

42056-11

12/27/2001

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Mr. Tim McArdle
Trace Chemicals LLC
839 Brenkman Dr.
Perkin, IL 61554-1522

DEC 27 2001

Dear Mr. McArdle:

Subject: Amendment - Comply with 2000 Diazinon MOA;
Update First Aid per PR Notice 2001-1; and
Update CSF/replacement diazinon source
Kernel Guard
EPA Registration Number 42056-11
Your submission dated June 27, 2001

The amendment referred to above, submitted in connection with registration under FIFRA section 3(c)(7)(a), is acceptable provided that you:

1. Submit and/or cite all data or other material required for registration/reregistration of your product under FIFRA section 3(c)(5) or FIFRA section 4 when the Agency requires all registrants of similar products to submit such data.
2. Make the labeling changes listed below before you release the product for shipment bearing the amended labeling:
 - a. In the Hazards to Humans text, add as the second sentence "Wear protective eyewear (goggles, faceshield, or safety glasses).".
3. Submit three (3) 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 section 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.

The Basic Confidential Statement of Formula (CSF) dated June 27, 2001 and the Alternate Confidential Statement of Formula

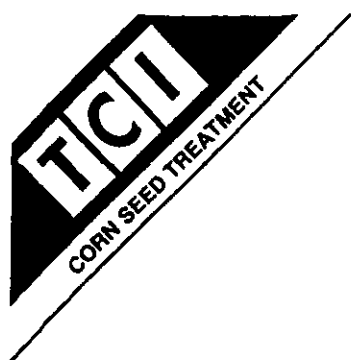
dated June 27, 2001 which identify replacement diazinon source Manufacturing Use Products are acceptable and have been added to this product's registration file.

Sincerely,

George T. LaRocca
Product Manager 13
Insecticide Branch
Registration Division (7505C)

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DRAFT LABEL



DEC 27 2001

42056-11



DIAZINON-LINDANE-CAPTAN

For the Protection of Seeds and Seedlings of Field Corn and Sweet Corn against Damping Off, Seed Decay, Seedling Blights; also against Seed Corn Beetle, Seed Corn Maggots, and Wireworms. This product contains Graphite.

Active Ingredients:	By Wt.
Captan (N-Trichloromethylthio-4-cyclohexene-1,2-dicarboximide)	14.67%
Related Derivatives	0.33%
Diazinon (0,0 Diethyl 0-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate)	15.00%
Lindane (Gamma isomer of benzene hexachloride)	25.00%
Inert Ingredients	45.00%
Total	100.00%

This product contains the toxic inert ingredient Rhodamine B.
KERNEL GUARD is a Reg. TM of Trace Chemicals LLC.

KEEP OUT OF REACH OF CHILDREN
DANGER PELIGRO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand the label, find someone to explain it to you in detail.)

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

Causes irreversible eye damage. May be fatal if swallowed or absorbed through skin. Harmful if inhaled. Do not get in eyes, on skin, or on clothing. Avoid breathing dust. Treat outdoors in a well ventilated place. May cause allergic skin reactions. May cause contact sensitization following repeated contact with skin in susceptible individuals. If sensitization reactions result, consult a physician. Repeated exposure to cholinesterase inhibitors such as are contained in this product may, without warning, cause prolonged susceptibility to very small doses of any cholinesterase inhibitor. If you feel sick in any way STOP work and get help right away. SEE PRACTICAL TREATMENT SECTION. Avoid contamination of feed and foodstuffs. Do not store with food. Do not store with feed or forage to be fed to dairy animals or animals being finished for slaughter. Do not use treated seed for food, feed, or oil purposes. **Personal Protective Equipment:** Applicators and other handlers must wear: coveralls over short-sleeved shirt and short pants, waterproof gloves, chemical-resistant footwear plus socks, protective eyewear, chemical-resistant apron when cleaning equipment mixing or loading, and a respirator with an organic vapor-removing cartridge with a prefilter approved for pesticides (MSHA/NIOSH approval number prefix 23-C) or a canister approved for pesticides (MSHA/NIOSH approval number prefix TC-14G), or a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any N, R, P or HE prefilter. Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. 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.

FIRST AID ORGANOPHOSPHATE

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. **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. **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 or convulsing person. **If inhaled:** Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth to mouth if possible. -Call a poison control center or doctor for treatment advice. **If on skin or clothing:** -Take off contaminated clothing. -Rinse skin immediately with plenty of water for 15-20 minutes. -Call a poison control center or doctor for treatment advice. **Note to Physician:** Probable mucosal damage may contraindicate the use of gastric lavage. This product contains an organophosphate insecticide. If symptoms of cholinesterase inhibition are present, atropine sulfate by injection is antidotal. 2-PAM is also antidotal and may be administered, but only in conjunction with atropine.

User Safety Recommendations: Users Should: Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. 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.

ENVIRONMENTAL HAZARDS

This pesticide product is highly toxic to fish, birds and other wildlife. Exposed treated seed may be hazardous to birds and other wildlife. In the event that treated seeds are spilled and cannot be salvaged, completely cover them with soil. 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.

EPA REG. NO. 42056-11
EPA EST. NO. 42056-IL-1

Net Wt. 1.5 oz.

Manufactured by: TRACE CHEMICALS LLC Pekin, Illinois 61554

PRODUCT INFORMATION

KERNEL GUARD may be used on seed previously treated with a full dosage of protective fungicide, to give added protection against seedling blight, damp-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 out the electric eye monitors as directed by the manufacturer. **NOTE** - This product is not recommended for use on foundation seed.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Reformulation or repackaging of this product is prohibited. 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.

RATES: Field Corn and Sweet Corn: Use at a rate of one pouch per 42 pounds of seed (2 ounces per bushel) as a dry mixture in the planter box as a seed treatment prior to planting. **MIXING INSTRUCTIONS:** For best results, fill planter box only half full of seed, add half the required amount of **KERNEL GUARD** and mix thoroughly with a stick or paddle. Add the remainder of the seed and **KERNEL GUARD** and mix again 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.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and 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 12 hours. "Exception: if the product is soil-injected or soil-incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated areas 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, shoes plus socks, protective eyewear.

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 container. **STORAGE:** Keep pesticide in original container. Do not put concentrate or dilute into food or drink containers. Store in a cool, dry place. Protect from excessive heat. Do not store or transport near feed or food. For help with any spill, leak, fire or exposure involving this material, call Chemtrec (800)424-9300. **PESTICIDE DISPOSAL:** This product is 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:** Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

USE RESTRICTIONS

Treated seed must not be used for or mixed with food or animal feed or processed for oil. Treat only those seed needed for immediate use, minimizing the interval between treatment and planting. Do not store excess treated seed beyond planting time.

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 Trace Chemicals LLC no claims are made to guarantee germination of carry-over seed. As its sole express warranty, Trace Chemicals 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, TRACE CHEMICALS LLC SHALL NOT BE LIABLE FOR CONSEQUENTIAL DAMAGES.** SUBJECT TO APPLICABLE LAW, TRACE CHEMICALS, INC. 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 Trace Chemicals LLC. If these terms are not acceptable, return all products to the place of purchase, unopened for a full refund.