

7501-171

12-26-2001

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Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060



United States  
Environmental Protection Agency  
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number  
284092

Application for Pesticide - Section I

1. Company/Product Number 7501-171	2. EPA Product Manager M. Waller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) RAXIL XT Wettable Powder Fungicide	PM# 21	
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 _____	<b>NOTIFICATION</b> DEC 26 2001
<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.)

Add sentence "For all crops, commercial use only is registered in California, agricultural establishment "on-farm" use is not registered in California"

"This notification is consistent with the provisions of PR Notice 96-10 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 96-10 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	Metal Plastic Glass Paper 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"/> On Label <input type="checkbox"/> On Labeling accompanying product	
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
2. Signature Dennis McFadden		3. Title Mgr. Tox & Reg Affairs
4. Typed Name Dennis McFadden		5. Date 11/16/01
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)

*change circled***RAXIL® XT****Wettable Powder Fungicide****NOTIFICATION****DEC 26 2001****ACTIVE INGREDIENT:**

Tebuconazole [Alpha-[2-(4-Chlorophenyl)ethyl]- alpha-(1,1-dimethyl-ethyl)-1H-1,2,4-triazole-1- ethanol] .....	15.0%
Metalaxyl [N-(2,6-dimethylphenyl)-N- (methoxyacetyl)alanine methyl ester] .....	20.0%
<b>INERT INGREDIENTS:</b> .....	65.0%
<b>TOTAL</b> .....	100.0%

**KEEP OUT OF REACH OF CHILDREN**  
**CAUTION**  
 SEE ADDITIONAL PRECAUTIONARY STATEMENTS

EPA Reg. No. 7501-171 EPA Est.  
 Net Contents:

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

Harmful if swallowed. Wash thoroughly with soap and water after handling. Causes eye injury (irritation). Avoid contact with eyes or clothing.

**PERSONAL PROTECTIVE EQUIPMENT:**

Applicators and other handlers must wear: long-sleeved shirt and long pants and shoes plus socks. 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. 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 into clean clothing.

**FIRST AID**

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

**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.

**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.

**ENVIRONMENTAL HAZARDS**

This pesticide product is toxic to fish, estuarine and marine invertebrates. 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 cleaning equipment or disposing of equipment washwater or rinsate. Exposed treated seed may be hazardous to birds and other wildlife. Dispose of all excess treated seed and seed packaging by burial away from bodies of water. Cover or incorporate spilled treated seeds.

**Groundwater Advisory:** Metalaxyl 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.

**STORAGE AND DISPOSAL**

**PESTICIDE STORAGE:** Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Do not contaminate water, food or feed by storage, disposal, or by cleaning of equipment.

**PESTICIDE DISPOSAL:** This pesticide's 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.

**Gustafson** 

**CONTAINER DISPOSAL:** When all water soluble bags are used, the outer package should be clean and may be disposed of in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke. If the outer container contacts formulated product in any way, it must be triple rinsed with clean water. Add rinsate to the mix tank and dispose of the outer package as described above.

**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 areas 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.

RAXIL XT Wettable Powder Fungicide is a combination of systemic fungicides. Tebuconazole and Metalaxyl aid in the control or suppression of the following seed, seedling and soilborne diseases of wheat, barley and oats. (For all crops, commercial use only is registered in California, agricultural establishment "on-farm" use is not registered in California)

**Wheat** - Stinking smut, Flag smut, Loose smut, Early season *Septoria* disease complex, Early season *Rhizoctonia* root rot, Early season common root rot, Early season *Fusarium* foot rot, Early season suppression of powdery mildew, Early season suppression of wheat leaf rust, Seedborne *Fusarium* scab, General seed rots and *Pythium* damping-off;

**Barley** - Covered smut, Loose smut, Barley stripe (suppression), Early season *Rhizoctonia* root rot, Early season common root rot, Early season *Fusarium* foot rot, Early season suppression of powdery mildew, Early season suppression of barley leaf rust, Seedborne *Fusarium* scab, General seed rots and *Pythium* damping-off;

**Oats** - Loose smut, Early season *Rhizoctonia* root rot, Early season common root rot, Early season *Fusarium* foot rot, Early season suppression of powdery mildew, Early season suppression of crown rust, Seedborne *Fusarium* scab, General seed rots and *Pythium* damping-off.

Consult your area agronomist regarding planting depth recommendations for the particular variety to be planted.

**RECOMMENDATIONS FOR USE**

The pouches of RAXIL XT Wettable Powder are water soluble. Do not allow pouches to become wet prior to adding to the mix tank. Do not handle pouches with wet hands or wet gloves. Do not cut or puncture the pouches. Use the entire water-soluble bag. Do not break pouches or use partial pouches.

Prepare no more slurry than is needed for immediate treating. Mechanical agitation is required for proper mixing of RAXIL XT Wettable Powder. Agitate thoroughly before and during application. Add all of the required water to the mix tank. With agitation running, drop the required number of pouches into the tank. One pouch of RAXIL XT Wettable Powder should be used to treat 50 hundred weights of seed. If this product is packaged with separate colorant pouches, add one colorant pouch with each RAXIL XT Wettable Powder pouch used. This equates to a use rate of 0.16 ounces of RAXIL XT Wettable Powder per 100 pounds of seed. Product should be diluted with sufficient water to give an applied slurry rate of 9 to 20 fluid ounces per 100 pounds of seed. Applications should be made using standard slurry or mist-type seed treatment equipment. Uniform application to seed is necessary to ensure seed safety and best disease control. Seed should be sound and well cured prior to treatment.

NOTE: This product is undyed. The purchaser of this product is responsible for ensuring that all seed treated with this product are adequately dyed with a suitable color to prevent its accidental use as food for man or feed for animals. Refer to 21CFR, Part 2.25. Any dye added to treated seed must be cleared for use under 40CFR, Part 180.1001.

**SEED LABELING**

To meet U.S. Federal Seed Act requirements, all seed treated with RAXIL XT Wettable Powder should be labeled:

**TREATED SEED.**

**DO NOT USE FOR FOOD, FEED OR OIL PURPOSES.**

Treated with Alpha-[2-(4-Chlorophenyl)ethyl]-alpha-(1,1-dimethylethyl)-1H-1,2,4-triazole-1-ethanol (Tebuconazole) and Metalaxyl.

Seed labeling must contain the following restriction: "Barley, wheat and oat green forage may be grazed or harvested for hay 31 days after seeding."

**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 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

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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.

A quality product packaged for:

Gustafson LLC  
1400 Preston Road, Suite 400  
Plano, Texas 75093  
Questions? (972) 985-8877  
RAXIL is a Reg. TM of Bayer, A.G., used under license  
Gustafson (logo) is a Reg. TM of Gustafson LLC