

2935-539

9/29/2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Andrew Chang
Product Regulatory Manager
Wilbur-Ellis Company
2737 Golden State BLVD,
Fresno, CA 93715

SEP 29 2009

Dear Mr. Chang:

SUBJECT: Potato Seed Treater PS
EPA Registration Number 2935-539
Your submission of July 16, 2009
OPPIN Decision Number D418256

The amendment referred to above, submitted in connection with registration under section (3) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) is acceptable provided you make the following changes:

Page 1 – Ingredient Statement:

Delete "Contains Mancozeb" from where it appears at the top of the Ingredient Statement. Add the word "Mancozeb" immediately before the phrase "A coordination product of zinc ion . . ."

Page 3 – Potato Seed Piece Treatment:

Move "Important: Tuber damage and/or decay . . ." to the end of the preceding paragraph just after "contact with the soil/media subsurface.

Change ". . . may occur on sandy soils . . ." to ". . . may occur in sandy soils . . ." and change "Do not use if these conditions can occur . . ." to "Do not use this product if these conditions occur . . ."

Submit one (1) copy of your final printed labeling before you release the product for shipment. A stamped copy of the label is enclosed for your records. If you have any questions, please contact Lisa Jones of my team at (703) 308-9424 or by e-mail at jones.lisa@epa.gov.

Sincerely,

A handwritten signature in cursive script that reads "Mary L. Waller".

Mary L. Waller
Product Manager (21)
Fungicide Branch
Registration Division (7505P)

Enclosure: Stamped label

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POTATO SEED TREATER PS

**A FUNGICIDE FOR THE PROTECTION OF POTATO SEED PIECES
AGAINST CERTAIN PLANT DISEASES**

Contains Mancozeb

ACTIVE INGREDIENTS:

A coordination product of zinc ion and manganese ethylene bisdithiocarbamate	8.00%
Manganese ⁺⁺	1.6%
Zinc ⁺⁺	0.2%
Ethylene bisdithiocarbamate ion (C ₄ H ₆ N ₂ S ₄) ⁻	6.2%
OTHER INGREDIENTS	92.00%
TOTAL	100.00%

Stamped
"Accepted with
Comments"
September 29,
2009

EPA Reg. No. 2935-539

EPA Est. No. 2935-CA-1

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

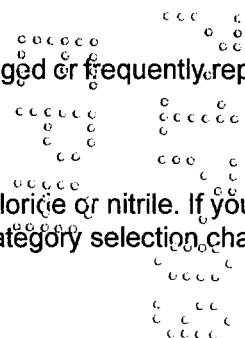
FIRST AID	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For Medical Emergency involving this product call 1-800-301-7976.	
If in eyes:	<ul style="list-style-type: none"> •Hold eye open and rinse slowly and gently with water for 15-20 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.
If on skin or clothing:	<ul style="list-style-type: none"> •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 swallowed	<ul style="list-style-type: none"> •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 inhaled:	<ul style="list-style-type: none"> •Move person to fresh air. •If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. •Call a poison control center or doctor for further treatment advice.

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

CAUTION: Causes moderate eye irritation. Avoid contact with eyes or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are neoprene, polyvinyl chloride or nitrile. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart.



Loaders, applicators, and other handlers must wear: A) Long-sleeved shirt and long pants; B) Chemical-resistant gloves made out of any waterproof material; C) Shoes and socks and D) a NIOSH-approved respirator with dust/mist filter with MSHA/NIOSH approval number prefix TC-21C or any N, R, P, or HE filter.

See engineering controls for additional requirements.

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exists, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing or other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

ENGINEERING CONTROLS

Large scale seed piece treatment facilities that, on any given week in the current year or in the past year, treated $\geq 50,000$ cwt ($\geq 2,500$ tons) must use dust collection system during the treatment of the seed pieces that prevents dust from contacting handlers or other persons.

Handlers using the dust collection system must wear: A) Long-sleeved shirt and long pants; B) Chemical-resistant gloves (except pilots, groundboom applicators and airblast applicators) C) Shoes and socks and D) must be provided with, have immediately available, and wear in an emergency, such as a broken package, spill, or equipment breakdown: a NIOSH-approved respirator with dust/mist filter with MSHA/NIOSH approval number prefix TC-21C or any N, R, P, or HE filter.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to aquatic organisms. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not apply directly to water, or to areas where surface water is present, or to inter-tidal areas below the mean high water mark. Do not contaminate water when cleaning equipment or disposing of equipment washwater or rinsate.

