

PM 23

2935-477

1 of 11 File



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

EPA 23 681

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

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

Subject: Label Amendment Submission of 07/17/93 in Response to PR Notice 93-7
EPA Reg. No. 2935-477
AGROSOL POUR-ON SYSTEMIC SOYBEAN 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.

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Recycled/Recyclable
Printed with Soy/Canola ink on paper that
contains at least 50% recycled fiber

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

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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

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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.2935-477
AGROSOL POUR-ON SYSTEMIC SOYBEAN SEED TREATMENT FU

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 24 hours. Your REI statement must read: "Do not enter or
allow worker entry into treated areas during the restricted
entry interval (REI) of 24 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". 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 eyewear requirement for early entry in the Agricultural

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WILBUR ELLIS CO.
EPA Reg. Number: 2935-477
AGROSOL POUR-ON SYSTEMIC SOYBEAN SEED TREATMENT FUNGICI
Application date: 09/17/93
Original Submission

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 "Shoes 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 in the Agricultural Use Requirements box on your proposed labeling is missing or incorrect. Remove the incorrect requirement (if any) and add "Chemical-resistant gloves, such as barrier laminate or butyl rubber or nitrile rubber or neoprene rubber or polyvinyl chloride or viton." 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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PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION:

Harmful if absorbed through the skin. Causes skin and eye irritation. Harmful if swallowed or inhaled. Do not get in eyes, on skin, or on clothing. ~~Wear goggles or face shield and rubber gloves when handling. Avoid inhaling dust. Do not store near food and feed.~~

Wilbur-Ellis Company recommends the use of a pesticide respirator jointly approved by the Mine Safety and Health Administration (formerly the U.S. Bureau of Mines) and by the National Institute of Occupational Safety and Health under provisions of 30 CFR, Part II.

~~Wash hands, arms and face thoroughly with soap and water after handling and before eating and drinking. Routinely shower or bathe after work. Wash all clothing with soap and hot water before reusing. Do not use or store near food or feed. Consumption of alcoholic beverages increases the toxic effects of thiram.~~

~~Do not consume alcoholic beverages immediately before or within 24 hours of working with AGROSOL Pour-on.~~

~~After each day of 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.~~

STATEMENT OF PRACTICAL TREATMENT

If swallowed, induce vomiting by drinking 1 or 2 large glasses of water and then touch back of throat with finger. Get medical attention. If in eyes, flush with plenty of water. Call a physician if irritation persists. If on skin, wash with plenty of soap and water. Get medical attention.

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not contaminate water when disposing of equipment washwaters. Do not contaminate any body of water by cleaning of equipment and disposal of wastes and containers. Exposed treated seeds may be hazardous to birds and other wildlife. Dispose of all excess treated seed by burial away from bodies of water. 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.

PRODUCT INFORMATION

AGROSOL Pour-on when used at the correct rate protects seeds from soil and seed borne diseases that cause damping-off, seed decay, seedling blights, and pod and stem blight (*Phomopsis* spp) during germination and early seedling stages. AGROSOL Pour-on provides essential molybdenum for plant growth where soils are found to be deficient in available molybdenum.

Replace with DIRECTIONS FOR USE Copy D

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

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

SHAKE OR STIR WELL BEFORE USING.

Mix AGROSOL Pour-on thoroughly with seed with suitable, properly calibrated on-farm seed treating equipment, or mix thoroughly with seed in a planter box or drill as follows:

SOYBEANS: 4 fluid ounces per bushel (6.6 fluid ounces per 100 lbs. of seed).

Mix thoroughly with seed in the planter box or drill as follows:

PLANTER: 1. Pour one bushel of seed into each planter box.

2. Pour enough AGROSOL Pour-on on top of the seed to treat one bushel.

3. Mix thoroughly with an axe handle or paddle (an axe handle or paddle used for seed treatment purposes only) until all seeds are uniformly coated.

DRILL: 1. Fill drill one-half full, keeping track of the number of bags (bushels) poured in.

2. Pour 4 fluid ounces of AGROSOL Pour-on on top of each bushel of seed just put into drill.

3. Mix thoroughly with an axe handle or paddle (an axe handle or paddle used for seed treatment purposes only) until all seeds are uniformly coated.

4. Fill the remainder of the drill and repeat the process in items 2 and 3.

Always apply AGROSOL Pour-on to the seed prior to using any plantability aid for vacuum planters.

46030

Systemic Soybean Seed Treatment Fungicide

Contains Thlabendazole

This product contains 4.14% molybdenum
from sodium molybdate

This product contains colorant

ACTIVE INGREDIENT:

Thiram (tetramethyl thiram disulfide).....	11.64
Thlabendazole (2-(4-Thiazolyl) benzimidazole).....	0.33

INERT INGREDIENTS.....	88.03
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TOTAL.....	100.00
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This product contains 1.09 lb. thiram per gallon.
0.03 lb. thlabendazole per gallon.

EPA Reg. No. 2935-477

EPA Est. No. 32761-MO-3

KEEP OUT OF REACH OF CHILDREN

CAUTION

See side panel for additional precautionary information.

DIRECTIONS FOR USE (cont.)

NOTE: Avoid very deep seeding and exceptionally early sowing under poor growing conditions for maximum benefits. Use only recommended rates. Lower amounts may not give the desired control. Regularly inspect planter plates of seed drill and clean as required.

Clean-up for Electric Eye Population Monitors: At the end of each day of use, clean out the electric-eye monitors with brushes provided by the planter manufacturers, according to their directions.

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

STORAGE AND DISPOSAL

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

STORAGE: Store above 32°F. Keep from freezing. Keep container tightly closed when not in use. Store away from water, food and feed.

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: Triple rinse, then puncture and dispose of container in a sanitary landfill or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

WARRANTY STATEMENT

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.

AGROSOL is a trademark of ICI Canada Inc.
Logo TM of WILBUR-ELLIS Company
IDEAS TO GROW WITH is a registered trademark of WILBUR-ELLIS Company

In Case of Emergency,
Call CHEMTREC 800-9300

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COPY B

Personal Protective Equipment

Applicators and other handlers must wear:

- A) Long sleeved shirt
- B) Long pants
- C) Chemical-resistant gloves such as Barrier Laminate, Butyl Rubber ≥ 14 mils, Neoprene rubber ≥ 14 mils, Nitrile Rubber ≥ 14 mils, Polyvinyl chloride ≥ 14 mils, Viton ≥ 14 mils.
- D) Shoes plus socks
- E) Protective eyewear.

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, decontamination, 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.~~ *missing*

~~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.~~

→ Not
Applicable
to A
Seed
Treatment

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COPY F

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.

Barrier laminate

Butyl rubber ≥ 14 mils

Nitrile rubber ≥ 14 mils

Neoprene rubber ≥ 14 mils

Poly vinyl chloride (PVC) ≥ 14 mils

Viton ≥ 14 mils

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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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