7501-36





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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

MAR 2 4 2003

Dennis McFadden Manager, Toxicology and Regulatory Affairs Gustafson LLC 1400 Preston Rd. Suite 400 Plano, TX 75093

Subject: VITAVAX® Captan 20 - 20 EPA Reg. 7501-36 Your Amendment dated Feb. 18, 2003

Dear Mr. McFadden:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act as amended is acceptable provided the following change is made:

STORAGE AND DISPOSAL: add the word "PESTICIDE" before the subheading "STORAGE"

A stamped copy of the label is enclosed for your records. Please submit one (1) copy of the final printed label before you release the product for shipment.

If you have any questions, please call Robert Westin at (703) 305-5721.

Sincerely,

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Dennis McNeilly Acting Product Manager (22) Fungicide Branch Registration Division (7505C)

Enclosure

36(S)021803 ACCEPTED with COMMENTS In EPA Letter Dated:

MAR 2 4 2003

Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No. 7501-36

Active Ingredients By Wt.

| *Captan | |
|--|---------------|
| Related Derivatives | 0.45% |
| Carboxin | |
| **inert Ingredients: | <u>60.00%</u> |
| TOTAL | |
| *N-[(trichloromethyl)thio]-4-cyclohexene-1,2-dicarboximide | |

**Contains Graphite

ÉPA Reg. No. 7501-36 EPA Est. NET CONTENTS;

KEEP OUT OF REACH OF CHILDREN DANGER PELIGRO

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.

FIRST AID

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. 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. If swallowed:

-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 uncoscious person. **If inhaled:**

•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 treatment advice. If on skin or clothing:

•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. Note to Physician: Probable mucosal damage may contraindicate the use of gastric lavage.

See Additional Precautionary Statements.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS DANGER PELIGRO

Causes irreversible eye damage. Harmful if swallowed or inhaled. May cause allergic skin reactions. Do not get in eyes. Do not use treated seed for human consumption. VITAVAX-CAPTAN Seed Protectant treated seeds sold or shipped as feed or foodstuffs may be considered adulterated under state and federal laws. Treated seed should be labeled as follows: "TREATED SEED. DO NOT USE FOR FOOD, FEED OR OIL."

PERSONAL PROTECTIVE EQUIPMENT:

VITAVAX[®] Captan 20 - 20

Seed Protectant

Some materials that are chemical-resistant to this product are barrier laminate, nitrile rubber, neoprene rubber and Viton. If you want more options, follow the instructions for category E on an EPA chemical-resistance category selection chart. All mixers, loaders, applicators and other handlers must wear: long-sleeved shirt and long pants, chemicalresistant gloves, shoes plus socks, protective eyewear and a NIOSH approved respirator with any R, P or HE filter.

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.

USERSAFETY RECOMMENDATIONS:

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

ENVIRONMENTAL HAZARDS

This chemical is toxic to fish. Do not contaminate water when disposing of equipment washwaters or rinsate. In the event that treated seeds are spilled and cannot be salvaged, completely cover them with soil.

STORAGE AND DISPOSAL

PROHIBITIONS

Do not contaminate water, food or feed by storage, disposal or cleaning of equipment. Open dumping is prohibited. Do not reuse empty container.

STORAGE

Gustafson (

Keep pesticide in original container. Do not put concentrate or dilute into food or drink containers. Store in a cool, dry place. Protect from excessive heat. Do not store or transport near feed or food.

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 liner into application equipment. Then dispose of empty liner and container in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

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, 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), 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 48 hours. Exception: if the product is soil-injected or soil-incorporated, 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 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: coveralls, protective evewear, chemical-resistant gloves made of any water-proof material and shoes plus socks.

DIRECTIONS FOR USE

VITAVAX-CAPTAN Seed Protectant is a formulation specifically designed for treatment of wheat, oat and barley seed on the farm at planting time. It controls covered smut (*Tilletia caries* and *Tilletia foetida*) and loose smut (*Ustilago nuda*) on wheat, covered smut (*Ustilago kolleri*) and loose smut (*Ustilago avenae*) on oats and covered smut (*Ustilago hordei*) and loose smut (*Ustilago nuda*) on barley. It also tends to reduce seed rot and seedling blight caused by soil fungi.

Wheat Oats Use 4 oz. per 100 lbs. of seed Barley

VITAVAX-CAPTAN Seed Protectant also controls various seed and seedling diseases of soybeans.

Soybeans Use 3 oz. per bushel.

Apply as a planter box treatment (including air and vacuum planters), mixing thoroughly with the seed before planting. For best results, the following procedure is suggested. Fill planter box only halffull of seed, add half the required amount of VITAVAX-CAPTAN Seed Protectant and mix thoroughly with a stick. Then add remainder of seed to planter box and add the rest of the required amount of product to the seed, again mixing thoroughly.

Good results are also obtained by premixing seed with the product in a suitable container, then pouring treated seed into planter box.

Note: One level scoop (enclosed) is equivalent to approximately 1 avoirdupois ounce of this product.

Adjust the seed drill or planter to give the required rate of seed delivery with treated seed. Regularly inspect planter plates and clean as required. At the end of each day, clean out the electriceye monitors as directed by the manufacturer.

NOTICE - READ CAREFULLY CONDITIONS OF SALE AND LIMITED WARRANTY STATEMENT

Treatment of highly mechanically damaged seed, or seed of known low vigor and poor quality, may result in reduced germination and/or reduction of seed and seedling vigor. Treat and conduct germination tests on a small portion of seed before committing the total seed lot to a selected chemical treatment. Due to seed quality conditions beyond the control of Gustafson LLC no claims are made to guarantee germination of carry-over seed.

As its sole express warranty, Gustafson LLC warrants that this product conforms to the chemical description on the label and is reasonably fit for purposes stated on the label only when used in accordance with directions and instructions specified on the label, subject to the inherent risks set forth above. ONLY AS PERMITTED BY APPLICABLE LAW, IN THE EVENT OF A BREACH OF THIS LIMITED WARRANTY, GUSTAFSON LLC SHALL NOT BE LIABLE FOR CONSEQUENTIAL DAMAGES. SUBJECT TO APPLICABLE LAW, GUSTAFSON LLCNEITHER MAKES NOR AUTHORIZES ANY OF ITS AGENTS OR REPRE-SENTATIVES TO MAKE ANY WARRANTY OF FITNESS OR MER-CHANTABILITY, GUARANTY OR REPRESENTATION, EX-PRESS OR IMPLIED, CONCERNING THIS MATERIAL. Buyer assumes the responsibility to handle, use and store this product in accordance with the safety instructions and use directions contained on the label.

Buyer/User purchases this product subject to the foregoing Conditions of Sale and Limited Warranty, which, subject to applicable law, may be varied only by a written agreement signed by a duly authorized representative of Gustafson LLC. If these terms are not acceptable, return all products to the place of purchase, unopened for a full refund.

A quality product manufactured for: **Gustafson LLC** 1400 Preston Road, Suite 400 Plano, Texas 75093 Questions?(972) 985-8877

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VITAVAX is a Reg. TM of Uniroyal Chemical Company, Inc.