

42750-219

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460

OFFICE OF  
CHEMICAL SAFETY AND  
POLLUTION PREVENTION

Carolyn Miter  
Albaugh Inc  
P O Box 2127  
Valdosta GA 31604

AUG 13 2012

Subject	Application for Pesticide Notification (PRN 98 10)
Submission date	7/19/2012
Product Name	Metalaxyl 44% FL ST
EPA Reg No	42750 219
EPA Decision Number	468008

Dear Ms Miter

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98 10 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 Agency acknowledges the addition of the alternate brand name Metalaxyl 4 0 ST

The label submitted with the application has been stamped Notification and will be placed in our records If you have questions concerning this letter please contact Erin Malone at 703 347 0253 or by email at malone erin@epa gov

Sincerely

Mary L Waller  
Product Manager (21)  
Fungicide Branch  
Registration Division (7504P)

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Please read instructions on reverse before completing

Form Approved of 10 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 42750 219	2 EPA Product Manager M Waller	3 Proposed Classification <input type="checkbox"/> None <input checked="" type="checkbox"/> Restricted
4 Company/Product (Name) Metalaxyl 44% 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

**Explanation** Use additional page(s) if necessary (For section I and Section II) *Called Morris 8/10 and he confirmed they are requesting ABN*

Notification of change of primary brand name from "Metalaxyl 44% ST" to Alternate Brand Name Metalaxyl 40 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	If Yes Unit Packaging wgt No per container		<input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted		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 1 gal 2 5 gal		5 Location of Label Directions <input type="checkbox"/> Attached to 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 Carolyn Miter	Title Registrations Specialist	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 <i>Carolyn Miter</i>	3 Title Registrations Specialist	
4 Typed Name Carolyn Miter	5 Date July 19 2012	

# ALBAUGH, INC

3/10  
GEORGIA OFFICE  
PO Box 2127  
Valdosta GA 31604 2127  
229 244 3288 (Phone)  
229 244 5841 (FAX)

7/30

Fed Ex

July 19 2012

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 Metalaxyl 44% FL ST  
EPA Reg No 42750 219

Dear Ms Waller

The enclosed submission for the above referenced registration is to notify the Agency of the Alternate Brand Name Metalaxyl 4 0 ST under PR Notice 98 10

The certification statement is on the 8570-1 application form

Please do not hesitate to call me if you have any questions Thank you and have a great day

Sincerely



Carolyn Miter  
Albaugh Inc  
Registrations Specialist  
P O Box 2127  
Valdosta GA 31604

229 244 3288

**Agri Star**<sup>®</sup>  
By Albaugh Inc

PREMIER SUPPLIER OF OFF PATENT CROP PROTECTION PRODUCTS  
[www.albaughinc.com](http://www.albaughinc.com)

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METALAXYL 4 0 ST

FUNGICIDE FOR USE AS A SEED TREATMENT FOR CONTROL OF SYSTEMIC DOWNY MILDEW PYTHIUM SEED ROT PYTHIUM DAMPING OFF, AND EARLY SEASON PHYTOPHTHORA DISEASES OF CERTAIN CROPS

ACTIVE INGREDIENT

Metalaxyl N (2,6-dimethylphenyl) N-(methoxyacetyl) alanine methyl ester

44.08%

OTHER INGREDIENTS

55.92%

TOTAL

100.00%

Contains 4.0 pounds Metalaxyl per gallon (480 grams per liter)

**NOTIFICATION**

**AUG 13 2012**

KEEP OUT OF REACH OF CHILDREN

CAUTION

SEE INSIDE BOOKLET FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS

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 eye 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
IF INHALED	Move person to fresh air If person is not breathing call 911 or an ambulance then give artificial respiration preferable by mouth to mouth if possible Call a poison control center or doctor for further treatment advice
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor or going for treatment	

For Chemical Spill, Leak, Fire or Exposure OR Medical Emergency, Call CHEMTREC (800) 424-9300

EPA Reg. No. 42750-219  
AD012511

EPA Est. No. xxxxxx xx xxx

Net Contents Gal ( L)

