



2935-440

9-16-2003

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Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 2-28-95



United States  
Environmental Protection Agency  
Washington, DC 20460

Registration  
 Amendment  
 Other

OPP Identifier Number

**Application for Pesticide - Section I**

1. Company/Product Number 2935-440	2. EPA Product Manager Cynthia Giles-Parker	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) NU-ZONE 10 ME	PM# 22	
5. Name and Address of Applicant (Include ZIP Code) Wilbur-Ellis Company PO Box 1286 Fresno CA 93715 <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 and labeling to: EPA Reg. No. _____ Product Name _____	

**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.

**NOTIFICATION**

SEP 16 2003

**Explanation:** Use additional page(s) if necessary. (For section I and Section II.)

Wilbur-Ellis Company is updating the Warranty statements on all of our labels.

**Section - III**

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 & 2 1/2 gallons		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued 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 Linda D Pearce	Title Registration Specialist	Telephone No. (Include Area Code) 559 457-2235
<b>Certification</b> 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 <i>Linda D Pearce</i>	3. Title Registration Specialist	
4. Typed Name Linda D Pearce	5. Date August 13, 2003	

**PRECAUTIONARY STATEMENTS  
HAZARDS TO HUMAN AND DOMESTIC ANIMALS**

**CAUTION:** Harmful if swallowed. Avoid contact with skin, eyes or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

**PERSONAL PROTECTIVE EQUIPMENT (PPE)**

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category F on an EPA Chemical-resistant category selection chart.

Applicators and other handlers must wear: A) Long-sleeved shirt; B) Long pants; C) Chemical-resistant gloves such as Barrier Laminate, Butyl Rubber, Nitrile Rubber or Viton; D) 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.

**ENVIRONMENTAL HAZARDS**

This product is toxic to fish. 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. Do not apply directly to water or to areas where surface water is present or to intertidal areas below the mean high water mark.

**PHYSICAL AND CHEMICAL HAZARD**

Do not use or store near heat or open flame.

**USER SAFETY RECOMMENDATIONS**

Users should: A) Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. B) Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. C) Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

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

Do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 48 hours.

**EXCEPTION:** If the product is used for seed treatment, 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.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated such as plants, soil or water is: A) Coveralls; B) Chemical-resistant gloves such as Barrier Laminate, Butyl Rubber, Nitrile Rubber or Viton; C) Shoes plus socks.

**NET CONTENTS:**

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

# NU-ZONE® 10ME

**ACTIVE INGREDIENTS:**

Imazalil: (1-(2-(2,4-dichlorophenyl)-2-(2-propenyloxy)ethyl)-H imadazole)\* ..... 10.0%

**OTHER INGREDIENTS:** ..... 90.0%

**TOTAL** ..... 100.0%

Contains 0.86 lbs. of Imazalil\* per gallon.

\*Active ingredient is manufactured by: Janssen pharmaceutica n.v., Beerse, Belgium. US Patent No. 3,658,813

Contains petroleum distillate.

EPA Reg. No. 2935-440

EPA Est. No. 2935-CA-1

**KEEP OUT OF REACH OF CHILDREN  
CAUTION**

**FIRST AID**

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

**If in eyes:** -Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.  
-Call a poison control center or doctor for treatment advice.

**If on skin or clothing:** -Take off contaminated clothing.  
-Rinse skin immediately with plenty of water for 15-20 minutes  
-Call a poison control center or doctor for treatment advice.

**If swallowed:** -Call a poison control center or doctor immediately for treatment advice.  
-Have person sip a glass of water if able to swallow.  
-Do not induce vomiting unless told to do so by a poison control center or doctor.  
-Do not give anything by mouth to an unconscious person.

**If inhaled:** -Move person to fresh air.  
-If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.  
-Call a poison control center or doctor for further treatment advice.

Note to Physician: Contains petroleum distillate, vomiting may cause aspiration pneumonia.

**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 all applicable state and federal regulations. 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. Do not apply this product through any type of irrigation system.

**SEED LABELING:** Seeds treated with Nu-Zone 10ME. Do not use treated seed for food, feed or oil purposes. Do not graze or feed livestock on treated areas for six weeks after planting.

Always use Nu-Zone 10ME with an EPA-approved dye or colorant that imparts an unnatural color to the seed.

**WHEAT and BARLEY:** For control of barley leaf stripe seedborne net blotch and *Septoria nodorum*, and protection against the seed and soilborne phases of the common root rot disease complex (*Helminthosporium*, *Fusarium*). Promotes stand establishment by protecting against seed and seedling blights caused by *Helminthosporium*, *Fusarium*, or *Penicillium*. Use 0.8 to 1.5 fl. oz. Nu-Zone 10ME per 100 lbs. seed.

For ready mix treaters, Nu-Zone 10ME may be applied directly to the seed. For slurry treaters, Nu-Zone 10ME may be diluted with water, not to exceed 7 fl. oz. additional water per 100 lbs of wheat and barley seed.

**NOTE TO USER:** Combination treatments of Nu-Zone 10ME with products containing lindane may result in delayed emergence and stunting of wheat and barley, however, plants will usually outgrow this effect. Do not carry over seed treated with lindane to the next crop season. Minimize time between treating and planting for such treatments.

**STORAGE AND DISPOSAL**

**Pesticide Storage:** Store in a cool, dry place.

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

**Pesticide Disposal:** Pesticide wastes are acutely hazardous. 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:** 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.

**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 NU-ZONE® are registered trademarks of WILBUR-ELLIS Company.

SEP 16 2003

NOTIFICATION

Distributed By:



P.O. BOX 16458  
FRESNO, CA 93755

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March 4, 2003

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Document Processing Desk (NOTIF)  
Office of Pesticide Programs (7504C)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave. NW  
Washington, D.C. 20460

**SUBJECT: Notification of new Warranty statement, per PR Notice 98-10  
Nu-Zone 10 ME, EPA Reg. No. 2935-440**

Dear Sir or Madam:

Wilbur-Ellis Company is in the process of updating the Warranty statements on all of our labels. This notification is for Nu-Zone 10 ME, EPA Reg. No. 2935-440. I have enclosed two (2) copies of final printed labeling per PR Notice 82-2 and 40 CFR 156.10(a)(6) and an application form number 8570-1.

This notification is consistent with the 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.

Please call me at (559) 457-2235 or email lpearce@wecon.com if you have any questions.

Sincerely,

WILBUR-ELLIS COMPANY

LINDA D. PEARCE  
Registration Specialist,  
Product Regulatory Department



Enclosure(s)