

7501-198

01/31/2003

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U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (H7505C)
401 "M" St., S.W.
Washington, D.C. 20460

EPA Reg. Number:
7501-198

Date of Issuance:
JAN 31 2003

NOTICE OF PESTICIDE:

 x Registration

 Reregistration

(under FIFRA, as amended)

Term of Issuance: Conditional

Name of Pesticide Product:
Imidacloprid Vitavax Metalaxyl
Seed Treatment

Name and Address of Registrant (include ZIP Code):

Gustafson LLC
400 Preston Rd., Suite 400
Plano, TX 75093
attn: Dennis McFadden

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A). Once a pesticide is registered, however, it is not regarded as permanently acceptable. Registration does not eliminate the need for continual reassessment of pesticides. If the Agency determines that, at any time, additional data are required to maintain in effect an existing registration, the Agency will require submission of such data under FIFRA section (3)(c)(2)(B).

- 1. Revise the EPA Registration Number to read, "EPA Reg. No. 7501-198"

Signature of Approving Official:

Dani Daniel
Insecticide-Rodenticide Branch
Registration Division (7505C)

Date:

JAN 31 2003

Page Two

7501-198

2. Submit two (2) copies of your final printed labeling before you release the product for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records. If you have any questions regarding this notice, please contact me at (703) 305-5409.

Enclosure :

IVM(S)091802D4

IMIDACLOPRID-VITAVAX[®] - METALAXYL Seed Treatment

For the protection of Seeds and Seedlings of Field Corn, Sweet Corn and Popcorn against Damping-Off, Seed Decay, Seedling Blight; also against Seed Corn Beetle, Seed Corn Maggots, and Wireworms.

ACTIVE INGREDIENTS:

Imidacloprid (1-[(6-chloro-3-pyridinyl)methyl]-N-nitro-2-Imidazolidinimine).....	25.00%
Carboxin (5,6-Dihydro-2-methyl-1,4-oxathiin-3-carboxanilide).....	14.00%
Metalaxyl (N-2,6-dimethylphenyl)-N-(methoxyacetyl)alanine methyl ester	1.00%
INERT INGREDIENTS	<u>60.00%</u>
TOTAL	100.00%

EPA Reg. No. 7501-
EPA Est.

NET CONTENTS:

KEEP OUT OF REACH OF CHILDREN

CAUTION

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

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

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.

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.

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

JAN 31 2003

Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
7501-198

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-VITAVAX[®]-Metalaxyl may be used on seed previously treated with a full dosage of protective fungicide to give added protection against seedling blight, *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-VITAVAX®-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-VITAVAX®-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. Excessive amounts may cause seed injury.

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-VITAVAX®-Metalaxyl and mix thoroughly with a stick or paddle. Add remainder of the seed and Imidacloprid-VITAVAX®-Metalaxyl and mix again so tha all seed are covered. DO NOT MIX WITH BARE HANDS. Use only recommended rate. Lower amounts may not give desired control Excessive amounts may cause injury.

ROTATIONAL CROPS: Treated areas may be replanted with any crop specified on the Imidacloprid-Vitavax®-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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VITAVAX® is a registered trademark of Crompton Manufacturing Company, Inc.