

2935-458

8-24-2007

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Linda D. Pearce
Registration Specialist
Product Regulatory Department
Wilbur-Ellis Company
P.O. Box 1286
Fresno, CA 93715

AUG 24 2007

Re: To Add "Not registered for use in California" has been added to Carrots, Peanuts and Spinach Uses
EPA Reg No.: 2935-458
Date of Submission: July 23, 2007

Dear Ms. Pearce:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated July 23, 2007, for the product Apron TL. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Joyce Edwards of my staff at 703-308-5479.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs



United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 2935-458	2. EPA Product Manager Mary Waller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) APRON TL	PM# 21	
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)(ii), 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 _____	NOTIFICATION AUG 24 2007
<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.)

'Not registered for use in California' has been added to Carrots, Peanuts and Spinach uses.

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 checked="" type="checkbox"/> Metal	<input type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
		If "Yes" Package wgt	No. per container	Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 gal, 5 gal., 2.5 gal. & 30 gal.		5. Location of Label Directions E	
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 Pearce	Title Registration Specialist	Telephone No. (Include Area Code) 559-457-2235
<p align="center">Certification</p> <p>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 both under applicable law.</p>		6. Date Application Received (Stamped)
2. Signature <i>Linda Pearce</i>	3. Title Registration Specialist	
4. Typed Name Linda Pearce	5. Date July 23, 2007	

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July 23, 2007

CERTIFIED MAIL

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
US Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington D.C. 20460

SUBJECT: Notification, Apron TL, EPA Reg. No. 2935-458 per PR 98-10

Dear Sir or Madam:

By way of this Notification, Wilbur-Ellis Company is submitting EPA Form 8570-1, and a copy of the revised label. We have added "Not registered for use in California to the Carrots, Peanuts and Spinach uses.

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 18U.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 e-mail to lpearce@wecon.com if you have any questions.

Sincerely,

WILBUR-ELLIS COMPANY

LINDA D. PEARCE
Registration Specialist,
Product Regulatory Department

Enclosure(s)

WILBUR-ELLIS COMPANY
PRODUCT REGULATORY DEPARTMENT

2737 S. GOLDEN STATE BLVD. FRESNO, CALIFORNIA 93725
P.O. BOX 1286, FRESNO, CALIFORNIA 93715
TEL (559) 496-3350 * FAX (559) 233-4558



APRON[®] TL

SEED TREATMENT FUNGICIDE

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NOTIFICATION

AUG 24 2007

A seed treatment chemical for control of systemic downy mildew, seed rot and damping-off diseases of certain crops.

FOR USE BY COMMERCIAL SEED TREATERS

ACTIVE INGREDIENT:

Metalaxyl; Alanine-N-(2,6-dimethylphenyl)-N-(methoxyacetyl)-, Methyl Ester	11.5%
OTHER INGREDIENTS	88.5%
TOTAL	100.0%

Contains 1.0 pound Metalaxyl per gallon.

EPA Reg. No. 2935-458

EPA Est. No. 2935-CA-01

KEEP OUT OF REACH OF CHILDREN CAUTION

FIRST AID

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 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 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.

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

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed or absorbed through skin. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Wear long-sleeved shirt and long pants, socks and shoes and chemical-resistant gloves made of any waterproof material. Remove contaminated clothing and wash before reuse.

ENVIRONMENTAL HAZARDS

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

Ground Water Advisory: This chemical is known to leach through soil into groundwater under certain conditions as a result of agricultural use. Use of this chemical in areas where soils are permeable, particularly where water table is shallow, may result in ground water contamination.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Not for use on agricultural establishments in hopper-box, planter box, slurry box or other seed treatment application at or immediately before planting.

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

IMPORTANT: READ THE ENTIRE DIRECTIONS FOR USE AND THE CONDITIONS OF SALE AND WARRANTY BEFORE USING THIS PRODUCT. FAILURE TO FOLLOW DIRECTIONS ON THIS LABEL MAY RESULT IN CROP INJURY OR POOR DISEASE CONTROL.

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STORAGE AND DISPOSAL

1. **Prohibitions:** Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited. Do not reuse empty container.
2. **Storage:** Do not use or store near heat or open flame.
3. **Pesticide Disposal:** Pesticide, spray mixture or rinse water that cannot be used according to label instructions must be disposed of according to applicable Federal, State or local authorities.
4. **Container Disposal:** Triple rinse (or equivalent). Then offer for recycling or reconditioning, or dispose of in a sanitary landfill, or by incinerating. If allowed by State and local authorities.
5. **General:** Consult Federal, State, or local disposal authorities for approved alternative procedures such as limited open burning.

GENERAL INFORMATION

NOTE: WILBUR-ELLIS APRON TL is a systemic fungicide having a specific mode of action. WILBUR-ELLIS APRON TL could be subject to development of resistant strains of fungi. Development of resistance cannot be predicted, therefore, WILBUR-ELLIS cannot assume liability for crop damage resulting from resistant strains of fungi. Consult with your State Agricultural Experiment Station or Extension Service Specialist for guidance and ways to control any possible WILBUR-ELLIS APRON TL resistant strains of fungi which may occur.

