



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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

JUL 29 2010

Mr. Morris Gaskins
Product Registration
Albaugh, Inc.
P.O. Box 2127
Valdosta, GA 31604-2127

SUBJECT: Application for Pesticide Notification (PRN 98-10)
Request Alternate Brand Names "TEBUSTAR 250 ST"
EPA Reg. No. 42750-130 and
"METALAXYL 265 ST"
EPA Reg. No. 42750-208
Application Dated June 18, 2010

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 06/18/10 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-5335 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

A handwritten signature in dark ink, appearing to read "Paul J. Mastradone".

Paul J. Mastradone, Ph.D., Acting
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs



United States
Environmental Protection Agency
Washington, DC 20460

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Registration
Amendment
Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 42750-130	2. EPA Product Manager M. Waller	3. Proposed Classification <input type="checkbox"/> None <input checked="" type="checkbox"/> Restricted
4. Company/Product (Name) Tebuconazole 28% FL ST	PM# 21	
5. Name and Address of Applicant (Include ZIP Code) Albaugh, Inc. P.O. Box 2127 Valdosta, GA 31604 <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 checked="" type="checkbox"/> Final printed labels in response to Agency letter dated _____
<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.

NOTIFICATION

JUL 29 2010

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification of alternate brand name from "TEBUSTAR 250 ST".

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no further 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 PR 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 penalties under section 12 and 14 of FIFRA.

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					
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 gal, 2.5 gal		5. Location of Label Directions <input checked="" type="checkbox"/> Attached to container	
6. Manner in Which Label is Affixed to Product <input checked="" 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 Morris Gaskins		Title Registrations Manager		Telephone No. (Include Area Code) 229-244-3288	
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 		3. Title Registrations Manager			
4. Typed Name Morris Gaskins		5. Date June 18, 2010			

1525 NE 36th Street
Ankeny, IA 50021
515.964.9444 - Office
800.247.8013 - Toll Free
515.964.7813 - Facsimile

Valdosta Office
P.O. Box 2127
304 Janet Street, Suite H
Valdosta, GA 31604
229.244.3288 - Office
229.244.5841 - Facsimile

$$3/8$$

June 18, 2010

Document Processing Desk (NOTIFY)
Ms. Mary Waller (PM 21)
Registration Division
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard (South Bldg)
2777 South Crystal Dr.
Arlington, VA 22202

RE: Tebuconazole 28% FL ST
EPA Reg. No. 42750-130

Metalaxyl 28.35% FL ST
EPA Reg. No. 42750-208

Dear Ms. Waller,

The enclosed submission for the above referenced registrations are label notifications under PR Notice 98-10 for the following alternate brand names:

TEBUSTAR 250 ST

METALAXYL 265 ST

Three copies of each label are enclosed.

Please call if you have any questions.

Regards,

Morris Gaskins
Registrations Manager
Albaugh, Inc.
229-244-3288

Agri Star®
By Albaugh, Inc.

PREMIER SUPPLIER OF OFF-PATENT CROP PROTECTION PRODUCTS
www.albaughinc.com

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TEBUSTAR 250 ST
Seed Treatment Fungicide

For Use Only by Commercial Seed Treaters

For Control of Specified Diseases on Wheat, Barley and Oats

ACTIVE INGREDIENT:

Tebuconazole, Alpha-[2-(4-Chlorophenyl) ethyl]-alpha-(1, 1-Dimethylethyl)-
1H-1,2,4-triazole-1-ethanol 28.3%
OTHER INGREDIENTS: 71.7%
TOTAL: 100.0%

Contains 2.5 lbs. tebuconazole per gallon

STOP-READ THE LABEL BEFORE USE

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID

NOTIFICATION

JUL 29 2010

IF SWALLOWED:	<ul style="list-style-type: none"> • 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 poison control center or doctor. • Do not give anything by mouth to an unconscious person.
IF ON SKIN OR CLOTHING:	<ul style="list-style-type: none"> • 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.
IF IN EYES:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 to 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 INHALED:	<ul style="list-style-type: none"> • 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 further treatment advice.
For Chemical Emergency ONLY (spill, leak, fire, exposure or accident), call CHEMTREC at 1-800-424-9300. Have product container or label with you when calling a poison control center or doctor, or going for treatment.	

