



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

FEB 23 1994

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Joanne Pratt  
WILBUR ELLIS CO.  
191 W. Shaw Avenue  
Fresno, CA 93704

Subject: Label Amendment Submission of 09/15/93 in Response to PR Notice 93-7  
EPA Reg. No. 2935-469  
AGRPX D-L PLUS INSECTICIDE - FUNGICIDE SEED TREATMENT

**IMPORTANT NOTICE:** This Letter Requires You to Submit a Notification to the Office of Compliance Monitoring within 20 Days.

Dear Registrant:

The labeling cited above and submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is accepted subject to the comments listed on the enclosed sheet. A copy of your proposed labeling stamped "ACCEPTED WITH COMMENTS" is enclosed.

**SERIOUS ERROR(S) ON SUBMITTED LABELING:**

EPA has determined that one or more of the errors on the labeling you submitted to the Agency is categorized as "serious" as defined in PR Notice 93-11. In general, serious errors are those that may create a potential for harm to workers, handlers, other persons, or the environment; or those that prevent the achievement of the basic goals of the Worker Protection Standard (WPS) or FIFRA.

**YOU MUST NOT SELL OR DISTRIBUTE (INCLUDING RELEASE FOR SHIPMENT) ANY PRODUCT BEARING THE SUBMITTED LABELING.** Sale or distribution of any product with the incorrect labeling is a violation of FIFRA that could result in initiation of an action for civil penalties and/or cancellation of your product. This matter has been referred to the Office of Compliance Monitoring (OCM) for further action.

**YOU MUST SUBMIT A NOTIFICATION TO THE OFFICE OF COMPLIANCE MONITORING WITHIN 20 DAYS OF THE DATE OF THIS LETTER.**

**BEST AVAILABLE COPY**



Recycled/Recyclable  
Printed with Soy/Canola ink  
contains at least 50% recycled content

Each notification must include the following information:

1. Registrant's name and address.
2. EPA Registration number of the product for which the labeling was submitted.
3. Whether any product already has been sold or distributed (this includes released for shipment) bearing the submitted labeling.

In addition, the notification must include the following information, IF you have already sold or distributed any product bearing the submitted labeling:

1. Quantity of the product that has been sold or distributed.
2. EPA Producing Establishment number.
3. Location of the product, if known.
4. Proposed plan for assuring that product with the incorrect labeling in your control, as well as that in the hands of dealers/distributors/users, will be corrected. The plan must include your proposal for assuring that the labeling is corrected as soon as possible.

Submit the notification to:

Michael Wood, Director  
Compliance Division, (7203)  
Worker Protection Notification  
Office of Compliance Monitoring  
U.S. Environmental Protection Agency  
401 M Street SW  
Washington, DC 20460

Failure to submit a notification also may result in initiation of an action under FIFRA for civil penalties, if you sold or distributed (this includes released for shipment) product bearing the incorrect labeling.

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**IN ADDITION, YOU SHOULD CONTACT IMMEDIATELY THE PERSONS TO WHOM YOU SOLD OR DISTRIBUTED YOUR PRODUCT AND INFORM THEM NOT TO SELL OR DISTRIBUTE ANY PRODUCT WITH THE INCORRECT LABELING.**

**WHAT THIS ACCEPTANCE MEANS:**

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

**WHAT YOU NEED TO DO NEXT:**

Submit the required notification. Then by the next label printing make all the specified changes to your labeling. Send to EPA one (1) copy of the final printed labeling:

- **BEFORE** selling or distributing any product bearing the final printed labeling as amended

**AND**

- **WITHIN** one year from date of this acceptance.

Submit the final printed labeling via the U.S. Postal Service to:


**Document Processing Desk (FIN-LABEL)  
Office of Pesticide Programs (7505C)  
U.S. Environmental Protection Agency  
401 M Street, SW  
Washington, D.C. 20460-0001**

✓

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

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

Sincerely,

  
Jim Tompkins, Deputy Chief  
Registration Support Branch  
Registration Division (7505W)

Attachment

cc: Office of Compliance Monitoring

50811

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Office of Pesticide Programs  
Registration Division

Joanne Pratt  
WILBUR ELLIS CO.  
191 W SHAW AVE  
FRESNO CA 93704

Subject: Comment Sheet for EPA Reg Nr.2935-469  
AGROX D-L PLUS INSECTICIDE - FUNGICIDE SEED TREATM

The following specific comments pertain to your WPS  
labeling submission concerning the product  
cited above:

User Safety Recommendations must either be placed in a box  
or printed on the label in a contrasting color from  
surrounding text.

