



7501-154

9-10-2004

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Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

☐ Registration
☐ Amendment
☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 7501-154	2. EPA Product Manager L. Arrington	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Gustafson ALLEGIANCE LS Fungicide	PM# 2 Notifications	
5. Name and Address of Applicant (Include ZIP Code) Gustafson LLC 1400 Preston Rd., Suite 400 Plano, TX 75093 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION SEP 10 2004
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.	
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.	

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification of change in Rice section of label. "Ascend 30" changed to "Argent 30". per PR Notice 98-10

"This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA, and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA."

Dennis McFadden

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt No. per container		
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		<input type="checkbox"/> Other _____			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)			
Name Dennis McFadden	Title Mgr. Tox & Reg. Affairs	Telephone No. (Include Area Code) 972-985-8877	
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.			6. Date Application Received (Stamped)
2. Signature Dennis McFadden	3. Title Mgr. Tox & Reg. Affairs		
4. Typed Name Dennis McFadden	5. Date 8/26/04		

SEP 10 2004

GUSTAFSON ALLEGIANCE[®] LS FUNGICIDE

A SEED TREATMENT CHEMICAL FOR CONTROL OF SEED ROT AND DAMPING-OFF
DISEASES OF CERTAIN CROPS

ACTIVE INGREDIENTS:

Metalaxyl:N-(2,6-dimethylphenyl)-N-(methoxyacetyl)alanine methyl ester 17.7%

INERT INGREDIENTS: 82.3%

TOTAL 100.0%

Contains 1.63 lbs. Metalaxyl per gallon.

EPA Reg. No. 7501- 154

EPA Est. 7501-ID-1

NET CONTENTS: _____ Gallons

KEEP OUT OF REACH OF CHILDREN

WARNING AVISO

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND
DOMESTIC ANIMALS**

SEE ADDITIONAL PRECAUTIONARY STATEMENTS

A quality product manufactured by:

Gustafson 

Gustafson LLC
1400 Preston Rd., Suite 400
Plano, TX 75093
Questions? (972) 985-8877

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

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.)

Causes substantial, but temporary eye injury. Harmful if swallowed or absorbed through skin. Do not get in eyes or on clothing. Avoid contact with skin. Wash thoroughly with soap and water after handling.

PERSONAL PROTECTIVE EQUIPMENT (PPE): Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category C 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 butyl rubber, natural rubber or unsupported neoprene), shoes plus socks and protective eyewear. 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. Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

Engineering Controls:

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

USER SAFETY RECOMMENDATIONS: Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change clothing.

FIRST AID

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

If in eyes

- Hold eye open and rinse slowly and gently with water for 15 - 20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.
- Call a poison control center or doctor for treatment advice.

If on skin or clothing

- Take off contaminated clothing.
- Rinse skin immediately with plenty of water for 15 to 20 minutes.
- Call a poison control center or doctor for treatment advice.

If swallowed

- Call a poison control center or doctor immediately for treatment advice.
- Have person sip a glass of water if able to swallow.
- Do not induce vomiting unless told to do so by a poison control center or doctor.
- Do not give anything by mouth to an unconscious person.

**IN CASE OF AN EMERGENCY ENDANGERING LIFE OR PROPERTY INVOLVING THIS
PRODUCT CALL:**

CHEMTREC: (800) 424-9300 (Toll free – US)
CHEMTREC: (703) 527-3887 (Domestic and International)

ENVIRONMENTAL HAZARDS

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 treated seeds.

Groundwater Advisory: This chemical is known to leach through soil into groundwater under certain conditions as a result of agricultural use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

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.

IMPORTANT: Read the entire Directions for Use and the Limited Warranty Statement before using this product.

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 seed is treated with the product and the treated seed 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, shoes and socks, chemical resistant gloves, such as butyl rubber, natural rubber or unsupported neoprene and protective eyewear.

In California – Only for use in commercial seed treating establishments. Not allowed for “on-farm” use.

ALLEGIANCE LS may be applied as a water-based slurry with other registered seed treatment insecticides and fungicides through standard slurry or mist-type commercial seed treatment equipment. ALLEGIANCE LS may be applied at planting time by thoroughly mixing with seed in the planter box or by application through on-farm seed treatment equipment. Fill the planter box half full with seed and then add half the volume of ALLEGIANCE LS recommended on the label. Stir the treated seed with a paddle to uniformly cover each seed. Add the remainder of the seed to the box and then add the second half of the ALLEGIANCE LS. Stir the seed again with a paddle until all seed is uniformly covered.

ALLEGIANCE LS is a systemic fungicide seed dressing specifically for control of systemic downy mildew, *Pythium* and *Phytophthora* spp. For control of seedborne and other soilborne diseases, combination of Gustafson Captan, Thiram and VITAVAX® registered formulations are compatible. Do not use with other seed treatment products unless previous experience assures compatibility.

