

PR 4 1995

Ms. Joanne Striebich
Wilbur-Ellis Co.
191 W. Shaw Ave., Suite 107
Fresno, CA 93704-2876

Dear Ms. Striebich:

Subject: Label Revisions - Take Out of Scope of WPS
Baytan FL
EPA Registration No. 2935-459 ✓
Your Submission Dated March 6, 1995

The amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended is acceptable provided that you:

1. Make the labeling changes listed below before you release the product for shipment bearing the amended labeling:

a. In the ingredient declaration before the chemical name of Baytan add the heading Active Ingredient. It must be on the same margin and have the same prominence as Inert Ingredients.

b. Modify the referral statement to read:

See Side Panel for Additional Precautionary Statements

c. Update the Environmental Hazards Statement to include the following statements:

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 by disposal of equipment washwaters.

Refer to PR Notices 93-3 and 93-8.

d. Copy B & C text should be placed in the Hazards to Humans section.

2. Submit one (1) copy of your final printed labeling before you release the product for shipment.

A stamped copy of the labeling is enclosed for your records.

Sincerely yours,

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Cynthia Giles-Parker
Product Manager (22)
Fungicide Herbicide Branch
Registration Division (7505C)

Enclosure

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ACCEPTED
with COMMENTS
In EPA Letter Dated:

APR 4 1995

the Federal Insecticide
and Rodenticide Act
for the purpose
under EPA Reg. No.

2935-459



BAYTAN® FL

SEED TREATMENT FUNGICIDE

ACTIVE INGREDIENT

Beta-(4-Chlorophenoxy)-Alpha-(1,1-Dimethylethyl)-1H-1,2,4-Triazole-1-Ethanol*	30.00%
INERT INGREDIENTS.....	70.00%
	TOTAL 100.00%

*Contains 2.65 pounds active ingredient per gallon
U.S. Patent No. 3,952,002

EPA Reg. No. 2935-459

EPA Est. No. 2935-CA-1

KEEP OUT OF REACH OF CHILDREN!

CAUTION

SEE SIDE PANEL FOR ADDITIONAL INFORMATION

STATEMENTS OF PRACTICAL TREATMENT

- If eyes are contaminated, immediately flush with plenty of water for at least 15 minutes. Get medical attention if irritation persists.
- If swallowed, call a physician or Poison Control Center. Drink 1 or 2 glasses of water and induce vomiting by gently touching back of the throat with finger. Repeat until vomit fluid is clear. Do not induce vomiting or give anything by mouth to an unconscious person.
- If on skin, wash skin immediately with soap and water. If irritation occurs, get medical attention.
- If inhaled, remove victim to fresh air. If not breathing, give artificial respiration, preferable mouth-to-mouth. Get medical attention.

NET CONTENTS: 1 GALLON

Manufactured by U.S.A. by: WILBUR-ELLIS, P.O. B.

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ENVIRONMENTAL HAZARDS

Keep out of lakes, streams and ponds. Apply only as specified on this label. Do not contaminate water when disposing of equipment wash water. Do not apply this product through any type of irrigation system. For terrestrial uses, do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark.

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.

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 Territory, consult the agency responsible for pesticide regulation.

CONDITIONS OF SALE: Baytan FL systemic fungicide has a specific mode of action. At the recommended application rate and with uniform distribution on the seed, crop tolerance is normally very good. New genotypes or varieties of seed should always be evaluated for sensitivity to Baytan. Under adverse environmental conditions such as cold, wet soils or seed planted at depths greater than 1/2 inches, plant emergence may be slightly delayed. Wilbur-Ellis offers, and the buyer accepts and uses, this product subject to the conditions that extraordinary or unusual weather, or failure to follow label directions are beyond the control of Wilbur-Ellis Company and are, therefore, the responsibility of the buyer.

SEED TREATMENT: Baytan FL may be applied as a water-based slurry through commercial seed treatment equipment. The equipment must be accurately calibrated and certified to apply Baytan FL uniformly to the seed. The seed should be well-cured, sound and of good vigor prior to treatment. Prepare the slurry by mixing the specified dosage in enough water to make 8-16 fl. oz. of slurry per 100 lbs. of wheat, barley, oats, sorghum and rye or 8 fl. oz. of slurry per 100 lbs. of corn. Add dye to the resulting slurry to prevent inadvertent use of the treated seed as a food for man or feed for animals. Baytan treated seeds should not be stored under high temperatures for extended periods of time. Corn and grain sorghum may be grazed 45 days after planting and wheat, barley, oats and rye may be grazed 40 days after planting.

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 12 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 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, neoprene rubber, polyvinyl chloride, or viton; C) Shoes plus socks.