WILBUR-ELLIS APRON TL is a systemic fungicide seed dressing specifically for control of *Pythium* and *Phytophthora* spp. WILBUR-ELLIS APRON TL may be applied as a water-based slurry with other registered seed treatment insecticides and fungicides through standard slurry or mist-type commercial seed treatment equipment.

NOTE: Federal law requires that bags containing treated seed shall be labeled with the following information: "This seed has been treated with WILBUR-ELLIS APRON TL fungicide which contains the active ingredient metalaxyl. Do not use treated seed for feed, food, or oil purposes. Store away from feeds and foodstuffs." Always use WILBUR-ELLIS APRON TL with an EPA-approved dye or colorant that imparts an unnatural color to the seed. Do not apply through any type of irrigation system.

Uneven or incomplete seed coverage may not give the desired level of disease control.

SEED TREATMENT – DOMESTIC USE

CARROTS: (Not registered for use in California) For *Pythium* Damping-off control, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 2.0 - 4.0 fl. oz. per 100 pounds of seed.

COTTON: For *Pythium* seed rot and damping-off, apply WILBUR-ELLIS APRON TL as a seed treatment to machine-delinted or acid-delinted cottonseed at the rate of 2.0-4.0 fl. oz. per 100 pounds of seed.

FORAGE GRASSES (All except scarified Bermuda): Grasses grown for hay, grazing or silage, corn (fodder or silage), small grains grown for hay, grazing or silage.

For *Pythium* damping-off, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 2.0-4.0 fl. oz. per 100 pounds of seed.

FORAGE LEGUMES: Alfalfa, clover, lespedeza, beans (for forage), soybeans (for forage), soybean hay, peas (for forage), pea vine hay, cowpeas (for forage), cowpea hay, trefoil, vetch and velvet beans (for forage).

For *Pythium* damping-off and early season *Phytophthora* control, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 2.0 to 4.0 fl. oz. per 100 pounds of seed.

For the suppression of early season downy mildew in alfalfa and soybeans: Apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 2.0 to 4.0 fl. oz. per 100 pounds of seed.

GARDEN BEETS: For control of *Pythium* damping-off, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 4.0 fl. oz. per 100 pounds of seed.

GRAIN CROPS: Wheat, barley, rye, oats, millet, rice, corn (field corn, sweet corn, and popcorn), buckwheat and triticale. For *Pythium* damping-off control, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 2.0 to 4.0 fl. oz. per 100 pounds of seed.

For control of systemic downy mildew of sweet corn, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 8.0 fl. oz. per 100 pounds of seed.

For *Pythium* damping-off control in wheat, barley, rye, oats and triticale in combination with Dividend (Difenoconazole and (R)-[(2,6-dimethylphenyl)-methoxyacetyl-amino]-propionic acid methyl ester), apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 0.27 fl. oz. per 100 pounds of seed.

For *Pythium* seed rot and damping-off in rice when applied in combination with Thiram products at labeled rates, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 0.27 fl. oz. per 100 pounds of seed.

NOTE: If using Apron TL on rice seed, label rice seed with the restriction: Do not use products containing mefenoxam for control of *Pythium* in water seeded rice.

FIELD CORN: To aid in the control of Seed Decay and Damping-off caused by *Pythium*. Apply as a commercial seed treatment at the rate of 0.27 fl. oz. per 100 pounds of seed. Apply only in combination with EPA-registered rates of WILBUR-ELLIS Captan products.

PEANUTS: (Not registered for use in California) For *Pythium* damping-off control, apply WILBUR-ELLIS APRON TL as a seed treatment

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at the rate of 2.0 - 4.0 fl. oz. per 100 pounds of seed.

SEED AND POD VEGETABLES: Black-eyed peas, cowpeas, dill, edible soybeans, field beans, chick peas (garbanzo beans), kidney beans, lima beans, navy beans, peas, pole beans, snap beans, string beans, wax beans, lentils and lupines.

For early season Phytophthora control, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 4.0 fl. oz. per 100 lbs. of seed.

For control of Pythium, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 2.0 - 4.0 fl. oz. per 100 pounds of seed.

For Pythium damping-off control in field beans, kidney beans, navy beans, pinto beans and lentils when less disease pressure is expected, use WILBUR-ELLIS APRON TL as a seed treatment at the rate of 0.27 - 1.0 fl. oz. per 100 pounds of seed in combination with WILBUR-ELLIS Captan or another registered seed treatment product.

SORGHUM: For the control of Pythium damping off on all sorghum cultivars, use 2.0 to 4.0 fl. oz. per 100 pounds of seed applied as a seed treatment.

For Pythium damping-off control when less disease is expected, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 0.27 - 1.0 fl. oz. per 100 pounds of seed in combination with Wilbur-Ellis Captan or another registered seed treatment product at labeled rates.

