

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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

Bill Washburn Regulatory Manager Arysta LifeScience North America LLC 15401 Weston Parkway, Suite 150 Cary, NC 27513

JUL 17 2009

Subject: Label Notification(s) for Pesticide Registration Notices 2007-4 and 98-10

- 1. Update of company name
- 2. Added emergency telephone number(s)
- 3. Updated warranty statement

Dear Mr. Washburn:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notices (PRN) 2007-4 and 98-10 dated June 19, 2009 for:

EPA Registration 66330-209	Captan 80 W
EPA Registration 66330-361	Chlorothalonil Technical
EPA Registration 66330-27	Captan Garden Spray
EPA Registration 66330-332	Clethodim Technical
EPA Registration 66330-352	Clethodim Technical ₂

The Registration Division (RD) has conducted a review of this request for applicability under PR Notices 2007-4 and 98-10 and finds that the label changes requested falls within the scope of PR Notices 2007-4 and 98-10. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by nonnotification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Nicole Williams of my staff at 703-308-5551.

Sincerely,

Linda Arrington Notifications & Minor Formulations Team Leader Registration Division (7505P) Office of Pesticide Programs

Form Approved, OMB No. 2070-0060, Approval expires 05-31-98 Please read instructions on reverse before completing form. **OPP Identifier Number United States** ☐ Registration **Environmental Protection Agency** □ Amendment Washington, DC 20460 Other: Application for Pesticide - Section I 1. Company/Product Number 2. EPA Product Manager Proposed Classification 66330-27 TONY KISH 4. Company/Product (Name) None Restricted PM# CAPTAN GARDEN SPRAY 22 5. Name and Address of Applicant (Include ZIP Code) 6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(I), my product is similar or identical in composition and labeling Arysta LifeScience North America, LLC 15401 Weston Parkway, Suite 150 EPA Reg. No. ____ Cary, NC 27513 Product Name JUL 1 7 2009 Check if this is a new address Section - II Amendment - Explain below. Final printed labels in response to Agency letter dated Resubmission in response to Agency letter dated "Me Too" Application Notification - Explain below. Other - Explain below Explanation: Use additional page(s) if necessary. (For Section I and Section II.) Notification of label change per PR Notice 2007-4. This notification is consistent with guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 USC Sec 1001 to willfully make any false statement to EPA. I further understand that if the amendment is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA. Notification of label change per PR Notice 98-10. This notification is consistent with the provisions of PR 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. understand that it is a violation of 18 USC 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 may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA. Section - III 1. Material This Product Will Be Packaged In: Child-Resistant Packaging Water Soluble Packaging 2. Type of Container Unit Packaging Yes* Yes Yes Metal × No No No Plastic If "Yes" No. per If "Yes" No. per Glass Unit Packaging wgt. Package wgt. container container *Certification must Paper Other (Specify) be submitted 3. Location of Net Contents Information 4. Size(s) Retail Container 5. Location of Label Directions ⊠ Label On Label Container 1 lb. and 2 lb. On labeling accompanying product 6. Manner in Which Label is Affixed to Product Lithograph ☐ Other ☑ Paper glued Stenciled Section - IV 1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application) Name Telephone No. (Include Area Code) Bill Washburn Regulatory Manager 901-432-5118 6. Date Application Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete a base Received acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both (Stamped)

3. Title

5. Date

06/19/09

Regulatory Manager

Bill Washburn

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under applicable law. 2. Signature

4. Typed Name



June 19, 2009

Mr. Tony Kish
Product Management Team 22
Fungicide-Herbicide Branch (H7505C)
Registration Division
Office of Pesticide Programs
Document Processing Desk (NOTIF)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

Subject:

CAPTAN GARDEN SPRAY EPA Reg. No. 66330-27

Notification of Label Change per PR Notice 2007-4 and PR Notice 98-10

Dear Mr. Kish:

Please find the following enclosed:

- Application for Pesticide Registration (Other) dated 06/19/09.
- One highlighted copy of subject label, showing all changes.
- One clean copy of the subject label.

Notification of label change per PR Notice 2007-4. This notification is consistent with guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140. 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 USC Sec 1001 to willfully make any false statement to EPA. I further understand that if the amendment is not consistent with the requirements of 40 CFR §§ 156.10, 156.140. 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Also in this submission, we are using PR Notice 98-10 to update the name of the company, emergency telephone numbers and warranty. Arysta LifeScience North America Corporation was changed to Arysta LifeScience North America, LLC.

Should you have any questions or comments, please do not hesitate to contact me at 901-432-5118 or by e-mail at bill.washburn@arystalifescience.com

Sincerely,

Bill Washburn Regulatory Manager

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Arysta LifeScience North America, LLC 15401 Weston Parkway, Suite 150, Cary, NC 27513 Phone 919-678-4900 Fax 919-678-2194 www.arystalifescience.com

NOTIFICATION

CAPTAN GARDEN SPRAY

JUL 17 2009

A Fungicide For Plant Disease Control
For Residential/Consumer/Homeowner Use Only – Do Not Use For
Commercial Applications

Captan Garden Spray is a microfine wettable powder for use in water as a spray for the control of certain fungal diseases of fruit, vegetable and ornamental crops, and as a seed treatment for the control of certain seed rots and damping-off diseases.

