

NOV 8 1995

Mr. Dennis L. McFadden
Manager, Tox & Regulatory Affairs
Gustafson, Inc.
PO Box 660065
Dallas, TX 75266 0065

Dear Mr. McFadden:

Subject: Kodiak Concentrate Biological Fungicide
EPA Reg. No 7501-144
Your application for Label Amendment
dated September 14, 1995

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, and which includes an additional statement in the "Directions for Use" section as follows: "Not for use on agricultural establishments in hopper-box, planter-box, slurry-box, or other treatment applications at or immediately before planting" is acceptable provided that:

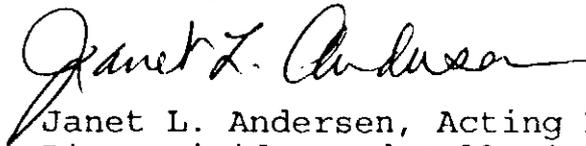
1. On your final printed label, you insert the word "seed" between the words "other" and "treatment" as shown in the Explanation section of your application.

2: You submit five (5) copies of your final printed labeling to the Agency before release of the product for shipment.

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

Enclosure

Sincerely,



Janet L. Andersen, Acting Director
Biopesticides and Pollution
Prevention Division (7501W)

BEST COPY AVAILABLE

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ACCEPTED
with COMMENTS
In EPA Letter Dated

NOV 8, 1995

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
7501-144

KODIAK™

Concentrate Biological Fungicide

FOR FORMULATING INTO REGISTERED END-USE PRODUCTS
AND FOR USE AS A SEED TREATMENT

ACTIVE INGREDIENT:

Bacillus subtilis GBO3 (not less than 5.5×10^{10} viable
spores per gram) 2.75%

INERT INGREDIENTS: 97.25%

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Not for use on agricultural establishments in hopper-box, planter-box, slurry-box, or other ^{Seed} treatment applications at or immediately before planting.

KEEP OUT OF REACH OF CHILDREN
CAUTION

See Additional Precautionary Statements.

EPA Reg. No. 7501-144

Precautionary Statements Hazards to Humans and Domestic Animals **CAUTION**

Causes skin irritation. Avoid contact with eyes, skin or clothing. In case of contact, flush affected area with plenty of water. Repeated or prolonged excessive exposure may lead to sensitization of skin and lungs in susceptible individuals. When applying or handling concentrate or in the absence of adequate ventilation, wear a paper dust mask which covers at least one-third of the face. Wash face, hands and arms thoroughly with soap and water after handling and before eating or smoking.

Statement of Practical Treatment

If on skin, wash with soap and water. Get medical attention if irritation persists.

If in eyes, flush with water. Get medical attention if irritation persists.

Environmental Hazards

For Reformulating Use: Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

For Seed Treatment Use: 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 when disposing of equipment washwater or rinsate. Cover or incorporate spilled seed or seed on soil surface.

STORAGE AND DISPOSAL

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

STORAGE: Store in a dry place.

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

CONTAINER DISPOSAL: Completely empty package by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into mixing equipment. Then dispose of package in a sanitary landfill or by incineration if allowed by State and local authorities. Dispose of box in the same manner. Do not reuse package or box.

KODIAK Concentrate contains bacteria which colonize the developing root system, suppressing disease organisms such as *Fusarium*, *Rhizoctonia*, *Alternaria* and *Aspergillus* that attack root systems. When used with a chemical seed treatment, the combination of chemicals and KODIAK provides protection to the root for a much longer time than with chemicals alone. As the root system develops, the bacteria grow with the roots extending the protection throughout the growing season. As a result of this biological protection, a vigorous root system is established by the plant, which often results in more uniform stands and greater yields.

In addition, KODIAK has been shown to increase the amount of nodulation by nitrogen-fixing bacteria when used on many legumes. This improvement in nodulation is a result of a healthier root system allowing more sites for nodules to form from naturally-occurring soilborne nitrogen-fixing bacteria.

FOR REFORMULATION INTO REGISTERED END-USE PRODUCTS

USE PATTERN: This product is for use by formulators in the manufacture of agricultural fungicide products, offered for sale to the public, and which are duly registered with the Environmental Protection Agency, Washington, D.C.

FORMULATION ASSISTANCE: Additional information regarding specific problems in formulations, involving this product may be obtained by writing: Gustafson, Inc.; P.O. Box 660065, Dallas, Texas 75266-0065.

Gustafson



FOR USE AS A SEED TREATMENT

KODIAK Concentrate may be applied as a water-based slurry with other registered seed treatment insecticides and fungicides through standard slurry or mist commercial seed treatment equipment. To mix, first add the chemical insecticides and/or fungicides to the slurry mix with approximately 1/2 of the required water. Slowly add the KODIAK Concentrate to the slurry until a uniform suspension is obtained. Add the remainder of the required water and maintain continuous agitation. Do not store mixed slurries for longer than 72 hours.

INSTRUCTIONS FOR USE (Hopper Box)

Fill hopper half full of seed, pour desired amount of KODIAK Concentrate on the seed and stir. Finish filling hopper to desired level and pour on remainder of KODIAK Concentrate to balance of seed and stir. Movement of planter across the field will help mix the KODIAK Concentrate with the seed.

APPLICATION RATES

May be used in combination with other registered Gustafson seed treatment fungicides and insecticides. Pre-test for compatibility with other seed treatment products.

COTTON: For suppression of *Rhizoctonia* and *Fusarium* seedling diseases, apply 0.25 ounces per 100 lbs. of seed.

SEED AND POD VEGETABLES (such as) green beans, snap beans, lima beans, kidney beans, navy beans, pinto beans, wax beans, pole beans, garden peas, peas and field beans: For suppression of root diseases caused by *Rhizoctonia* and *Fusarium*, apply 0.125 ounces per 100 lbs. of seed. For improvement of nodulation by *Rhizobium* in fields where appropriate strains are detectable, apply at 0.125 ounces per 100 lbs. of seed.

PEANUTS: For suppression of root diseases caused by *Rhizoctonia*, *Fusarium* and *Aspergillus* and for improvement of nodulation by *Rhizobium*, apply 0.125 ounces per 100 lbs. of seed as a dry blend with other registered seed treatment fungicides.

SOYBEANS: For suppression of root diseases caused by *Rhizoctonia* and *Fusarium* and for improvement of nodulation by *Bradyrhizobium*, apply at 0.125 ounces per 100 lbs. of seed.

WHEAT AND BARLEY: For suppression of rot diseases caused by *Rhizoctonia* and *Fusarium*, apply 0.05-0.1 ounces per 100 lbs. of seed.

CORN (Field and sweet): For suppression of root diseases caused by *Fusarium* and *Pythium*, apply 0.1-0.5 ounces per 100 lbs.

ALL OTHER AGRICULTURAL SEEDS: For suppression of root diseases caused by *Fusarium* and *Pythium*, apply 0.1-0.5 ounces per 100 lbs. Adjust rate accordingly to provide good coverage. Larger seed, because of reduced surface area, require less product per 100 pounds than smaller seed.

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, 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.

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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, Texas 75093
(214) 985-8877

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