

7501-193

11-29-2002

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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 7501-193	2. EPA Product Manager Sherada Hobgood	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) RIVAL PAK	PM# 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 NOV 29 2002
<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.)

Change "two 1 pint containers (component B)..." to "one quart container (component B)..." at top of first page. Change "which" to "that" in Directions for Use of RIVAL PAK. Correct typographical errors

"This notification is consistent with the provisions of FR Notice 96-16 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 FR Notice 96-16 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 11/08/02		

NOV 29 2002

RIVAL® PAK

RIVAL PAK is a Multipack that contains 5 gallons of Gustafson RIVAL® Flowable Fungicide (Component A), one quart container (Component B) of Gustafson ALLEGIANCE®-FL Seed Treatment Fungicide and one quart of PRO-IZED® Seed Colorant (Component C). THIS PRODUCT IS ONLY TO BE MIXED TOGETHER FOR USE ON SOYBEANS. Do not use any component separately. For Use Only in Closed System Commercial Seed Treatment Equipment.

EPA Reg. No. 7501- 193

EPA Est.

Gustafson RIVAL Flowable Fungicide

ACTIVE INGREDIENTS:

Captan*	19.80%
Related Derivatives	0.45%
Pentachloronitrobenzene (PCNB)	8.40%
Thiabendazole (2-(4-thiozyl) benzimidazole)	1.00%
INERT INGREDIENTS:	70.35%
TOTAL	100.00%

*N-trichloromethylthio-4-cyclohexene-1,2-dicarboximide

Contains 2 lbs. Captan and related derivatives, 0.82 lbs. PCNB (Pentachloronitrobenzene) and 0.098 lbs. Thiabendazole per U.S. gallon at 68°F.

Gustafson ALLEGIANCE®-FL Seed Treatment Fungicide

ACTIVE INGREDIENT:

Metalaxyl: N-(2,6-dimethylphenyl)-N-(methoxyacetyl)alanine methyl ester	28.35%
INERT INGREDIENTS:	71.65%

Contains 2.65 pounds Metalaxyl per gallon

PRO-IZED Seed Colorant

HAZARDOUS INGREDIENTS:

Non-ionic Surfactant	5-10%
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KEEP OUT OF REACH OF CHILDREN
DANGER
PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS

FIRST AID

If Swallowed: Call a poison control center or doctor immediately for treatment advice. Drink promptly a large quantity of milk, egg whites, gelatin solution, or if these are not available, drink large quantities of water. Avoid alcohol. Get medical attention.

If In Eyes: Flush with plenty of water. Call a physician.

If On Skin: Wash with plenty of soap and water. Get medical attention if irritation persists.

Causes irreversible eye damage. Harmful if swallowed. May cause allergic skin reactions. Do not get in eyes. Wear goggles or face shield when handling. Avoid contact with skin and clothing. Remove and separately launder clothing before reuse.

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 E on an EPA chemical resistance category selection chart.

Applicators and other handlers must wear coveralls over short-sleeved shirt and short pants, socks and chemical-resistant footwear, chemical-resistant gloves (such as nitrile, butyl, neoprene, and/or barrier laminate) and protective eyewear. Follow manufacturers instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and not 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 clothing.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic organisms. 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 seed with soil. Do not clean equipment or dispose of equipment washwaters in a manner that will contaminate water resources.

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.

STORAGE AND DISPOSAL

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

STORAGE: Store in a cool, dry location. Do not store in direct hot sunlight. After prolonged storage in intense cold, allow product to return to approximately 25°F before using.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. 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.

Not for use on agricultural establishments in hopper-box, planter-box, slurry-box, or other seed treatment applications at or immediately before planting.

IMPORTANT: The Federal Government and most states have seed laws or regulations requiring an appropriate caution statement be affixed to bags containing treated seeds, such as:

Treated Seed

This seed treated with Captan, Pentachloronitrobenzene, Thiabendazole and Metalaxyl at manufacturer's suggested rate.

Do Not Use for Food, Feed or Oil Purposes.

When using formulations that do not contain dye, to comply with 21CFR Chapter 1, Section 2.25, all grain seed treated with an economic poison must be colored to distinguish and prevent subsequent inadvertent use as a food for man or feed for animals. This product is to be used in liquid or slurry seed treaters. The Federal Food and Drug Administration has set official tolerances for certain pesticide residues. In order that residues on food and forage crops will not exceed established tolerances, use only at recommended rates.

DIRECTIONS FOR USE OF RIVAL PAK

Gustafson RIVAL Flowable Fungicide provides protection from seed and soilborne diseases that cause seed decay, damping-off (including *Rhizoctonia spp.*), seedling blights and pod and stem blight (*Phomopsis spp.*) during germination and early seedling stages. Gustafson ALLEGIANCE-FL Seed Treatment Fungicide provides control of *Pythium* seed rot and damping-off.

RIVAL PAK contains five gallons of Gustafson RIVAL Flowable Fungicide, one quart container of Gustafson ALLEGIANCE-FL Seed Treatment Fungicide and one quart of Gustafson PRO-IZED Seed Colorant. RIVAL PAK will treat 320 units (one unit is a 50 pound bag) of soybean seed. Prepare a slurry using: five gallons of Gustafson RIVAL Flowable Fungicide, one quart of Gustafson ALLEGIANCE-FL Seed Treatment Fungicide, one quart of PRO-IZED Seed Colorant and two gallons of water. Apply the 7.5 gallon slurry mix at a rate of 6 fluid ounces per hundredweight (equivalent to 3 fluid ounces of slurry per 50 pounds of soybean seed). Use commercial seed treating equipment. Refer to individual product labels for complete directions for use.

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.

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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 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.

RIVAL is a registered trademark of Hoechst Schering AgrEvo
PRO-IZED and ALLEGIANCE are registered trademarks of Gustafson LLC, Plano, Texas

A quality product manufactured by:
Gustafson LLC
1400 Preston Road, Suite 400
Plano, Texas 75093
Questions? (972) 985-8877

November 8, 2002

Ms. Sherada Hobgood, Notifications
Office of Pesticide Programs
Document Processing Desk (NOTIF)
Room 266A, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202

Subject: RIVAL PAK, 7501-193

Dear Ms. Hobgood,

Gustafson LLC is submitting a notification to make some minor corrections. On the first page change “two 1 pint containers (Component B)...” to “one quart container (Component B)...”. Also on the first page change “one pint of PRO-IZED ...” to “one quart of Pro-IZED...” which is the rate given in the Directions for use of RIVAL PAK on page two. Also a variety of typographical errors are corrected.

Sincerely,

Dermod McFadden

Dennis McFadden

Manager, Toxicology and Regulatory Affairs