

2935-536

2/26/2010

1 of 7



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

FEB 26 2010

Ms. Sandi Escamilla
Registration Specialist
Wilbur Ellis Company
P.O. Box 1286
Fresno, CA 93715

Subject: Label Notifications for Pesticide Registration Notices 83-3 (Change to Pesticide Storage Language) and 2007-4

Dear Ms. Escamilla,

The Agency is in receipt of your Applications for Pesticide Notification under Pesticide Registration Notices (PRN) 83-3 and 2007-4 dated August 31, 2009 and your label resubmissions dated February 19, 2010 for the following products:

Technical Sulfur	(EPA Registration Number 2935-480)
Sporax	(EPA Registration Number 2935-501)
Captan 7.5 Dust	(EPA Registration Number 2935-536)

The Registration Division (RD) has conducted its review of these requests for their applicability under PRNs 83-3 and 2007-4 and finds that the label changes requested fall within the scope of PRNs 83-3 and 2007-4. The resubmitted labels have been stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please call me directly at 703-305-6249 or Steve Schaible of my staff at 703-308-9362.

Sincerely,



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

3097

Print Form

Please read instructions on reverse before completing form.

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



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number Wilbur-Ellis Company (2935-536)	2. EPA Product Manager Mary Waller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Captan 7.5 Dust	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)(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 _____	NOTIFICATION FEB 26 2010
<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.)

Submitting notification to comply with PRN 2007-4 ^{and 83-3} See attachment for additional information

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 type="checkbox"/> Plastic <input type="checkbox"/> Glass <input checked="" type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container		
3. Location of Net Contents Information <input type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container 50 lb.		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product		<input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> 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 Sandi Escamilla	Title Registration Specialist	Telephone No. (Include Area Code) 559-493-2108
-------------------------	----------------------------------	---

Certification

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>Sandi Escamilla</i>	3. Title Registration Specialist
4. Typed Name Sandi Escamilla	5. Date February 18, 2010

4097



August 31, 2009

CERTIFIED MAIL
Return Receipt Requested
70073020000132615919

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

Subject: Notification of PRN 2007-4
Captan 7.5 EPA Reg. No. 2935-536

Dear Ms. Waller:

Wilbur-Ellis Company is submitting a notification to EPA to amend the enclosed label to comply with PR-Notice 2007-4

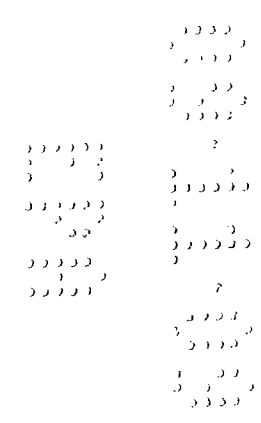
Two labels enclosed. One marked copy to show our revisions, along with a clean copy of the revision label.

Please call me at (559) 493-2108, or email to sescamil@wecon.com if you have any questions.

Sincerely,

Sandi Escamilla
Registration Specialist
Wilbur-Ellis Company

Enclosure(s)



507

CAPTAN 7.5 DUST

FUNGICIDE



WILBUR-ELLIS®
NOTIFICATION

FEB 26 2010

ACTIVE INGREDIENT	% By Wt.
Captan (N-trichloromethylthio-4-cyclohexene-1,2-dicarboximide).....	7.33%
Related Derivatives.....	0.17%
OTHER INGREDIENT.....	92.50%
TOTAL.....	100.00%

EPA Reg. No. 2935-536

EPA Est. No. 2935-CA-1

KEEP OUT REACH OF CHILDREN

CAUTION

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

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Causes moderate eye irritation. Avoid contact with eyes or clothing. Wear long-sleeved shirt and long pants, socks and shoes.

FIRST AID

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For Medical Emergency involving this product call 1-800-301-7976

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.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are Butyl Rubber ≥ 14 mils., Natural Rubber ≥ 14 mils. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart.

All loader, applicators and other handlers must wear:

- A) Long-sleeved shirt and long pants;
- B) Shoes plus socks;
- C) Chemical-resistant gloves;
- D) Chemical-resistant apron when loading, cleaning up spills, or cleaning equipment.
- E) NIOSH-approved dust mist filtering respirator with MSHA/NIOSH approved number prefix Tc-21C or a NIOSH-approved respirator with any N², R, P, or HE filter.

Persons cutting, sorting, drying, bagging treated seed pieces or otherwise handling treated seed pieces are handlers and must wear handler personal protective equipment.

Follow manufacturer's instructions for cleaning and maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

Manufactured in U.S.A by:

WILBUR-ELLIS COMPANY

P.O. BOX 16458 - FRESNO CA 93755

leaf 7

ENGINEERING CONTROLS STATEMENTS

When handlers use closed systems designed by the manufacturer to enclose the pesticide to prevent it from contacting handlers or other people AND the system is functioning properly and is used and maintained in accordance with the manufacturer's written operating instructions, the handlers need only wear:

- 1) long-sleeve shirt,
- 2) long pants,
- 3) chemical-resistant gloves,
- 4) shoes and socks,

However, the respirator must be immediately available for use in an emergency, such as a spill or equipment breakdown.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish. 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. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not clean equipment or dispose of equipment washwaters in a manner that will contaminate water resources. In the event that treated seeds are spilled and cannot be salvaged, completely cover them with soil.

