

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

JUL 12 1993

Mr. J. C. Rockwell  
Gustafson, Inc.  
P.O. Box 660065  
Dallas, TX 75266-0065

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Dear Mr. Rockwell:

Subject: Revised Labeling in Response to the Ethylene  
Bisdithiocarbamates (EBDC's) NOIC and Conclusion of  
Special Review  
Federal Register Notice of Monday, March 2, 1992  
Volume 57, Number 41, Pages 7484 - 7530  
Gustafson Vitavax Maneb Lindane 20-35-18  
EPA Registration No.7501-37  
Your Submission Dated June 11, 1992

The Federal Register Notice referred to above announced the conclusion of the Special Review and risk/benefit analysis of the EBDC's and the Agency's notice of intent to cancel product registrations and to deny applications for registration for all pesticide products containing EBDC's as an active ingredient unless the registrations/applications comply with the terms and conditions of registration set forth in the Notice of Intent to Cancel.

According to Unit VIII of the Notice, registrants of EBDC products who were affected by the Notice of Intent to Cancel (NOIC) could avoid cancellation of their registrations without requesting a hearing by filing an adequate and timely application for an amended registration to amend product registration and labeling to comply with the requirements described in Unit VII of the NOIC. Among other things, applications containing the modifications required by the Notice were to include three (3) copies of the revised label; the approved label was to be affixed to all end-use products released for shipment six (6) months after publication of the Notice; and all applications for amendment were to be filed within thirty (30) days of the date of the Federal Register publication of the Notice or within 30 days of the registrant receipt of the Notice, whichever occurred later. Furthermore, any applicant for a registration that was subject to the NOIC was to file an amended application for registration within the applicable 30-day period to avoid denial of the application. The NOIC stated that the failure to file an amendment on time or the timely filing

H7505C:J.Fairfax:7501-37:7/8/93

		CONCURRENCES					
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SURNAME	J. Fairfax	C. Lewis					
DATE	7/9/93	7/12/93					

of an inadequate amendment would result in automatic cancellation pursuant to FIFRA section 6(b) or denial under section 3(c)(6).

Our records indicate that your company received the Federal Register Notice on March 13, 1992, and that the deadline for receipt of your application for amendment was April 13, 1992. Since your application for amendment was received by the Agency on June 15, 1992, you failed to file an application for amendment within the applicable 30 day time frame. However, since you received incorrect information from the Agency which led to the delay in the submission of your application for amendment, the Agency has determined that Gustafson made a good faith effort to comply with the requirements of the NOIC and that your product is considered active.

Therefore, the amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable with the following conditions:

1. Include the following label statement: "If this product is used on a crop, no other product containing a different EBDC active ingredient may be used on the same crop during the same growing season."

2. Under Environmental Hazards, change the second and third sentences to "Do not apply directly to water, 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."

3. Note that this acceptance of your label does not relieve you of your obligation to comply with the Worker Protection Standard (WPS). If any of your products are covered by the WPS, you are required to submit, and receive the Agency's approval by April 21, 1994, of a revised label reflecting the required label statements of 40 CFR 156, published in the FEDERAL REGISTER on August 21, 1992 (57 FR 38102). Further guidance will be issued. According to 40 CFR 156, subpart K, specifically §156.200(c)(3): "No product to which this subpart applies shall be distributed or sold without amended labeling by any registrant after April 21, 1994."

A stamped copy of the label is enclosed for your records.

If you have any questions concerning this letter, please contact Julie Fairfax at (703) 305-7390.

Sincerely yours,



Clarence O. Lewis, III  
Acting Product Manager (21)  
Fungicide-Herbicide Branch  
Registration Division (H7505C)

Enclosure

JUL 12 1993

Under the Fungicide, amended Act as registered under EPA Reg. No. 7501-37

# Gustafson VITAVAX® Maneb Lindane

## 20-35-18.75 Fungicide-Insecticide Seed Protectant

**Only for Sale to, Use and Storage by  
Agricultural or Commercial Applicator Personnel.**

A ready-to-use formulation for drill-box application to control smuts, seed decay and seedling blight and for temporary protection of seeds and seedlings against wireworms.

