  
Regulatory Management Branch I  
Antimicrobials Division(7510P)



<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input type="checkbox"/>	Other

OPP Identifier Number

1. Company/Product Number 2935-389	2. EPA Product Manager Marshall Swindell	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Nusan 30 E.C.	PM# 33	
5. Name and Address of Applicant <i>(Include ZIP Code)</i>  Wilbur-Ellis Company PO Box 1286 Fresno, CA 93725  <input type="checkbox"/> Check if this is a new address	6. <b>Expedited Review.</b> 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 _____	

<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.

Notification of Revised Respirator Statement as required by PRN 98-9. This notification is consistent with the provisions of PR Notice 98-10 and EPA Regulations 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 sections 12 and 14 of FIFRA.

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		Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	
* Certification must be submitted		If "Yes" Unit Packaging wgt.      No. per container		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) _____					
3. Location of Net Contents Information		4. Size(s) Retail Container		5. Location of Label Directions	
<input type="checkbox"/> Label <input type="checkbox"/> Container				<input type="checkbox"/> _____	
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 _____			



1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name	Title	Telephone No. (Include Area Code)
Anne Downs	Senior Registration Specialist	1.916.991.9816

## 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	
4. Typed Name Anne Downs	5. Date September 2, 2010	



WILBUR-ELLIS®

September 2, 2010

Mr. Marshall Swindell  
Division – AD (7504C)  
Document Processing Desk (NOTIF)  
Office of Pesticide Programs  
One Potomac Yard, Room S-4900  
2777 S. Crystal Drive  
Arlington, VA 22202-45-1

**RE: Submission of Revised Respirator Statement -- Per PR Notice 98-9,  
Nusan 30 E.C., EPA Reg. No. 2935-389**

Dear Mr. Swindell:

On behalf of Wilbur-Ellis Company, please find enclosed a notification to revise the Respirator Statement, as required by PR Notice 98-9, to the Nusan 30 E.C. label, EPA Registration # 2935-389. The following items are enclosed in support of this notification:

- Application for Pesticide Amendment, EPA 8570-1 Form; and
- Label reflecting minor labeling changes (3 copies, one copy highlighted with changes)

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 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 sections 12 and 14 of FIFRA.

If you have any questions, please contact me by phone at 916.991.9816 or by email at [adowns@wilburellis.com](mailto:adowns@wilburellis.com). Also, could you please direct any correspondence regarding this submission to my attention at the following address: Wilbur-Ellis Company, 841 W. Elkhorn Boulevard, Rio Linda, CA 95673. Thank you.

Sincerely,

Anne Downs  
Senior Registration Specialist



Ideas to Grow With®

# NUSAN<sup>®</sup>

## 30 E.C.



415

### ACTIVE INGREDIENT:

2-(thiocyanomethylthio) benzothiazole ..... 30%

INERT INGREDIENTS ..... 70%

TOTAL ..... 100%

Contains xylene range aromatic solvent. Contains 2.635 pounds TCMTB per gallon.

EPA Reg. No. 2935-389

EPA Est. No. 2935-CA-1

### KEEP OUT OF REACH OF CHILDREN

#### WARNING -- AVISO

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

#### FIRST AID

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

If swallowed:	<ul style="list-style-type: none"><li>•Call a poison control center or doctor immediately for treatment advice.</li><li>•Have person sip a glass of water if able to swallow.</li><li>•Do not induce vomiting unless told to do so by a poison control center or doctor.</li><li>•Do not give anything by mouth to an unconscious person.</li></ul>
If inhaled:	<ul style="list-style-type: none"><li>•Move person to fresh air.</li><li>•If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li><li>•Call a poison control center or doctor for further treatment advice.</li></ul>
If in eyes:	<ul style="list-style-type: none"><li>•Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li><li>•Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li></ul>
If on skin or on clothing	<ul style="list-style-type: none"><li>•Take off contaminated clothing.</li><li>•Rinse skin immediately with plenty of water for 15-20 minutes.</li><li>•Call a poison control center or doctor for treatment advice.</li></ul>

### PRECAUTIONARY STATEMENTS

#### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Fatal if swallowed. May be fatal if absorbed through the skin. Do not get in eyes, on skin, or on clothing. Wear protective clothing and gloves. May be fatal if inhaled. Do not breathe dust. ~~Wear mask or pesticide respirator jointly approved by the Mine Safety and Health Administration and the National Institute for Occupational Safety and Health.~~ Wear a respirator with an organic-vapor removing cartridge with a prefilter approved for pesticides (MSHA/NIOSH approval number prefix TX-23C), or a canister approved for pesticides (MSHA/NIOSH approval number prefix TX-14G) or a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any R, P or HE prefilter. Causes substantial but temporary eye injury. Do not get in eyes or on clothing. Wear protective eyewear. Causes skin irritation. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Do not get on skin or on clothing. Remove contaminated clothing and wash clothing before reuse. Wash thoroughly with soap and water after handling and before eating, drinking or using tobacco. Avoid contamination of food.

