

Reg # 7501-95

PM-21

File
196



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

FEB 28 1994

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Dennis L. McFadden
GUSTAFSON, INC
BOX 660065
DALLAS, TX 75266

Subject: Label Amendment Submission of 09/20/93 in Response to PR Notice 93-7
EPA Reg. No. 7501-95
GUSTAFSON VITAVAX POUR-ON FLOWABLE FUNGICIDE

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/Canola ink on paper that
contains at least 50% recycled fiber

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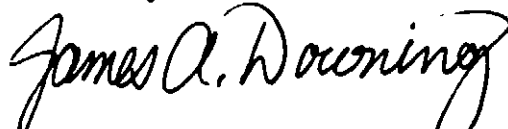
Submit the final printed labeling via the U.S. Postal Service to:

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,

for 
Jim Tompkins, Deputy Chief
Registration Support Branch
Registration Division (7505W)

Attachment

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GUSTAFSON
VITAVAX® POUR-ON
FLOWABLE FUNGICIDE

Active Ingredients:

Carboxin(5,6-dihydro-2-methyl-N-phenyl-1,4-oxathiin-3-carboxamide).....	6.4%
Thiram (tetramethylthiuram disulfide).....	6.4%
Inert Ingredients:.....	87.2%

KEEP OUT OF REACH OF CHILDREN
CAUTION
See Side Panel For Additional
Precautionary Statements

EPA Reg. No. 7501-95
EPA Est.
Net Contents:

GUSTAFSON, INC.
1400 Preston Road, Suite 400
Dallas, Texas 75093
214-985-8877

ACCEPTED
with COMMENTS
EPA Letter Dated
FEB 28 1994
under the Federal Insecticide,
Fungicide and Rodenticide Act
registered for the pesticide
under EPA Reg. No.
7501-95

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND
DOMESTIC ANIMALS
CAUTION

Harmful if swallowed, inhaled or absorbed through skin. Do not get in eyes, on skin, or on clothing. Avoid inhaling of dust. Do not use or store near food or feed. Consumption of alcoholic beverages increases the toxic effects of thiram.

PERSONAL PROTECTIVE EQUIPMENT:

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for Category E on an EPA chemical resistance category selection chart. Applicators and other handlers must wear: long-sleeved shirt and long pants, chemical resistant gloves such as barrier laminate or butyl rubber or nitrile rubber or PVC or Vitron, shoes plus socks, protective eyewear. For exposures in enclosed areas, wear a respirator with either an organic vapor-removing cartridge with a prefilter approved for pesticides (MSHA/NIOSH approval number prefix TC-23C), or a canister approved for pesticides (MSHA/NIOSH approval number prefix 14G). For exposures outdoors, wear dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C). Follow manufacturers 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.

add (b)

ENVIRONMENTAL HAZARDS

This pesticide product is toxic to fish. Do not contaminate water by cleaning of equipment or disposal of wastes. Drift or 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 intertidal areas below the mean high water mark.

STORAGE AND DISPOSAL

1. **STORAGE** - Store in a cool place. Keep container tightly closed to prevent evaporation. Stir before using.
2. **PROHIBITIONS** - Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited. Do not reuse empty container.
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** - Triple rinse (or equivalent). Then offer for recycling or reconditioning or puncture and disposal of in a sanitary landfill, or 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 and shoes plus socks and protective eyewear.

Gustafson VITAVAX Pour-On Flowable Fungicide is a ready-to-use hopper box seed treatment, combining the systemic action of carboxin with the surface action of Thiram to control a broad spectrum of seed and seedling diseases of soybeans. It is particularly effective against seed borne diseases that affect germination and emergence; Penicillium, Aspergillus, Diaporthe, Phomopsis and Rhizoctonia sp. VITAVAX Pour-On is applied directly to seed in the hopper box and is safe to peat and granular soybean inoculum.

SOYBEANS

SEED TREATMENT:

Apply 5 fl. oz. of VITAVAX Pour-On Flowable per bushel of seed or 10 fl. oz. per 100 lbs. of seed. Mix well prior to use.

VITAVAX Pour-On Flowable is designed to provide rapid, uniform treatment of soybean seed in the hopper box of unit and drill type planter. Partially fill hopper box with a premeasured amount of seed. Apply the proper amount of product evenly over the surface of the seed. Mix with a stick or paddle until a uniform color is imparted to all seed. Repeat procedure until hopper box is filled.

SEED TREATMENT AND INOCULUM STICKER:

VITAVAX Pour-On Flowable is safe to soybean inoculum and will perform as a STICKER for peat or granular inoculum.

Partially fill hopper box with premeasured amount of seed. Apply VITAVAX Pour-On Flowable evenly over the surface of the seed using the appropriate rate per quantity of seed. Mix with a stick or paddle until a uniform color is imparted to all seed. Apply proper amount of inoculum evenly over treated seed, mix thoroughly with stick or paddle. Repeat procedure until hopper box is filled.

USE PRECAUTIONS:

1. **DO NOT MIX WITH BARE HANDS.**
2. **Seeding rate should be checked during planting.**
3. **If seeding operation is interrupted for several hours, stir seed vigorously prior to continuing seeding. Keep hopper box lids closed to prevent dust from entering the hopper box.**
4. **Do not store seed treated with VITAVAX Pour-On Flowable. Leftover treated seed should be double sown or buried away from water supplies.**
5. **Do not use treated seed for food, feed or oil purposes. Do not graze or feed livestock on vines grown from treated seed.**

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.

A Quality Product manufactured by:
GUSTAFSON, INC.
1400 Preston Road, Suite 400
Plano, TX 75093
(214) 985-8877

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VITAVAX is a reg. Trademark of Uniroyal Chemical, Co., Inc.

95PO(S)-393190