For all other inquiries about this product contact Albaugh at 1-800-247-8013.

EPA Reg. No. 42750-130
AD112807

EPA Est. No. xxxxxx-xx-xxx

NET CONTENTS:

Manufactured For:
ALBAUGH, INC.
121 NE 18th St
ANKENY, IA 50021

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if swallowed, inhaled or absorbed through the skin. Avoid contact with skin, eyes and clothing. Avoid breathing vapor or spray mist. Wear long sleeved shirt, long pants or coveralls, and chemical-resistant gloves made of waterproof material. Remove contaminated clothing and wash before reuse. Wash thoroughly with soap and water after handling.

ENVIRONMENTAL HAZARDS

This product is toxic to estuarine 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 or rinsate.

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: Read these entire Directions and Warranty before using TEBUSTAR 250 ST.

TEBUSTAR 250 ST controls or suppresses certain designated seed and soilborne diseases of wheat, barley and oats.

SEED TREATMENT: Apply TEBUSTAR 250 ST as a water-based slurry through standard slurry or mist-type commercial seed treatment equipment. Prepare a slurry by mixing the specified dosage in 9 to 20 fl. oz. of water per 100 lb of seed. Add dye** to the resulting slurry. Mix the slurry thoroughly with the seeds to provide uniform coverage. **21CFR Chapter I, Section 2.25 requires grain seed treated with poisonous substances in excess of recognized tolerances be suitably colored with an EPA approved dye, such as one of the dyes listed in 40 CFR Section 180.1001 (c) and (d), to prevent their subsequent inadvertent use as a food for man or feed for animals.

APPLICATION RATE		
CROP & DISEASE	RATE OF TEBUSTAR 250 ST	APPLICATION DIRECTIONS
Wheat: Stinking Smut, Flag Smut, Loose Smut, Early Season Septoria Disease Complex, Early Season Rhizoctonia Root Rot, Early Season Common Root Rot, Early Season Fusarium Foot Rot, Early Season Suppression of Powdery Mildew, Early Season Suppression of Wheat Leaf Rust Barley: Covered Smut, Loose Smut, Barley Stripe (suppression), Early Season Rhizoctonia Root Rot, Early Season Common Root Rot, Early Season Fusarium Foot Rot, Early Season Suppression of Powdery Mildew, Early Season Suppression of Barley Leaf Rust Oats: Loose Smut , Pythium Damping-off, Early Season Rhizoctonia Root Rot, Early Season Common Root Rot, Early Season Fusarium Foot Rot, Early Season Suppression of Powdery Mildew, Early Season Suppression of Crown rust	0.1 fluid ounce per 100 pounds of seed	Refer to the SEED TREATMENT section on this label for the method of treating seed.

SEED LABELING REQUIREMENTS

To meet U.S. Federal Seed Act requirements, all seed treated with TEBUSTAR 250 ST should be labeled: "Treated with Alpha-[2-(4-Chlorophenyl) ethyl]-alpha-(1, 1-Dimethylethyl)-1H-1,2,4-triazole-1-ethanol (TEBUSTAR 250 ST). Do not use treated seed for feed, food or oil purposes. Barley, wheat and oat green forage may be grazed or harvested for hay 31 days after seeding."

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

PESTICIDE STORAGE: Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Store in original container and out of the reach of children, preferably in a locked storage area.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL:

Non-refillable containers (1, 2.5, 30 & 55 gallon): Do not reuse or refill this container. Offer for recycling, if available. Triple rinse or pressure rinse container (or equivalent) promptly after emptying.

(non-refillable <5 gallons): Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

(non refillable >5 gallons): Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

Pressure rinse as follows (all sizes): Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use for disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

Refillable container (250 gallon & bulk): Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller.

To clean the container before final disposal, empty the remaining contents from the container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing process two more times.

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 ALBAUGH, INC., no claims are made to guarantee germination of carry-over seed.

As its sole express warranty, ALBAUGH, INC. 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, ALBAUGH, INC., SHALL NOT BE LIABLE FOR CONSEQUENTIAL DAMAGES, SUBJECT TO

APPLICABLE LAW. ALBAUGH, 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 ALBAUGH, INC. If these terms are not acceptable, return all products to the place of purchase, unopened for a full refund.