



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

JAN 25 1994

OFFICE OF
PREVENTION PESTICIDES AND
TOXIC SUBSTANCES

Dennis L. McFadden
GUSTAFSON, INC.
BOX 660065
Dallas, Texas 75266

Subject: Label Amendment Submission of 07/14/93 in Response to PR Notice 93-7
EPA Reg. No. 7501-145
PREVAIL APRON TERRACLOR VITAVAX 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**. 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:

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 Coatings
containing at least 50% recycled content

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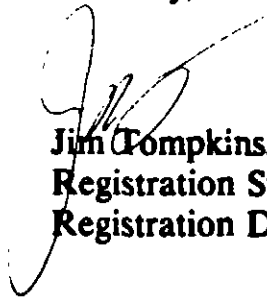
Submit the final printed labeling via the U.S. Postal Service to:

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

JAN 25 1984

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

7501-145

PREVAIL®

APRON®-TERRACLOR®-VITAVAX®
Fungicide

ACTIVE INGREDIENTS:

Carboxin: (5,6-Dihydro-2-methyl-N-phenyl-1,4-oxathin-3-carboxamide)	15.00%
Pentachloronitrobenzene (PCNB)	15.00%
Metaxyl	3.12%
INERT INGREDIENTS:	66.88%
TOTAL:	100.00%

KEEP OUT OF REACH OF CHILDREN
CAUTION

See additional precautionary statements.

EPA Reg. No. 7501-145

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION

Harmful if inhaled or absorbed through skin. Avoid contact with skin, eyes or clothing. Avoid breathing dust.

PERSONAL PROTECTIVE EQUIPMENT:

Applicators and other handlers (other than mixers and loaders) must wear: long-sleeved shirt and long pants, waterproof gloves and shoes plus socks. Mixers and Loaders must wear: long-sleeved shirt and long pants, waterproof gloves, shoes plus socks, and dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C).

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.

STATEMENT OF PRACTICAL TREATMENT

If swallowed: Call a physician or Poison Control Center. Drink 1 or 2 glasses of water and induce vomiting by touching back of throat with finger. Do not induce vomiting or give anything by mouth to an unconscious person. If in eyes: Flush eyes with plenty of water. Call a physician if irritation persists. If on skin: Wash with plenty of soap and water. Get medical attention. If inhaled: Remove victim to fresh air. If not breathing, give artificial respiration, preferably mouth-to-mouth. Get medical attention.

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ENVIRONMENTAL HAZARDS

This product is toxic to fish and aquatic organisms. 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. Cover or incorporate treated seeds. Do not contaminate water when disposing of equipment washwaters.

STORAGE AND DISPOSAL

STORAGE: Store in a cool, dry place. Do not store in direct sunlight. Protect from extreme temperatures.

PROHIBITIONS: Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited. Do not reuse container.

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.

CONTAINER DISPOSAL: Completely empty container into application equipment. Then offer for recycling or reconditioning, or puncture and dispose 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 emer-

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gency assistances. 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 12 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.

NOTE: Metalaxyl is a systemic fungicide having a specific mode of action. Metalaxyl could be subject to development of resistant strains of fungi. Development of resistance cannot be predicted. Therefore, Gustafson, Inc. cannot assume liability for crop damage resulting from resistant strains of fungi. Consult with your State Agricultural Experiment Station or Extension Service Specialist for guidance or ways to control any possible metalaxyl resistant strains of fungi which may occur.

RECOMMENDED APPLICATIONS

PREVAIL APRON-TERRACLOR-VITAVAX Fungicide will protect against damping-off, seed and seedling rot diseases caused by *Pythium spp.* and *Rhizoctonia solani*.

PLANTER BOX TREATMENT

Apply at the specified rate and premix with the seed directly in the planter box at planting. A non-oil lubricant has also been added to help seeds flow more easily and evenly from the planter box. Use the higher rate of application in fields with a history of severe disease pressure.

SEED TREATER APPLICATION

PREVAIL may be applied at planting time, utilizing an on-farm mechanical treater* to maximize seed coverage. (*Calibrate as per the manufacturer's instructions.) On peanuts, use only mechanical treaters that will not physically damage peanut seed.

CROPS	RATE	DISEASE
Cotton	8 to 16 oz./cwt.	For protection against <i>Pythium</i> and <i>Rhizoctonia</i> Seedling Disease Complex, Loose Smut and Common Bunt or Stinking Smut (Wheat), Loose and Covered Smut (Barley), Oat Smut
Peanuts	4 to 8 oz./cwt.	
Barley, Oats, Rice	2 to 4 oz./bu.	
Beans	6 to 8 oz./cwt.	
Corn, Wheat	3 oz./bu.	
Soybeans	4 oz./bu.	For protection against <i>Pythium</i> and <i>Rhizoctonia</i> Seedling Disease Complex

USE RESTRICTIONS

Do not use treated seed for food, feed or oil purposes.

On corn, barley, oats and wheat, do not graze or feed livestock on treated areas for six weeks after planting. On cotton, peanuts, beans and soybeans, do not graze or feed livestock on hay grown from treated seed. Do not hog down peanuts grown from treated seed.

All seed treated with this product (except by the planter box method) must be colored with an EPA approved dye (e.g., those listed in 40 CFR 180.1001) which imparts an unnatural color to the seed.

On corn, barley, oats and wheat, do not graze or feed livestock on treated areas for six weeks after planting. On cotton, peanuts, beans and soybeans, do not graze or feed livestock on hay grown from treated seed. Do not hog down peanuts grown from treated seed.

All seed treated with this product (except by the planter box method) must be colored with an EPA approved dye (e.g., those listed in 40 CFR 180.1001) which imparts an unnatural color to the 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, 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.

Net Contents: ___ Pounds

EPA Est. _____

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

Gustafson (logo) and PREVAIL are Reg. TM's of Gustafson, Inc. TERRACLOR and VITAVAX are Reg. TM's of Uniroyal Chemical Company, Inc. APRON® is a Trademark of Ciba-Geigy for Metalaxyl

145(WPS) 382080