

PM 21

7501-44

File

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

JAN 31 1994

Dennis L. McFadden
GUSTAFSON, INC.
P.O. Box 660065
Dallas, TX 75266

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Subject: Label Amendment Submission of 08/31/93 in Response to PR Notice 93-7
EPA Reg. No. 7501-44
GUSTAFSON VITAVAX-THIRAM 20-20

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 reflected on the enclosed sheet. A copy of your proposed labeling stamped "ACCEPTED WITH COMMENTS" is enclosed.

WHAT THIS ACCEPTANCE MEANS:

Based on your certification, the Agency has accepted the labeling changes that are necessary to comply with the Worker Protection Standard (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 not been reviewed or 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:

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
- AND
- WITHIN one year from date of this acceptance.



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

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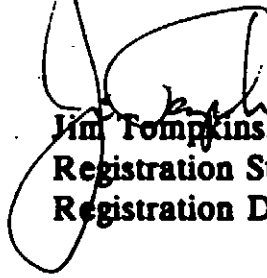
Submit the final printed labeling via the U.S. Postal Service to:

Document Processing Desk (FIN-LABEL)
Office of Pesticide Programs (7505C)
U.S. Environmental Protection Agency
401 M Street, SW
Washington, D.C. 20460-0001

Hand or courier deliveries of final printed 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

ACCEPTED
with COMMENTS
In EPA Letter Dated

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GUSTAFSON
VITAVAX®-THIRAM 20-20
Seed Protectant Fungicide

JAN 31 1994
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
7501-44

Active Ingredients:

Carboxin (5,6-dihydro-2-methyl-1,4-oxathiin-3-carboxanilide) *	20%
Thiram (tetramethylthiuram disulfide)	20%

Inert Ingredients:

60%

This product contains the toxic inert ingredient Rhodamine B.

* U.S. Patents 3,249,499 - 3,393,202 - 3,454,391

EPA Reg. No.: 7501-44

Keep Out of Reach of Children
DANGER PELIGRO
For additional precautions and statement of
practical treatment, see side panel

Manufactured by: Gustafson, Inc.
1400 Preston Road, Suite 400
Plano, Texas 75093

PRECAUTIONARY STATEMENTS
Hazards to Humans and Domestic Animals

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.)

Corrosive, causes eye damage. Harmful if swallowed, inhaled or absorbed through skin.
Avoid breathing dust. Do not get into eyes, on skin or clothing.

Statement of Practical Treatment

If in eyes: Immediately flush eyes with water for at least 15 minutes. Get immediate
medical attention.

If swallowed: Induce vomiting and get medical attention.

If on skin: Wash affected area with soap and water.

If Inhaled: Get medical attention if problem develops.

PERSONAL PROTECTIVE EQUIPMENT

Applicators and other handlers must wear: long-sleeved shirt and long pants, waterproof gloves, shoes plus socks and protective eyewear. Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. 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.

USER SAFETY RECOMMENDATIONS

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

ENVIRONMENTAL HAZARDS

This product 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. Do not contaminate water by cleaning of equipment or disposal of wastes. Dispose of excess treated seeds by burying in a safe place away from water supplies.

STORAGE AND DISPOSAL

PROHIBITIONS

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

Open dumping is prohibited.

Do not reuse empty container - destroy when empty.

STORAGE

Store in a cool, dry place,

Protect from excessive heat.

Keep pesticide in original container.

Do not store or transport near food or feed.

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 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.

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 24 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, waterproof gloves, shoes plus socks and protective eyewear.

RECOMMENDED APPLICATIONS

Gustafson Vitavax-Thiram 20-20 Seed Protectant Fungicide is a ready to use seed treatment formulated for planter box application on barley, oats and wheat. The recommended rate shown below should be thoroughly mixed with the seed in the planter to insure proper coverage.

Wheat, Oats, Barley

Apply at the rate of 4 ounces of product per 100 pounds of seed for the control of various seed rots and seedling diseases, including *Rhizoctonia solani*, loose smut, covered smut, flag smut (of wheat), common bunt and barley stripe.

Use Restrictions: Do not use treated seed for food, feed or oil purposes. Do not graze or feed livestock on treated areas for six weeks after planting.

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. SHALL NOT BE LIABLE FOR CONSEQUENTIAL DAMAGES, SUBJECT TO APPLICABLE LAW, 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.