You have incorrect wording in the first paragraph in the  
Agricultural Use Requirements box on your proposed label.  
That paragraph must contain the exact wording of the  
paragraph shown as "2" in Section F on Part 2 of the Product  
Worksheet in Supplement Three-A to PR Notice 93-7.

You have incorrect wording in the second-to-last sentence in  
the first paragraph in the Agricultural Use Requirements box  
on your proposed label. The sentence must be as follows:  
"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 correct restricted entry interval (REI) for this product  
is 48 hours. Your REI statement must read: "Do not enter or  
allow worker entry into treated areas during the restricted  
entry interval (REI) of 48 hours." The exact location is  
shown in Section F on Part 2 of the Product Worksheet in  
Supplement Three-A to PR Notice 93-7.

The bodywear requirement for early entry in the Agricultural  
Use Requirements box on your proposed labeling is missing or  
incorrect. Remove the incorrect requirement (if any) and  
add "Coveralls over long-sleeved shirt and long pants." The  
exact location is shown in Sections F and G on Part 2 of the  
Product Worksheet in Supplement Three-A to PR Notice 93-7.

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WILBUR ELLIS CO.

EPA Reg. Number: 2935-469

AGROX D-L PLUS INSECTICIDE - FUNGICIDE SEED TREATMENT

Application date: 09/15/93

Original Submission

The eyewear requirement for early entry in the Agricultural Use Requirements Box on your proposed labeling is missing or incorrect. Remove the incorrect requirement (if any) and add "Protective eyewear". The exact location is shown in Sections F and G on Part 2 of the Product Worksheet in Supplement Three-A to PR Notice 93-7.

The footwear requirement for early entry in the Agricultural Use Requirements box on your proposed labeling is missing or incorrect. Remove the incorrect requirement (if any) and add "Chemical-resistant footwear plus socks." The exact location is shown in Sections F and G on Part 2 of the Product Worksheet in Supplement Three-A to PR Notice 93-7.

The glove requirement for early entry in the Agricultural Use Requirements box on your proposed labeling is missing or incorrect. Remove the incorrect requirement (if any) and add "Waterproof gloves". The exact location is shown in Sections F and G on Part 2 of the Product Worksheet in Supplement Three-A to PR Notice 93-7.

The headgear requirement for early entry in the Agricultural Use Requirements box on your proposed labeling is missing or incorrect. Remove the incorrect requirement (if any) and add "Chemical-resistant headgear for overhead exposure." The exact location is shown in Sections F and G on Part 2 of the Product Worksheet in Supplement Three-A to PR Notice 93-7.

Delete the crossed-out statements on your proposed label. They are redundant statements or phrases.

Correct the typographical errors circled on your proposed label.

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Copy H

WILBUR-ELLIS

IDEAS TO GROW WITH

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AGROX® D-L PLUS

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act,  
as amended, for the pesticide  
registered under EPA Reg. No.

ORGANOPHOSPHATE

#### PRECAUTIONARY STATEMENTS

##### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

**DANGER:** Causes irreversible eye damage. May be fatal if swallowed or absorbed through skin. Harmful if swallowed or inhaled. May cause allergic skin reactions. Do not get in eyes. Avoid breathing dust. Avoid contact with skin, eyes and clothing. May cause contact sensitization following repeated contact with skin in susceptible individuals. Avoid repeat contact with skin. If sensitization reactions result, consult a physician. Treat outdoors or in a well ventilated place. Applicators who apply this product manually or without the use of a closed-system treatment procedure must wear the following protective clothing during the application process: long-sleeved shirt, long pants, gloves, and a disposable, paper dust mask which covers at least one-third of the face. Wear goggles or face shield when handling. Wash thoroughly with soap and water after handling and before eating or smoking. Remove and separately wash clothing and decontaminate shoes before reuse. Avoid contamination of feed and foodstuffs. Do not use treated seeds for food, feed or oil purposes.

##### ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish, birds and other wildlife. Exposed treated seeds may be hazardous to birds and other wildlife. In the event that treated seeds are spilled and cannot be salvaged, completely cover them with soil. Dispose of all excess treated seeds by burial away from bodies of water. Birds feeding on treated areas may be killed. For terrestrial uses, do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters.

Add Copy D

**PRODUCT INFORMATION:** AGROX D-L Plus is specially formulated for use on seed previously treated with an EPA registered fungicide. Do not use on foundation seed stock. AGROX D-L Plus is a combination of diazinon for protection against seed corn beetles and seed corn maggots and lindane for protection against wireworms and capitan for protection against fungus diseases of seed and seedlings. Treatment supplies additional capitan fungicide to the fungicide already on the seed.

##### 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.**

**Planter Box Application:** Use AGROX D-L Plus at a rate of one pouch (1.8 oz.) per 50 pounds of seed. Mix thoroughly with seed in the planter box as follows:

- 1) For conventional Plate Planters and John Deere MAX-EMERGE Plateless Planter — Pour 50 pounds of seed into each planter box. Pour enough AGROX D-L Plus on top of seed to treat 50 pounds. Mix thoroughly with an axe handle or paddle, until all seed is uniformly coated.
- 2) For All International Harvester Air Planters — Pour 50 pound units of seed into planter box. Pour enough AGROX D-L Plus on top of the seed to treat the 50 pound units. Mix thoroughly with an axe handle or paddle until all seed is uniformly covered.
- 3) Vacuum Planters — Pour 50 pounds of seed into the plastic box. Pour enough AGROX D-L Plus on top of the seed to treat 50 pounds of seed. Mix thoroughly with an axe handle or paddle until seed is uniformly covered. Then add any plantability additive at the recommended rate to improve seed flowability (talc etc.). Mix thoroughly once more with a paddle or axe handle to get uniform coverage. This process will provide best seed flow through the planter while providing all the benefits of a seed treatment product.

##### NEVER USE BARE HANDS TO MIX AND TREAT SEED:

Use only at the recommended rate. Lower amounts may not give desired control. Excessive amounts may cause seed injury.

Note: Do not use on foundation seed stock.

Seed within one month of treatment.

**Planter Maintenance Procedure:** Adjust the seed drill or planter to give the required rate of seed delivery with treated seed. Regularly inspect planters with and without plates and clean as required for proper maintenance. If seed treatment increases the friction between seeds sufficient to reduce the planting rate, add 1 ounce of graphite per bushel of seed to act as a seed lubricant.

**Clean-up for Electric Eye Population Monitors:** At the end of each day of use, or as often as necessary, clean out the electric-eye monitors with brushes provided by the planter manufacturers, according to their directions. Under extremely humid weather conditions, this cleanup process may need to be done more often.

A dust mask must be worn when mixing and loading this product. Wear goggles or face shield when handling. Wash thoroughly with soap and water after handling. Remove contaminated clothing and separately launder clothing before reuse.

**WORKER SAFETY RULES:** Repeated exposure to cholinesterase inhibitors such as are contained in this product may, without warning, cause prolonged susceptibility to very small doses of any cholinesterase inhibitors. Do not rub eyes or mouth with hands. If you feel sick in any way, stop work and get help right away. See Practical Treatment section of this label.

**AFTER WORK:** Take off all clothes and shoes. Shower using soap and water. Do not wear contaminated clothing. Wash protective clothing and equipment with soap and water after each use. Personal clothing worn during use must be laundered separately from household articles. Clothing and protective equipment heavily contaminated or drenched with capitan must be destroyed according to state and local regulations.

Treat only those seeds needed for immediate use, minimizing the interval between treatment and planting. Do not store excess treated seeds beyond planting time. Treated seed must not be used for or mixed with food or animal feed, or processed for oil.

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#### AGRICULTURAL USE ONLY

### INSECTICIDE-FUNGICIDE HOPPER BOX SEED TREATMENT

For the Protection of Germinating Seeds and Seedlings of  
**CORN, SOYBEANS, BEANS AND PEAS** Against Damping Off,  
Seed Decay, Seedling Blights; also against Seed Corn Beetles  
(corn, beans), Seed Corn Maggots (corn, soybeans, beans and  
peas), and Wireworms (corn, soybeans and beans).

