

7501-172

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



OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

MAY 20 2002

Mr. Dennis McFadden
Gustafson LLC
1400 Preston Road, Suite 400
Plano, Texas 75093

Subject: Raxil Allegiance MD Fungicide
EPA Reg. No.: 7501-172
Submission dated March 19, 2002

Dear Mr. McFadden:

The revised product labeling referred to above, submitted in connection with the registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable provided you make the following change:

1) Revise the statement "In California - Only for use in commercial seed treating establishments. Not allowed for "on-farm" use." to "In California - Registered only for use in commercial seed treating establishments. Not allowed for "on-farm" use."

NOTE: The previous statement has enforcement implications that the Agency does not wish to invoke.

2) In the ingredient statement, change "100.0%" to "100.00%" and align numbers by the decimal point.

3) In the "Storage and Disposal" section under "Pesticide Storage", add the following sentence immediately under the header "Storage and Disposal": "Do not contaminate water, food or feed by storage and disposal."

4) Change the header "Recommendations for Use" to "Application Directions." The use of "recommendations" is not enforceable.

A stamped copy of the label is enclosed for your records. Submit one copy of your final printed label before you release the product for shipment. If you have questions about this label

review. please contact Dennis McNeilly at (703) 308-6742 or electronically at mcneilly.dennis@epa.gov.

Sincerely,

A handwritten signature in cursive script that reads "Mary L. Waller".

Mary L. Waller
Product Manager 21
Fungicide Branch
Registration Division (7505C)

RAXIL® ALLEGIANCE™ MD

Fungicide

**ACCEPTED
with COMMENTS
In EPA Letter Dated:**

MAY 20 2002

ACTIVE INGREDIENT:

Tebuconazole [Alpha-[2-(4-Chlorophenyl)ethyl]-
alpha-(1,1-dimethyl-ethyl)-1H-1,2,4-triazole-1-
ethanol]0.48%

Metalaxyl [N-(2,6-dimethylphenyl)-N-
(methoxyacetyl)alanine methyl ester].....0.64%

INERT INGREDIENTS:.....98.88%

TOTAL.....100.0%

Contains 0.039 pounds Alpha-[2-(4-Chlorophenyl)ethyl]-alpha-
(1,1-dimethylethyl)-1H-1,2,4-triazole-1-ethanol and 0.051
pounds Metalaxyl per U.S. gallon.

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

~~7501-172~~

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 disposing of equipment washwaters. 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.

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

EPA Reg. No. 7501-172 EPA Est.
NET CONTENTS:

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

PERSONAL PROTECTIVE EQUIPMENT:

Applicators and other handlers must wear: long-sleeved shirt, 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 clothes. 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.

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.

CONTAINER DISPOSAL: Contact Gustafson or your chemical supplier for container return instructions. If container is not returned in accordance with instructions, 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.

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.

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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, chemical resistant gloves made of any waterproof material, shoes plus socks.

RAXIL ALLEGIANCE MD Fungicide is a combination of the systemic fungicides, tebuconazole and metalaxyl which aids in the control or suppression of the following seed, seedling and soilborne diseases of wheat, barley and oats: stinking smut, flag smut, loose smut, early season *Septoria* disease complex, general seed rots, *Pythium* damping-off, early season *Rhizoctonia* root rot, early season common root rot, seedborne *Fusarium* scab, early season *Fusarium* foot rot, early season suppression of powdery mildew and rust.

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

RECOMMENDATIONS FOR USE

Use 5 -6.5 fluid ounces of RAXIL ALLEGIANCE MD per 100 pounds of seed. Applications should be made using standard slurry or mist-type seed treatment equipment. In some instances, a water and chemical slurry dilution may enhance coverage. A 1 part RAXIL ALLEGIANCE MD with 1 part water dilution may be used. This product is for commercial or on-farm application. This product is not intended for direct application into a planter box. Uniform application to seed is necessary to ensure seed safety and best disease control. Seed should be sound and well cured prior to treatment. Consult your area agronomist regarding planting depth recommendations for the particular variety to be planted.

NOTE: If 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 a food for man or feed for animals. Refer to 21 CFR, part 2.25. Any dye added to treated seed must be cleared for use under 40 CFR, part 180.1001.

SEED LABELING

To meet U.S. Federal Seed Act requirements, all seed treated with RAXIL ALLEGIANCE MD 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 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 manufactured by:
Gustafson LLC
1400 Preston Road, Suite 400
Plano, Texas 75093
Questions? (972) 985-8877

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