MANUFACTURED FOR  
Albaugh Inc  
1525 NE 36<sup>th</sup> Street  
Ankeny IA 50021

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if swallowed Causes moderate eye irritation Avoid contact with eyes skin or clothing Wash thoroughly with soap and water after handling Remove contaminated clothing and wash 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 A on an EPA chemical resistance selection chart

Applicators and other handlers must wear

Long sleeved shirt and long pants

Shoes and socks

Chemical resistant gloves such as barrier laminate or nitrile rubber or neoprene rubber or Viton

Follow manufacturer s instructions for cleaning/maintaining PPE If not such instructions for washables exist use detergent and hot water Keep and wash PPE separately from other laundry

USER SAFETY RECOMMENDATIONS

Users Should

Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum using tobacco or using the toilet

Remove clothing/PPE immediately if pesticide gets inside Then wash thoroughly and put on clean clothes

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

Do not apply directly to water to areas where surface water is present or to intertidal areas below the mean high water mark Do not apply when weather conditions favor drift from treated areas Do not contaminate water when disposing of equipment washwater or rinsates

Groundwater Advisory Statement This chemical is known to leach through soil into ground water 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 ground water contamination

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 intervals. 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 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:

1. Coveralls
2. Shoes plus socks and
3. Chemical resistant gloves such as barrier laminate or nitrile rubber or neoprene rubber or viton

### PRECAUTIONS AND RESTRICTIONS

This product is a systemic fungicide seed dressing specifically for control of systemic downy mildews *Pythium* and *Phytophthora* spp. For control of other soil borne diseases, combination of captan, thiram, and carboxin registered formulations are compatible. Do not use with other seed treatment products unless previous experience assures compatibility.

Note: This product is a systemic fungicide having a specific mode of action. This product could be subject to development of resistant strains of fungi. Development of resistance cannot be predicted. Consult with your State Agricultural Experiment Station or Extension Service Specialist for guidance and ways to control any possible metalaxyl resistant strains of fungi which may occur.

### FAILURE TO FOLLOW DIRECTIONS OF THIS LABEL MAY RESULT IN CROP INJURY OR POOR DISEASE CONTROL

Maximum usage when applying both metalaxyl and mefenoxam containing products to the same crop within the same season. Do not apply more than the maximum seasonal total for the active ingredient as stated on the label of the product containing the lowest seasonal total on that crop.

In California: Only for use in commercial seed treating establishments. Not allowed for on-farm use.

On-Farm Seed Treatment: Do not apply this product through any type of irrigation system.

Do not use treated seed for food or feed purposes or process for oil. Treat only those seeds needed for immediate use, minimizing the interval between treatment and planting. Do not store excess treated seeds beyond planting time.

Seed treatment on agricultural establishment at or immediately before planting is within the scope of WPS, while commercial treatment of seeds is not within the scope.

For Commercial Seed Treatment Seed treated commercially or for sale must be dyed an unnatural color using an EPA approved dye before sale Federal law requires that bags containing treated seed shall be labeled with the following information

This seed has been treated with METALAXYL 4 0 ST which contains the active ingredient metalaxyl Do not use treated seed for food feed or oil purposes Store away from feed and foodstuffs Do not harvest mustard greens Rape greens grown and harvested from METALAXYL 4 0 ST treated seed must not be used for human and feed consumption Rapeseed grown and harvested from METALAXYL 4 0 ST treated seed is only for industrial uses and cannot be used for edible oil or any other human/feed consumption

Tank mixing When tank mixing follow the most restrictive label instructions for tank mix partners Do not tank mix with any other product that contains a prohibition against tank mixing

SEED TREATMENT

This product may be applied as a water based slurry with other registered seed treatment insecticides and fungicides through standard slurry or mist type commercial seed treatment equipment Do Not use metalaxyl or mefenoxam for control of *Pythium* in water seeded rice