##### ACTIVE INGREDIENT:

Capitan (N-Trichloromethylthio-4-cyclohexene-1,2-dicarboximide) .....	By WL 14.87%
Related derivatives .....	0.33%
Diazinon (O,O-Diethyl O-(2-isopropyl-6-methyl-4-pyrimidinyl)phosphorothioate) .....	15.00%
Lindane (Gamma isomer of benzene hexachloride) .....	25.00%
INERT INGREDIENTS (contains graphite) .....	45.00%
TOTAL .....	100.00%

EPA Reg. No. 2935-469

EPA Est. No. 7D-KY-1

#### KEEP OUT OF REACH OF CHILDREN

### DANGER PELIGRO

##### STATEMENT OF PRACTICAL TREATMENT

If swallowed, call a physician and/or the Poison Control Center immediately. Drink promptly large quantities of water. Avoid alcohol. Then induce vomiting by touching the 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 inhaled, remove victim to fresh air. If not breathing apply artificial respiration.

If in eyes, flush with plenty of water. Call a physician.

If on skin, wash with soap and water. If skin irritation persists, contact a physician.

See side panel for additional precautionary statements.

##### DIRECTIONS FOR USE (cont.)

#### STORAGE AND DISPOSAL

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

**STORAGE:** Protect from excessive heat. Store in a cool, dry place away from water, food and feed.

Do not store with food for human consumption, feed or forage to be fed to any and all livestock animals.

**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:** Completely empty container by shaking and tapping sides and bottom to loosen clinging particles into application equipment. Then dispose of container in a sanitary landfill or by incineration if allowed by State and local authorities. If incineration method is used, stay out of smoke.

**NOTICE:** The statements made on this label are believed to be true and accurate, but because of conditions of use which are beyond our control, WILBUR-ELLIS COMPANY does not make, nor does it authorize any agent or representative to make, any warranty, guaranty or representation, expressed or implied, concerning this material or the use thereof, except in conformity with the statements on the label. Neither WILBUR-ELLIS COMPANY nor the seller shall be held responsible in any manner for any personal injury or property damage or loss resulting to the buyer or to the other person from handling, storage or use of this material, not in accordance with directions. The buyer assumes all risk and liability resulting from improper handling, storage or use and accepts and uses this material on these conditions.

AGROX is a registered trademark of ICI Canada, Inc.

Logo TM of WILBUR-ELLIS Company

IDEAS TO GROW WITH is a registered trademark of WILBUR-ELLIS Company

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IN CASE OF EMERGENCY,  
CALL CHEMTREC (800) 424-9300

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Distributed By: WILBUR-ELLIS, P.O. BOX 16458 • FRESNO, CALIFORNIA 93755

COPY B

**Personal Protective Equipment**

**Applicators and other handlers must wear:**

- A) Coveralls over long sleeved shirt and long pants.
- B) *waterproof gloves*
- C) Chemical-resistant footwear plus socks.
- D) Protective eyewear.
- E) Chemical-resistant headgear for overhead exposure.
- F) Chemical-resistant apron when cleaning equipment, mixing or loading.
- G) A respirator with either an organic vapor-removing cartridge with a prefilter approved for pesticides (MSHA/NIOSH approval prefix TC-23C), or a canister approved for pesticides (MSHA/NIOSH approval number prefix TC-14G).

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.



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COPY D

#### DIRECTIONS FOR USE

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

#### AGRICULTURE 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, greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontaminations, notification, and emergency assistance. It also contains specific instructions, and exceptions pertaining to ~~protective equipment (PPE)~~. 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 workers entry into treated areas during the restricted entry interval (REI) of \_\_\_\_\_ hours.

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 over long sleeved shirt and long pants
- B) Chemical-resistant gloves such as Barrier Laminate, Butyl Rubber ≥ 14 mils, or Nitrile Rubber ≥ 14 mils.
- C) Chemical-resistant footwear plus socks
- D) Protective eyewear
- E) Chemical-resistant headgear for overhead exposure.

missing  
language

→ Not  
Applicable  
to A  
Seed  
Treatment

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COPY H**User Safety Recommendations:****Users should:**

- \* Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- \* Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- \* 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 I

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

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