**IMPORTANT:** Do not use crops grown from NUSAN 30 E.C. treated seed for grazing of livestock or to harvest as silage or forage for seven weeks after planting. However, grain harvested from plants grown from NUSAN 30 E.C. treated seed can be used for food or feed.

**NOT FOR USE OR STORAGE IN OR AROUND THE HOME.**

### ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Treated effluent should not be discharged where it will drain into lakes, streams, ponds or public water. Do not contaminate water when disposing of equipment washwaters.

### DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

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

Not for use on agricultural establishments in hopper-box, planter box, slurry box or other seed treatment applications at or immediately before planting.

Do not apply this product through any type of irrigation system.

**IMPORTANT.** Label treated seed: Seeds treated with NUSAN 30 E.C. cannot be used for food, feed, oil production or any other purpose except planting. Do not use crops grown from NUSAN 30 E.C. treated seed for grazing of livestock or to harvest as silage or forage for seven weeks after planting. However, grain harvested from plants grown from NUSAN 30 E.C. treated seed can be used for food or feed.

Always use NUSAN 30 E.C. with an EPA-approved dye or colorant that imparts an unnatural color to the seed.

NUSAN 30 E.C. is recommended for the control of seed-borne fungi that impair the germination and seedling development of cotton, rice and safflower. NUSAN 30 E.C., when used as directed, will usually increase stands and yields of these crops by preventing seed decay and seedling diseases. NUSAN 30 E.C. is effective against Rhizoctonia, Pythium, Fusarium and certain other fungi.

NUSAN 30 E.C. can be applied directly to the seed from the drum or as an agitated dispersion in water. The recommended rates on the crops presented below may be dispersed in as much as 16 fl. oz. of water and applied to 100 lbs. of seed.

Crop	Application Rates per 100 lbs. Seed	Fungi and Diseases Controlled
Cotton*	Acid-delinted seed, 1.25 - 4 fl. oz.; Machine-delinted seed, 1.5-5 fl. oz.	Seed and seedling rots, damping-off, shroshin (Pythium Rhizoctonia, Fusarium)
Rice	1- 1.25 fl. oz.	Pythium, Helminthosporium oryzae, water mold (achlya)
Safflower	1-2 fl. oz.	Safflower rust (Puccinia cartham)

\*Under heavy pythium pressure and rates below 4 fl. oz. per 100 pounds of seed, Wilbur-Ellis Company recommends treatment with Wilbur-Ellis Apron TL or Wilbur-Ellis Apron Flowable for additional systemic pythium control.

If seed is stored longer than 18 months, re-treatment with NUSAN 30 E.C. may be necessary.

## STORAGE AND DISPOSAL

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

**Pesticide Disposal:** Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

### Container Disposal:

**30 gallon Nonrefillable container:** Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Once cleaned, some agricultural plastic pesticide containers can be taken to a container collection site or picked up for recycling. To find the nearest site, contact your chemical dealer or manufacturer, or contact Ag Container Recycling Council (ACRC) at 877-952-2272 or [rperkins@acrecycle.org](mailto:rperkins@acrecycle.org).

**5 gallon Nonrefillable container:** Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Once cleaned, some agricultural plastic pesticide containers can be taken to a container collection site or picked up for recycling. To find the nearest site, contact your chemical dealer or manufacturer, or contact Ag Container Recycling Council (ACRC) at 877-952-2272 or [rperkins@acrecycle.org](mailto:rperkins@acrecycle.org).

**Storage:** Store in original container only and keep sealed. Store in closed storage areas. Use caution when moving, opening, closing or pouring.

**WARRANTY STATEMENT:** WILBUR-ELLIS COMPANY warrants that this product conforms to the chemical description on the label thereof and is reasonably fit for purposes stated on such label only when used in accordance with directions under normal use conditions. 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 WILBUR-ELLIS COMPANY. In no case shall WILBUR-ELLIS COMPANY be liable for consequential, special or indirect damages resulting from the use or handling of this product. All such risks shall be assumed by the Buyer. The exclusive remedy of any buyer or user of this product for any and all losses, injuries, or damages resulting from or in any way arising from the use, handling, or application of this product, whether in contract, warranty, tort, negligence, strict liability, or otherwise, shall not exceed the purchase price paid for this product or at WILBUR-ELLIS COMPANY'S election, the replacement of this product. WILBUR-ELLIS COMPANY MAKES NO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE

Treatment of highly mechanically damaged seed, or seed of known low vigor and poor quality, except for the purposes of curative control of existing diseases or insect pests, may result in reduced germination and/or reduction of seed and seedling vigor. Treat and conduct germination tests on a small portion of seed before committing the total seed lot to a selected chemical treatment. Due to seed quality conditions beyond the control of Wilbur-Ellis Company, no claims are made to guarantee germination of carry-over seed.

WILBUR-ELLIS Logo, ~~IDEAS TO GROW WITH~~ and Nusan are registered trademarks of WILBUR-ELLIS Company.

F-022240

F-090110

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

NET CONTENTS: 50 POUNDS

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PO BOX 16458 • FRESNO CA 93755