DOMESTIC USE

CROP	DISEASE	RATE (Fluid Ounces per 100 Pounds of Seed)
Beets Garden Sugar beets	<i>Pythium damping off control</i>	0 50
Canola* Mustard Seed* Rapeseed*	<i>Pythium damping off control</i> NOTE Do not harvest mustard greens Rape greens grown and harvested from METALAXYL 4 0 ST treated seed must not be used for human and feed consumption Rapeseed grown and harvested from METALAXYL 4 0 ST treated seed is only for industrial uses and cannot be used for edible oil or any other human/feed consumption	0 20 – 0 30
Carrots*	<i>Pythium damping off control</i>	0 50
Cotton	<i>Pythium seed rot and damping off control</i>	0 50 – 1 00
Cucumbers*	<i>Pythium damping off control</i>	0 50
Forage Grasses Grasses grown for hay grazing or silage Corn (fodder or silage) Sorghum (hay or silage) and small grain grown for hay grazing or silage	<i>Pythium damping off control</i>	0 50
Forage Legumes Alfalfa Beans (for forage) Clover Cowpeas (for forage) Cowpea hay Lespedeza Peanuts (for forage) Peanut hay Peas (for forage) Pea vine hay Soybeans (for forage) Soybean hay Trefoil Velvet beans (for forage) and Vetch	<i>Pythium damping off and early season Phytophthora control</i>	0 50 – 1 00
Grain Crops Barley Buckwheat Corn (field corn sweet corn and popcorn) Millet Milo Oats Rye Triticale and Wheat	<i>Pythium damping off control</i> Systemic downy mildew control of sweet corn	0 50 1 00

CROP	DISEASE	RATE (Fluid Ounces per 100 Pounds of Seed)
Peanuts*	<i>Pythium</i> seed rot and damping off control	0.50
Rice*	<i>Pythium</i> damping off control	0.50 – 1.00
	Note: If using METALAXYL 4.0 ST treated rice do not use metalaxyl or mefenoxam for control of <i>Pythium</i> in water seeded rice. Containers or bags containing METALAXYL 4.0 ST treated rice seed must be labeled with the restriction.	
Seed and Pod Vegetables Black eyed peas Chickpeas (Garbanzos) Cowpeas Dill Edible soybeans Field beans Field peas Green beans Kidney beans Lentils Lima beans Lupines Navy beans Okra Peas Pole beans Snap beans String beans and Wax beans	<i>Pythium</i> damping off control	0.50
	Early season <i>Phytophthora</i> control	0.50
	Control of <i>Pythium</i> damping off and systemic downy mildew of peas	1.00
Sorghum	<i>Pythium</i> damping off	0.25 – 0.50
	Systemic downy mildew (races susceptible to chemical control)	0.50 – 2.00  Apply 0.50 – 1.00 fluid ounces of this product on cultivars which possess sorghum downy mildew resistance. To those cultivars which do not possess resistance to a particular race of sorghum downy mildew in heavily infected areas with recent severe history apply 1.00 – 2.00 fluid ounces of this product. Only high quality sorghum seed (90% germination and above) should be treated with this product.
Soybeans	<i>Pythium</i> damping off control and early season <i>Phytophthora</i> control	0.50 – 1.00
Spinach*	<i>Pythium</i> damping off control	0.50
	Note: Do not apply this product to spinach which is destined to be grown in the greenhouse. Containers or bags containing METALAXYL 4.0 ST treated spinach seed must be labeled with this restriction.	
Sunflowers	Systemic downy mildew control	1.00 – 2.00
Turf Grasses Golf Courses Home Lawns Reclamation and Erosion Control Projects	<i>Pythium</i> damping off control	1.00

\* Not registered for use in California

EXPORT USE

For treatment of the following seed for export to countries requiring treatment with metalaxyl before importation