CHEMICAL OR PHYSICAL HAZARDS

IMPORTANT: Keep away from fire and sparks. Store in a safe place. Do not allow to become wet or overheated in storage. This may bring on chemical changes which will impair the fungicidal effectiveness of Mancozeb and may also generate flammable vapors. Keep container closed when not in use.

USER SAFETY RECOMMENDATIONS

Users should: 1) Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. 2) Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. 3) Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change in 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, 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.

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, 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 24 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; B) Chemical-resistant gloves made out of any waterproof material; C) shoes and socks.

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

POTATO SEED PIECE TREATMENT:

To suppress Seed Piece Decay (*Fusarium sambucinum*): Use 1 pound of this product per 100 pounds of whole or cut seed pieces. Apply for thorough coverage. Plant as soon after treatment as possible.

Seed-pieces that have been treated with this product that are then packaged or bagged for future use must contain the following labeling on the outside of the seed-piece package or bag:

"When opening this bag or loading/pouring the treated seed-pieces, wear: A) Long-sleeved shirt and long pants, B) Shoes, socks, C) Chemical resistant gloves, and D) a NIOSH-approved respirator with a dust/mist filter with MSHA/NIOSH approved number perfix TC-21C or any N, R, P, or HE filter."

"Treated Seed-Pieces - Do Not Use for Food, Feed, or Oil Purposes."

"After the seed-pieces have been planted, do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 24 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 worker contact with the soil/media subsurface.

IMPORTANT: 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 this problem.

This product will not control bacterial soft rot.

Not for use in Jefferson County, Idaho.

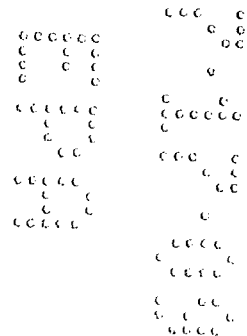
STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a safe manner. Store in original container only. Store in cool, dry place. Never allow this product to become wet during storage. Moisture may lead to chemical changes which reduce fungicidal efficacy and create vapors which may be flammable. Reduce stacking height where local conditions, such as humidity or pallet overhang, can affect package strength. Personnel should use clothing and equipment consistent with good pesticide handling. Do not store under conditions which might adversely affect the container or its ability to function properly. Such conditions include, but are not limited to, positioning of the container in storage, storage temperature, potential for crushing or damage due to stacking and penetration of moisture.

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

CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Then 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.



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.

ALL STATEMENTS MADE HEREIN ARE SUBJECT TO APPLICABLE LAW, AND TO THE EXTENT THERE IS ANY INCONSISTENCY OR CONTENTION, APPLICABLE LAW SHALL GOVERN.

The Directions for Use of the product must 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 WARRANTY, THE PRODUCT IS FURNISHED "AS-IS," AND NEITHER SELLER NOR MANUFACTURER MAKES ANY OTHER WARRANTIES, EXPRESS OR IMPLIED, WITH RESPECT TO THE SELECTION, PURCHASE OR USE OF THIS PRODUCT; SELLER AND MANUFACTURER SPECIFICALLY DISCLAIM ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEYOND WHAT IS STATED ON THE LABEL. Buyer and User accept all risks arising from any use of this product, including without limitation, uses contrary to label instructions, or under conditions not reasonably foreseeable to (or beyond the control of) Seller or Manufacturer.

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, unless otherwise required by the law of the state of purchase, in accordance with the laws of the State of California, excluding its conflicts of laws rules, and may not be amended by any oral or written agreement.

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F-071609

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

NET CONTENTS: 40 POUNDS (18.14 KG)

**ACCEPTED
with COMMENTS
In EPA Letter Dated:
SEP 29 2009**

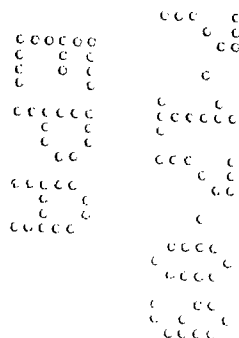
**Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.**

2935-539

Manufactured in U.S.A. by:



2903 S. Cedar Ave. Fresno, CA 93725



Batch Code _____