NOTE: Seed treated commercially or for sale must be dyed an unnatural color before being sold. Federal law requires that bags containing treated seeds shall be labeled with the following information. "This seed has been treated with metalaxyl fungicide. Do not use for feed, food or oil purposes. Store away from feeds and foodstuffs."

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

FAILURE TO FOLLOW DIRECTIONS ON THIS LABEL MAY RESULT IN CROP INJURY OR POOR DISEASE CONTROL.

Canola*	For <i>Pythium</i> damping-off control: Apply ALLEGIANCE LS as a seed treatment at 0.4 - 0.8 fl. oz. per 100 lbs. of seed. *Not registered for use in California
Cotton	For <i>Pythium</i> seed rot and damping-off: Apply ALLEGIANCE LS as a seed treatment at the rate of 1.2 - 2.4 fl. oz. per 100 lbs. of seed.
Soybeans	For <i>Pythium</i> damping-off and early season <i>Phytophthora</i> control: Apply ALLEGIANCE LS as a seed treatment at the rate of 1.2 - 2.4 fl. oz. per 100 lbs. of seed.
Sorghum	For control of <i>Pythium</i> and systemic downy mildew: Apply ALLEGIANCE LS as a seed treatment at the rate of 0.66 – 1.2 fl. oz. per 100 lbs. of seed to hybrids with resistance to at least two pathotypes of downy mildew. The 2.4 fl.oz. rate is only recommended for areas with a recent severe history of a pathotype of downy mildew that is pathogenic to the hybrid being treated. Only high quality sorghum seed (90% germ and above) should be treated with ALLEGIANCE LS.
Sunflowers	For control of systemic downy mildew: Apply ALLEGIANCE LS as a seed treatment at the rate of 2.4 – 4.9 fl. oz. per 100 lbs. of seed.
Sunflowers Export Only	FOR TREATMENT OF SUNFLOWERS DESTINED FOR EXPORT ONLY TO COUNTRIES REQUIRING TREATMENT WITH METALAXYL PRIOR TO IMPORTATION: Apply ALLEGIANCE LS at the rate of 15.0 fl. oz. per 100 lbs. of seed. Seed treated in accordance with this use pattern must be labeled as follows: FOR EXPORT ONLY – Not for domestic sale or use.
Garden Beets (including sugar beets)	For control of <i>Pythium</i> damping-off: Apply ALLEGIANCE LS as a seed treatment at the rate of 1.2 fl. oz. per 100 lbs. of seed.
Forage Legumes	Alfalfa, clover, lespedeza, beans (for forage), soybeans (for forage), soybean hay, peanuts (for forage), peanut hay, peas (for forage), pea vine hay, cowpeas (for forage), cowpea hay, trefoil, vetch and velvet beans (for forage). For <i>Pythium</i> damping-off and early season <i>Phytophthora</i> control: Apply ALLEGIANCE LS as a seed treatment at the rate of 1.2 – 2.4 fl. oz. per 100 lbs. of seed.
Grain Crops	Wheat, barley, rye, oats, millet, milo, corn (field corn, sweet corn and popcorn), buckwheat and triticale. For <i>Pythium</i> damping-off control: Apply ALLEGIANCE LS as a seed treatment at the rate of 1.2 fl. oz. per 100 lbs. of seed.
Rice*	For <i>Pythium</i> damping-off control: Apply ALLEGIANCE LS as a seed treatment at the rate of 1.2 – 2.4 fl. oz. per 100 lbs. of seed. *Not registered for use in California.
Corn Export Only	FOR TREATMENT OF CORN DESTINED FOR EXPORT ONLY TO COUNTRIES REQUIRING TREATMENT WITH METALAXYL PRIOR TO IMPORTATION: Apply ALLEGIANCE LS at the rate of 1.2 – 2.4 fl. oz. per 100 lbs. of seed. Seed treated in accordance with this use pattern must be labeled as follows: FOR EXPORT ONLY – Not for domestic sale or use.
Seed and Pod Vegetables	Black-eyed peas, chickpeas (Garbanzos), cowpeas, dill, edible soybeans, field beans, field peas, garden peas, green beans, kidney beans, lima beans, lupines, navy beans, okra, peas, pole beans, snap beans, string beans, wax beans, and lentils. For <i>Pythium</i> damping-off and early season <i>Phytophthora</i> control: Apply ALLEGIANCE LS as a seed treatment at the rate of 1.2 fl. oz. per 100 lbs. of seed. For control of <i>Pythium</i> damping-off and systemic downy mildew of peas: Apply ALLEGIANCE LS as a seed treatment at the rate of 2.4 fl. oz. per 100 lb. of seed.
Cucumbers*	For control of <i>Pythium</i> damping-off: Apply ALLEGIANCE LS as a seed treatment at the rate of 1.2 fl. oz. per 100 lbs. of seed. *Not registered for use in California.
Turf Grasses	For <i>Pythium</i> damping-off control on golf courses, home lawns, reclamation and erosion control projects: Apply ALLEGIANCE LS as a seed treatment at the rate of 2.4 fl. oz. per 100 lbs. of seed.
Forage Grasses	Grasses grown for hay, grazing or silage, corn (fodder or silage), sorghum (hay or silage), and small grain grown for hay, grazing or silage. For <i>Pythium</i> damping-off control: Apply ALLEGIANCE LS as a seed treatment at the rate of 1.2 fl. oz. per 100 lbs. of seed.