NOTE TO USER: Federal government and most states have seed laws and regulations requiring an appropriate caution statement be affixed to bags containing treated seed such as, "**Treated Seed - Do Not use for food or feed**"

USER SAFETY RECOMMENDATIONS

User should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

User should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Users should 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.

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. Only protected handlers may be in area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

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: Once the seed pieces are planted in soil or other planting media, the Worker Protection Standard allows workers to enter the treated area without restriction if there will be no contact with soil/media subsurface.

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 made of any waterproof material; C) Shoes plus socks; D) Protective eyewear.

Double Notification: Notify workers of the application by warning them orally and by posting warning signs at entrances to treated areas.

Eye-Protection: To mitigate eye irritation concerns from post application exposures, the Agency is requiring that, for at least seven days following the application of captan:

1. at least one container designed specifically for flushing eyes **must be** available in operating condition at the WPS-required decontamination site for workers entering the area treated with captan, and
2. workers **must be** informed orally, in a manner they can understand:
 - that residues in the treated area may be highly irritating to their eyes,
 - that they should take precautions such as refraining from rubbing their eyes, to keep the residues out of their eyes,
 - that if they do get residues in their eyes, they should immediately flush their eyes with the eyeflush container that is located in the decontamination site, and
 - how to operate the eyeflush container.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in original container only and keep sealed. Store in cool, dry and closed storage area. Reduce stacking height where local conditions, such as humidity or pallet overhand, can affect package strength. Use caution when moving, opening, closing or pouring.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal: Nonrefillable Container: Do not reuse or refill this container. Completely empty bag into application equipment. Offer for recycling, if available; otherwise, dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

POTATO SEED PIECE TREATMENT

As an aid in the control of seed pieces decay caused by soil borne *fusarium*. CAPTAN 7.5 DUST will NOT protect seed piece against bacterial diseases (such as soft rot or black leg caused by *Erwinia*) in or on the seed piece or in the soil. Captan will NOT protect against *fusarium* already established in or on the seed piece. Apply sufficient amount of CAPTAN 7.5 DUST to provide a thorough coverage (7 to 10 ounces per bushel of cut seed pieces or 10 ounces to 1 lb. per 100 lbs. of cut seed pieces). Whole or 1-drop seed will need less material. Depending on the number of cuts made in the seed piece, the amount of dust used will vary as a result of the number of surface areas exposed for treatment. Apply in convenient container or by duster attachment over belt. Cut pieces should be treated within 6 hours of cutting. If planting is to be delayed more than 1 to 2 days the treated pieces should be stored for 2 to 3 days in open crates before bagging. Do not use treated seed for food or feed purposes.

If treated potato seed pieces are bagged, the bag must contain an attached label with the following language:

"The bag contains potato seed pieces treated with captan. When opening this bag or loading/pouring the treated seed pieces, wear long-sleeved shirt, long pants, shoes, socks and chemical-resistant gloves".

NOTE TO USER: Tuber damage and/or decay may occur on sandy soils under moist soil conditions and higher than normal soil temperatures. Do not use if these conditions can occur or if there has been any past history of seed piece decay due to the problem.

This product will not control bacterial diseases.

Not for use in Jefferson County, Idaho.

DO NOT USE TREATED SEED PIECES FOR FEED OR FOOD

Conditions of Sale and Limitation of Warranty and Liability:

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using the product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of the product should be followed carefully. 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 many different factors including, without limitation, manner of use or application, weather, combination with other products, or crop conditions. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold Manufacturer and Seller harmless from any claims relating to such factors.

Seller warrants that this product conforms to the chemical description on the label. EXCEPT FOR THIS WARRANT, THE PRODUCT IS FURNISHED "AS-IS," AND NEITHER SELLER NOR MANUFACTURER MAKES ANY OTHER WARRANTIES, EXPRESS OR IMPLIED, WITH RESPECT TO THE SELECTION, PURCHASER USE OF THIS PRODUCT. SELLER AND MANUFACTURER SPECIFICALLY DISCLAIM ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. Buyer and User accept all risks arising from any use of this product, including without limitation uses contrary to label instructions, under abnormal conditions, or under conditions not reasonably foreseeable to (or beyond the control of) Seller or Manufacturer.

To the extent permitted by law, neither Manufacturer nor Seller shall be liable for any incidental, consequential or special damages resulting from the use or handling of this product. THE EXCLUSIVE REMEDY OF THE BUYER OR USER, AND THE EXCLUSIVE LIABILITY OF MANUFACTURER AND SELLER, FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THIS PRODUCT, OR AT THE ELECTION OF MANUFACTURER OR SELLER, THE REPLACEMENT OF THE PRODUCT.

These Conditions of Sale and Limitation of Warranty and Liability shall be interpreted in accordance with the laws of the State of California, excluding its conflicts of laws or rules, and may not be amended by any oral or written agreement.

WILBUR-ELLIS Logo® and IDEAS TO GROW WITH® are registered trademarks of WILBUR-ELLIS Company. COVERED UNDER U.S.A. PATENT NUMBER 5007953

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

F-1105-1

NET CONTENTS: 50 POUNDS (22.68 KG)

Batch Code _____