

7501-197 9-19-2003

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Use 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 7501-197	2. EPA Product Manager S. Hobgood	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Imidacloprid-Metalaxyl Seed Treatment	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 SEP 19 2003
<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 pest claims.
Add instructions for 28.8 oz containers.*

This notification is consistent with the provisions of FR 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 FR 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 possible 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 checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input checked="" 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 checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 28.8 oz.		5. Location of Label Directions <input type="checkbox"/> on container	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued 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 <i>Dennis McFadden</i>	Title <i>Mgr. Tox & Reg Affairs</i>	Telephone No. (Include Area Code) <i>972-985-8877</i>
2. Signature <i>Dennis McFadden</i>		3. Title <i>Mgr. Tox & Reg Affairs</i>
4. Typed Name <i>Dennis McFadden</i>		5. Date <i>9/14/03</i>
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)

197(S)081903D1

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Changes circled

IMIDACLOPRID-METALAXYL

Seed Treatment

For the protection of Seeds and Seedlings of Field Corn, Sweet Corn and Popcorn against Damping-Off, Seed Decay caused by Pythium also for protection of seed against Seed Corn Beetle, Seed Corn Maggot, Wireworm, White Grub, Flea Beetle (up to first true leaf), and Imported Fire Ants.

ACTIVE INGREDIENTS:

Imidacloprid (1-[(6-chloro-3-pyridinyl)methyl]-N-nitro-2-Imidazolidinimine).....25.00%
Metalaxyl (N-2,6-dimethylphenyl)-N-(methoxyacetyl)alanine methyl ester 1.00%

INERT INGREDIENTS74.00%

TOTAL 100.00%

EPA Reg. No. 7501-197
EPA Est.

NET CONTENTS:

<p>KEEP OUT OF REACH OF CHILDREN</p> <p>CAUTION</p> <p>PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS</p> <p>Harmful if swallowed. Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling.</p> <p>PERSONAL PROTECTIVE EQUIPMENT (PPE): Applicators and other handlers must wear: long-sleeved shirt and long pants, chemical-resistant gloves made of any waterproof material, and shoes plus socks.</p> <p>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.</p>	<p>NOTIFICATION</p> <p>SEP 19 2003</p>
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Manufactured for:



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

USER SAFETY RECOMMENDATIONS: Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.

FIRST AID

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.
- Call a poison control center or doctor for treatment advice.

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

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

CHEMTREC: (800) 424-9300 (Toll free – US)

CHEMTREC: (703) 527-3387 (Domestic and International)

ENVIRONMENTAL HAZARDS

This product is highly toxic to birds and aquatic invertebrates and toxic to fish. 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. Exposed treated seeds may be hazardous to birds. In the event that treated seeds are spilled and cannot be salvaged, completely cover them with soil. Do not contaminate water when disposing of equipment washwaters or rinsate.

PRODUCT INFORMATION

Imidacloprid-Metalaxyl may be used on seed previously treated with a full dosage of protective fungicide to give added protection against *Pythium* damping-off or seed decay. **Note:** Adjust the seed drill or planter to give the required rate of seed delivery with treated seed. Regularly inspect planter plates and clean as required. At the end of each day, clean the electric-eye monitors as directed by the manufacturer. **Important:** Treated seed must not be used for or mixed with food or animal feed, or processed for oil. Treat only those seeds needed for immediate use, minimizing the interval between treatment and planting. Do not store excess treated seed beyond planting time.

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

Field Corn, Sweet Corn, Popcorn: Use at a rate of 1.5 ounces per 42 pounds of seed.

Mixing Instructions: (1.5 oz. canister) Use as a dry mixture in the planter box as a seed treatment prior to planting. Apply Imidacloprid-Metalaxyl to seed at planting time with the canister applicator tube system, using one 1.5 oz. canister per 42 pounds of seed. For best results, fill planter box with seed, add Imidacloprid-Metalaxyl through applicator tube and mix so that all seeds are covered. **DO NOT MIX WITH BARE HANDS.** Use only at the recommended rate. Lower amounts may not give desired control.

Mixing Instructions: (4-pound pail) Field Corn, Sweet Corn, Popcorn: Use two scoops full (1.5 oz.) per 42 pounds of seed.

Use as a dry mixture in the planter box as a seed treatment prior to planting. For best results, fill planter box half full of seed, add half the required amount of Imidacloprid-Metalaxyl and mix thoroughly with a stick or paddle. Add remainder of the seed and Imidacloprid-Metalaxyl and mix again so that all seed are covered. **DO NOT MIX WITH BARE HANDS.** Use only at recommended rate. Lower amounts may not give desired control.

Mixing Instructions: (28.8 oz. Canister) Field Corn, Sweet Corn, Popcorn: Use at a rate of 1.8 oz. per 50 pounds of seed.

Use as a dry mixture in the planter box as a seed treatment prior to planting. For best results, fill planter box half full of seed, add half the required amount of Imidacloprid-Metalaxyl and mix thoroughly with a stick or paddle. Add remainder of the seed and Imidacloprid-Metalaxyl and mix again so that all seed are covered. **DO NOT MIX WITH BARE HANDS.** Use only at recommended rate. Lower amounts may not give desired control.

ROTATIONAL CROPS: Treated areas may be replanted with any crop specified on the Imidacloprid-Metalaxyl label, or for any crop for which a tolerance exists for imidacloprid, as soon as practical following the last application. The following plant-back intervals should be observed for listed crops:

ROTATIONAL PLANT-BACK INTERVALS*				
IMMEDIATE PLANT-BACK				30-DAY PLANT-BACK
Barley	Cauliflower	Kale	Popcorn	Cereals (Including buckwheat, millet, oats, popcorn, rice, rye and triticale) Safflower Soybeans
Broccoli	Cilantro	Kohlrabi	Potatoes	
Broccoli, Chinese	Collards	Leafy Petiole Veg.	Rape greens	
Broccoli, raab	Corn, Field	Leafy Veg.	Rapeseed	
Brussels Sprouts	Corn, Sweet	Legume Veg. (succulent or dried)	Sorghum	
Cabbage, Chinese mustard	Cotton	Mustard greens	Sugar beets	
Cabbage Chinese	Cucurbits	Pepinos	Tomatillo	
Cabbage	Eggplant	Pepper	Tomato	
Canola	Ground cherry		Turnip greens	
			Wheat	

* Cover crops for soil building or erosion control may be planted any time, but do not graze or harvest for food or feed.
* All other crops not listed on an Imidacloprid label, or for crops for which no tolerance for the active ingredient have been established, a 12-month plant-back interval should be observed.

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: Keep pesticide in original container. Do not put concentrate or dilute into food or drink containers. Store in a cool dry location. Protect from excessive heat.

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 Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: Completely empty canister into application equipment. Then dispose of empty canister in a sanitary landfill, or by 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 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.

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Gustafson (logo) is a Reg. TM of Gustafson LLC, Plano, Texas

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September 4, 2003

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: Imidacloprid-Metalaxyl Seed Treatment, 7501-197

Dear Ms. Hobgood,

Gustafson LLC is submitting a notification to add pests to the label and add instructions for use with a 28.8 oz container.

Sincerely,

Dennis McFadden
Dennis McFadden

Manager, Toxicology and Regulatory Affairs

RECEIVED
SEP 11 2003
OFFICE OF PESTICIDE PROGRAMS
WASHINGTON, DC