CROP	DISEASE	RATE (Fluid Ounces per 100 Pounds of Seed)
Brassica (Cole) Leafy Vegetables	<i>Pythium</i> damping off control	0.50 – 1.00
Canola	<i>Pythium</i> damping off control	0.30 – 1.10 (20 – 66 ml per 100 Kg of seed)
Corn	<i>Pythium</i> damping off control	0.50 – 1.00
	Systemic downy mildew control	2.00
Cucurbit Vegetables	<i>Pythium</i> damping off control	0.50
Fruiting Vegetables	<i>Pythium</i> damping off control	0.50 – 1.00
Leafy Vegetables	<i>Pythium</i> damping off control	0.50 – 1.00
Millet	<i>Pythium</i> damping off control	0.50 – 1.00
	Systemic downy mildew control	1.70
Onions	<i>Pythium</i> damping off control	0.50 – 1.00
Peas	<i>Pythium</i> damping off and early season <i>Phytophthora</i> control	2.30
Root and Tuber Vegetables	<i>Pythium</i> damping off control	0.50 – 1.00
	Note: Do not apply this product to potatoes	
Sorghum	<i>Pythium</i> damping off control	0.50 – 1.00
	Systemic downy mildew control	3.50
Sunflower	Systemic downy mildew control	6.00

Seed treated in accordance with the export use pattern must be labeled as follows

FOR EXPORT ONLY NOT FOR DOMESTIC SALES OR USE

DIRECTIONS FOR USE AT REDUCED RATES IN COMBINATION WITH OTHER FUNGICIDES

This product is a systemic fungicide seed dressing which may be applied in combination with other EPA registered fungicides to aid in control of *Pythium*. This product may be applied as a water based slurry through standard slurry or mist type commercial seed treatment equipment.

CROP	DISEASE	RATE (Fluid Ounces per 100 Pounds of Seed)
Barley, Corn (field), Oats, Rye and Wheat	Aid in control of seed decay and damping off caused by <i>Pythium</i>	0.07 – 0.25
Beans (field, kidney, navy and pinto), Lentils, Peas and Soybeans		
Peanuts*		
Rice*		
Sunflowers		

\* Not registered for use in California

NOTE: Apply only in combination with EPA registered rates of broad spectrum seed treatment fungicides.

STORAGE AND DISPOSAL

Do not contaminate water food or feed by storage and disposal

PESTICIDE STORAGE Store in a cool dry location Do not store in direct hot sunlight Do not store above 90°F for prolonged periods of time After prolonged storage in intense cold allow product to return to approximately 75°F before using

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 or 2.5 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 1/4 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 Then offer for recycle or reconditioning or puncture and dispose of in a sanitary landfill or by other procedures approved by State and local authorities Plastic containers are also disposable by incineration, or if allowed by State and local authorities by burning if burned stay out of smoke

Refillable Containers Refill this container with pesticide only Do not reuse this container for any other purpose Cleaning the container for final disposal is the responsibility of the person disposing the container Cleaning before refilling is the responsibility of the refiller

WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully TO THE EXTENT CONSISTENT WITH APPLICABLE LAW (1) THE GOODS DELIVERED TO YOU ARE FURNISHED AS IS BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES GUARANTEES OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER EITHER EXPRESS OR IMPLIED OR BY USAGE OF TRADE STATUTORY OR OTHERWISE WITH REGARD TO THE PRODUCT SOLD INCLUDING BUT NOT LIMITED TO MERCHANTABILITY FITNESS FOR A PARTICULAR PURPOSE USE OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR USAGE UNINTENDED CONSEQUENCES INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS OR THE MANNER OF USE OR APPLICATION INCLUDING WEATHER ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER MANUFACTURER AND SELLER AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS

LIMITATION OF LIABILITY

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW MANUFACTURER OR SELLER SHALL NOT BE LIABLE FOR SPECIAL INCIDENTAL OR CONSEQUENTIAL DAMAGES OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD INCLUDING USE APPLICATION HANDLING AND DISPOSAL TO THE EXTENT CONSISTENT WITH APPLICABLE LAW MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OR BUYER IF ANY OR FOR ANY DAMAGES OR SUMS OF MONEY CLAIMS OR DEMANDS WHATSOEVER RESULTING FROM OR BY REASON OF OR ARISING OUT OF THE MISUSE OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER TO THE EXTENT BY APPLICABLE LAW ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER USER OR ITS CUSTOMERS TO THE EXTENT CONSISTENT WITH APPLICABLE LAW BUYER'S OR USER'S EXCLUSIVE REMEDY AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT

If you do not agree with or do not accept any of directions for use the warranty disclaimers or limitations of liability do not use the product and return it unopened to the Seller and the purchase price will be refunded