### WHEAT--BARLEY--OATS--CORN

Active Ingredients:	By Wt.
Carboxin (5,6-Dihydro-2-methyl-1,4-Oxathiin-3-Carboxanilide) .....	20.00%
Maneb (Manganese ethylenebisdithiocarbamate) ..	35.00%
Lindane (Gamma isomer of Benzenehexachloride) .....	18.75%
Inert Ingredients: .....	26.25%
Total .....	100.00%

EPA Reg. No. 7501-37

### KEEP OUT OF REACH OF CHILDREN WARNING PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

May be fatal if swallowed. May be absorbed through skin. Do not breathe dust. Do not get in eyes, on skin, or on clothing. Causes eye and skin irritation. Wash hands, arms and face thoroughly with soap after handling and before eating or smoking. Routinely shower or bathe after working and wash all clothing with soap and hot water before reusing. Avoid contamination of feed and foodstuffs.

All agricultural workers / handlers (i.e. mixers, loaders and applicators) applying EBDC's must wear coveralls over a long-sleeved shirt and long pants, shoes, socks and chemical resistant gloves. During mixing and loading, a chemical resistant apron, goggles and a pesticide respirator jointly approved by MSHA (Mine Safety and Health Administration) and by NIOSH (National Institute for Occupational Safety and Health) under the provisions of 30 CFR Part II for Lindane / Maneb protection must also be worn.

*Continued Next Column*

### STATEMENT OF PRACTICAL TREATMENT

**If swallowed**—Drink one or two glasses of water and induce vomiting by touching the back of the throat with finger. Repeat until vomit fluid is clear. Call a physician immediately. Do not induce vomiting or give anything by mouth to an unconscious person.

**If inhaled**—Remove victim to fresh air. Apply respiration if indicated.

**If on skin**—Remove contaminated clothing and wash affected areas with soap and water.

**If in eyes**—Flush with plenty of water. Call a physician if irritation persists.

### ENVIRONMENTAL HAZARDS

This product is toxic to fish, birds, and other wildlife. Do not apply directly to lakes, streams or ponds. Do not contaminate water by cleaning of equipment or disposal of wastes. Apply this product only as specified on this label. Exposed treated seeds may be hazardous to birds and other wildlife. Dispose of all excess treated seeds by burial away from bodies of water.

### DIRECTIONS FOR USE

It is a violation of State and Federal Law to use this product in a manner inconsistent with its labeling. Read all directions before using and use only as specified on this label.

### STORAGE AND DISPOSAL

- 1. STORAGE:** Store in a cool dry place. Do not allow to freeze or become overheated.
- 2. PROHIBITION:** Do not contaminate water, food or feed by storage or disposal.
- 3. 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.
- 4. CONTAINER DISPOSAL:** 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.

VITAVAX-MANEB-LINDANE 20-35-18.75 Fungicide - Insecticide Seed Protectant is a dust base product especially formulated for seed treatment at planting time. This product is formulated to help lubricate the planter box and assure a smooth, even flow in the furrow. It is formulated for use in the treatment of seeds for protection against wireworms and certain other soil-borne insects as well as providing protection against stinking smut (bunt) of wheat, oat smuts, covered and false loose smuts of barley, and seed decay. Apply as a drill box treatment mixing thoroughly with the seed before planting. For best results, the following procedure is suggested. Fill the drill box only half full of seed; add half the required amount of product and mix thoroughly with a stick. Then add the remainder of seed to the drill 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 the planter box.

- Wheat, Barley, Oats -- Use 2 ounces per bushel of seed
- Corn -- Use 3 ounces per bushel of seed

IF SOIL TEMPERATURE IS EXTREMELY HIGH (hot weather, midsummer planting, or other reasons) reduce recommended dosage by one-third. Avoid lengthy storage of treated seed to prevent loss of Lindane.

**USE RESTRICTIONS**

Treated seed must not be used for, or mixed with food or animal feed, or processed for oil. Do not graze or feed livestock on treated areas for six weeks after planting. Care must be exercised in the handling of treated seed. Treat only those seeds needed for immediate use minimizing the interval between treatment and planting. Do not store excess treated seeds beyond planting time.

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

**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, except for the purposes of curative control of existing disease or insect pests, 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, Inc., no claims are made to guarantee germination of carry-over seed.

As its sole express warranty, Gustafson, Inc., 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, INC. NEITHER MAKES NOR AUTHORIZES ANY OF ITS AGENTS OR REPRESENTATIVES TO MAKE ANY WARRANTY OF FITNESS OR MERCHANTABILITY, GUARANTY OR REPRESENTATION, EXPRESS 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, Inc. If these terms are not acceptable, return all products to the place of purchase, unopened for a full refund.

A quality product manufactured by:  
**Gustafson, Inc.**  
1400 Preston Road, Suite 400  
Plano, Texas 75093  
(214) 985-8877

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