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DIRECTIONS FOR USE AT REDUCED RATES IN COMBINATION WITH OTHER FUNGICIDES

Corn (field) Wheat, Oats, Barley, Rye	To aid in the control of seed decay and damping-off caused by <i>Pythium</i> : Apply ALLEGIANCE LS as a commercial seed treatment at the rate 0.175 – 0.66 fl. oz. per 100 lbs. seed. Apply only in combination with EPA registered rates of Gustafson broad-spectrum seed treatment fungicides.
Soybeans, Field beans, Kidney beans, Navy beans, Pinto beans, Lentils, Peas	To aid in the control of seed decay and damping-off caused by <i>Pythium</i> : Apply ALLEGIANCE LS as a commercial seed treatment at the rate 0.175 – 0.66 fl. oz. per 100 lbs. of seed. Apply in combination with EPA registered rates of broad-spectrum seed treatment fungicides.
Peanuts*	To aid in the control of seed decay and damping-off caused by <i>Pythium</i> : Apply ALLEGIANCE LS as a commercial seed treatment at the rate 0.175 – 0.66 fl. oz. per 100 lbs. of seed. Apply in combination with EPA registered rates of broad-spectrum seed treatment fungicides. *Not registered for use in California.
Rice*	To aid in the control of seed decay and damping-off caused by <i>Pythium</i> : Apply ALLEGIANCE LS as a commercial seed treatment at the rate 0.175 – 0.66 fl. oz. per 100 lbs. of seed. Apply only in combination with EPA registered rates of VITAVAX-200 Flowable or Gustafson 42-S Thiram or RTU VITAVAX Thiram Fungicides. Recommended use rates in combination with ALLEGIANCE LS are: VITAVAX 200 FF: 3.0 to 4.0 fl.oz. per 100 lbs. of seed. Gustafson 42-S Thiram: 2.0 to 3.3 fl.oz. per 100 lbs. of seed. RTU VITAVAX Thiram: 5.0 to 6.8 fl.oz. per 100 lbs. of seed. ARGENT 30: 1.0 fl.oz. per 100 lbs. of seed. *Not registered for use in California.
Sunflower	To aid in the control of seed decay and damping-off caused by <i>Pythium</i> : Apply ALLEGIANCE LS as a commercial seed treatment at the rate 0.175 – 0.66 fl. oz. per 100 lbs. of seed. Apply in combination with EPA registered rates of broad-spectrum seed treatment fungicides.

STORAGE AND DISPOSAL

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

STORAGE: Store in a cool dry location. Do not store in direct hot sunlight.

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

CONTAINER DISPOSAL: Triple rinse (or equivalent). 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.

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 LLC, no claims are made to guarantee germination of carry-over seed.

As its sole express warranty, Gustafson LLC 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 LLC SHALL NOT BE LIABLE FOR CONSEQUENTIAL DAMAGES. SUBJECT TO APPLICABLE LAW, GUSTAFSON LLC

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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 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 LLC. If these terms are not acceptable, return all products to the place of purchase, unopened for a full refund.

VITAVAX is a Reg. TM of Crompton Manufacturing Company, Inc.

ALLEGIANCE is a Reg. TM of Gustafson LLC

Gustafson (logo) is a Reg. TM of Gustafson LLC

August 27, 2004

Linda Arrington, Notifications
Office of Pesticide Programs
Document Processing Desk (AMEND)
Room 266A, Crystal Mall 2
1805 S. Bell St.
Arlington, VA 22202

Subject: ALLEGIANCE LS, 7501-154

Dear Ms. Arrington,

Gustafson is submitting a notification for the label to change the section on Rice that references Ascend 30, to Argent 30. Argent 30 is the new name of the Ascend 30 product.

Sincerely,


Dennis McFadden

Manager, Toxicology and Regulatory Affairs