RECOMMENDED APPLICATION

At the application rate of 1/4 to 1 1/2 fl. oz./cwt. Baytan FL controls:
Wheat: Loose Smut, Stinking Bunt (Smut), Flag Smut, Seedborne *Septoria nodorum*.
Barley: Loose Smut, Covered Smut, Seedborne *Septoria nodorum*.
Oats: Loose Smut, Covered Smut, Seedborne *Septoria nodorum*.
Rye: Stripe Smut.

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At the application rate of 1 lb. to 1 1/2 fl. oz./cwt., Baytan FL controls early season powdery mildew of wheat, barley, rye and oats and suppresses the early season infections by the following diseases:
 Wheat: Leaf Rust, Stripe Rust, Take-All and Dry Land Foot Rot.
 Barley: Leaf Rust, Stripe Rust, Barley Stripe, Take-All and Dry Land Foot Rot.
 Oats: Crown Rust and Stripe Rust.
 Rye: Rye Rust and Stripe Rust.

At the application rate of 3 fl. oz./cwt Baytan FL suppresses: Corn: Head Smut.

At a rate of 1 1/2 fl. oz./cwt Baytan FL suppresses: Sorghum: Common Kernel Smut.

Handwritten: ~~Apply~~ OK

BAYTAN FLOWABLE

FEED LABELING: Seeds treated with Beta-(4-Chlorophenoxy)-Alpha-(1,1-Dimethyl-ethyl)-1H-1,2,4-Triazole-1-Ethanol (Baytan). Do not use treated seed for food, feed or oil purposes.

USE PRECAUTION: The purchaser of this product is responsible for insuring that all seed treated with this product are adequately dyed with a suitable color to prevent its accidental use as food for man or feed for animals. Refer to 21 CFR, Part 225. Any dye added must be cleared for use under 40 CFR, Part 180.1001.

Restriction: Do not use treated seed for feed, food or oil purposes.

NOTE TO USER: Combination treatments of BAYTAN FL 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.

**NOTICE — READ CAREFULLY
 CONDITIONS OF SALE AND LIMITED WARRANTY STATEMENT**

NOTICE OF WARRANTY: 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 the directions under normal use conditions. It is impossible to eliminate all risks inherently associated with the 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. 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, of known low vigor and poor quality, except for the purposes of curative control of existing disease or insect pests, can result in reduced germination and/or reduction of seed and seedling vigor. Treat and germination test a sample of the seed lot before treating with a selected chemical treatment. Excess seed should not be carried over from one season to the next without re-testing germination. Due to seed quality conditions beyond the control of Wilbur-Ellis Company, no claims are made to guarantee germination of carry-over seed.

STORAGE AND DISPOSAL

- 1. Prohibitions:** Do not contaminate water, food or feed by storage, disposal or by cleaning of equipment. Do not reuse empty container. Open dumping is prohibited.
- 2. Storage:** Store in original container only and keep sealed. Store in a cool, dry place. Use caution when moving, opening, closing or pouring.
- 3. Pesticide Disposal:** Wastes resulting from the use of this product may be disposed of on site according to label instructions or at an approved waste disposal facility.
- 4. Container Disposal:** Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or by other procedures approved by State and local authorities.

BAYTAN[®] is a registered trademark of Bayer Ag, Germany.
 WILBUR-ELLIS[®] and IDEAS TO GROW WITH[®] are trademarks of WILBUR-ELLIS Company.

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PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

May cause eye irritation. Harmful if swallowed, inhaled or absorbed through the skin. Avoid breathing vapors or spray mist. Avoid contact with skin, eyes or clothing. This product may cause an allergic reaction in sensitive individuals. Treatment equipment must be closed system.

SYMPTOMS OF POISONING

No specific symptoms. Acute poisoning is accompanied by general depression and illness. In case of poisoning, call a physician immediately. Have patient lie down and keep quiet. NOTE TO PHYSICIAN: No specific antidote is available. Treat symptomatically.

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 C on an EPA Chemical resistance category selection chart.

Applicators and other handlers must wear: A) Long sleeved shirt; B) Long pants; C) Chemical-resistant gloves such as Barrier Laminite, Butyl Rubber, Nitrile Rubber, Neoprene Rubber, Polyvinyl Chloride (PVC) or Viton; D) Shoes plus socks.

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

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.

ENGINEERING CONTROLS STATEMENTS: When handlers use closed systems, enclosed cabs or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

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.

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COPY A

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

COPY B

Applicators and other handlers must wear:
Long-sleeved shirt, long pants and chemical-resistant gloves.

COPY C

Wash contaminated clothing with soap and water before reuse.