For control of systemic downy mildew apply 2.0 to 4.0 fl. oz. of WILBUR-ELLIS APRON TL per 100 pounds of seed on cultivars which possess sorghum downy mildew resistance.

To those cultivars which do not possess resistance to a particular race of sorghum downy mildew in heavily infected areas with recent severe history, apply 8.0 fl. oz. WILBUR-ELLIS APRON TL per 100 pounds of seed as a seed treatment.

Seed treated with the 8.0 fl. oz. rate should be planted and not carried over to the following year. Only high quality sorghum seed (90% germ and above) should be treated with WILBUR-ELLIS APRON TL.

SOYBEANS: For Pythium damping-off and early season Phytophthora control, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 2.0 to 4.0 fl. oz. per 100 pounds of seed.

For Pythium damping-off control when less disease is expected, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 0.27 - 1.0 fl. oz. per 100 pounds of seed in combination with Wilbur-Ellis Captan or another registered seed treatment product at labeled rates.

SPINACH: (Not registered for use in California) For Pythium damping-off control, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 2.0 - 4.0 fl. oz. per 100 pounds of seed.

Containers or bags containing Apron TL treated seed should be labeled with the restriction: Do not grow spinach seed in greenhouses."

SUGAR BEETS: For control of Pythium damping-off, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 4 fl. oz. per 100 pounds of seed.

SUNFLOWER: For control of systemic downy mildew, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 8.0 fl. oz. per 100 pounds of seed.

TURF GRASSES (All except scarified Bermuda): For Pythium damping-off control on golf courses, home lawns, reclamation and erosion control projects, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 4.0-8.0 fl. oz. per 100 pounds of seed.

SEED TREATMENT - EXPORT USE

(For export only, not for domestic sale or use).

Seed treated in accordance with the export use pattern must be labeled as follows: FOR EXPORT ONLY. NOT FOR DOMESTIC SALE OR USE.

NOTE: Federal law requires that bags containing treated seeds shall be labeled with the following information: "This seed has been treated with metalaxyl fungicide. Do not use for feed, food or oil purposes. Store away from feeds and foodstuffs." Use with an EPA-approved dye or colorant that imparts an unnatural color to the seed.

BRASSICA (COLE) LEAFY VEGETABLES: For Pythium damping-off control, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 2.0 - 4.0 fl. oz. per 100 pounds of seed.

CORN: For control of Pythium damping-off of corn, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 2-4 fl. oz. per 100 pounds of seed.

For systemic downy mildew control, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 14.1 fl. oz. per 100 pounds of seed.

CUCURBITS: For Pythium damping-off control, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 2.0 - 4.0 fl. oz. per 100 pounds of seed.

FRUITING VEGETABLES: For Pythium damping-off control, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 2.0 - 4.0 fl. oz. per 100 pounds of seed.

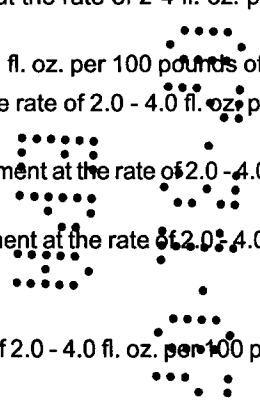
LEAFY VEGETABLES: For Pythium damping-off control, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 2.0 - 4.0 fl. oz. per 100 pounds of seed.

Note: Do not apply to spinach which is destined to be grown in the greenhouse.

MILLET: For Pythium damping-off control, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 2.0 - 4.0 fl. oz. per 100 pounds of seed.

For systemic downy mildew control, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 17.8 fl. oz. per 100 pounds of seed.

ONIONS: For Pythium damping-off control, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 2.0 - 4.0 fl. oz. per 100 pounds of seed.



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PEAS: For Pythium damping-off and early season Phytophthora control, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 4.0 fl. oz. per 100 pounds of seed.

For downy mildew control, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 9.4 fl. oz. per 100 pounds of seed.

ROOT AND TUBER VEGETABLES: For Pythium damping-off control, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 2.0 - 4.0 fl. oz. per 100 pounds of seed.

NOTE: Do not apply WILBUR-ELLIS APRON TL to potatoes.

SORGHUM: For Pythium damping-off control, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 2.0 - 4.0 fl. oz. per 100 pounds of seed.

For systemic downy mildew control, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 14.1 fl. oz. per 100 pounds of seed.

SUNFLOWER: For control of systemic downy mildew, apply WILBUR-ELLIS APRON TL as a seed treatment at the rate of 16.0-28.0 fl. oz. per 100 pounds of seed.

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 and IDEAS TO GROW WITH are registered trademarks of WILBUR-ELLIS Company. Apron is a registered trademark of Syngenta Group Company.

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

Manufactured in U.S.A by:

WILBUR-ELLIS COMPANY

P.O. BOX 16458 - FRESNO, CALIFORNIA 93755