48.9%
50.0%
rboximide
EPA Est. No.

DANGER – PELIGRO

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

STORE IN COOL, DRY PLACE – PROTECT FROM EXCESSIVE HEAT
SEE SIDE PANEL FOR ADDITIONAL PRECAUTIONARY STATEMENTS

Made in U.S.A.

ARYSTA LIFESCIENCE NORTH AMERICA, LLC 15401 Weston Parkway, Suite 150 Cary, NC 27513

NET	CONTENTS:	

FIRST AID			
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	Take off contaminated clothing.		
OR 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, preferably mouth-to-mouth if possible. 		
	 Call a poison control center or doctor for further treatment. 		
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 the poison control center or doctor. 		
	 Do not give anything by mouth to an unconscious person. 		
Note to Physic	Note to Physician: Probable mucosal damage may contraindicate the use of		

Note to Physician: Probable mucosal damage may contraindicate the use of gastric lavage.

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

EMERGENCY TELEPHONE NUMBERS:

FOR 24-HOUR MEDICAL EMERGENCY ASSISTANCE CALL:

PROSAR at 1-866-303-6952 or 1-651-632-8946 if calling from outside of the U.S.

FOR 24-HOUR CHEMICAL EMERGENCY:

Spill, leak, fire, exposure, or accident, call CHEMTREC at 1-800-424-9300 or 1-703-527-3887 if calling from outside of the U.S.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS DANGER

CORROSIVE. Causes irreversible eye damage. Wear protective eyewear such as safety glasses, goggles or face shield. Harmful if absorbed through skin. May be harmful if swallowed or inhaled. Do not get in eyes or on clathing. Avoid contact with skin. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacce. Remove and wash contaminated clothing before reuse.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to aquatic organisms. Do not apply directly to water or to areas where surface water is present or to intertidal areas below the mean high water mark. Drift and run off from treated areas may be hazardous to aquatic organisms in neighboring area. Do not contaminate water when cleaning equipment or disposing of equipment washwaters or rinsate.

This product may contaminate water through drift of spray in wind. This product has a potential for runoff for several months or more after application. Poorly draining soils and soils with shallow water tables are more prone to produce runoff that contains this product. A level, well maintained vegetative buffer strip between areas to which this product is applied and surface water features such as ponds, streams, and springs will reduce the potential for contamination of water from rainfall-runoff. Runoff of this product will be reduced by avoiding applications when rainfall is forecasted to occur within 48 hours. Sound erosion control practices will reduce this product's contribution to surface water contamination.

In the event that treated seeds are spilled and cannot be salvaged, completely cover them with soil.

DIRECTIONS FOR USE

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

Do not use on plants being grown for sale or other commercial use, for commercial seed production, or for research purposes. For use on plants intended for aesthetic purposes or climactic modifications and being grown in interior landscapes or ornamental gardens.

CAPTAN GARDEN SPRAY is a wettable powder specifically formulated to mix easily with water to form a suspension for spray application. Simply add required amount to water and stir till completely dispersed. If a wetter-spreader is needed on roses or other hard to wet plants, add 0.5 teaspoon of household detergent per gallon to spray mixture. Five (5) level tablespoons or 15 level teaspoonfuls equal one ounce of CAPTAN GARDEN SPRAY.

Apply sufficient spray volume to provide thorough, even coverage.

Do not apply this product through any type of irrigation system.

ORNAMENTALS

GENERAL USE PRECAUTIONS

Do not apply spray to ornamental plants listed below beyond the point of drip of from the leaf surface. When applying as a drench apply only sufficient mixture to



wet the surface of the soil except when the dose is specified in terms of volume of mixture per square foot of area.

AZALEA, CARNATION, CHRYSANTHEMUM (Damping-off)

Dip cuttings in a suspension of 3 tablespoons per gallon of water before bedding.

CARNATION (Rust, Alternaria Leaf Spot): CHRYSANTHEMUMS (Botrytis Flower Blight)

Use 5 teaspoonfuls per gallon of water. Apply at first sign of disease. Repeat at 7 to 10 day intervals. Use the shorter interval under conditions favorable to infection.

GLADIOLUS, TUBEROUS BEGONIAS (Rot, Damping-off)

Use 9 teaspoonfuls per gallon of water for tuberous begonias and 9 to 36 teaspoonfuls per gallon of water for gladiolus corms. Dip bulbs for 30 minutes. Stir, drain and plant.

ROSE (Black spot)

Use 5 teaspoonfuls per gallon of water. Apply at first sign of disease. Repeat at 7 to 10 day intervals. Use the shorter interval under conditions favorable to infection.

SEED TREATMENT

Not for use on agricultural establishments in hopper-box, planter-box, slurry-box, or other seed-treatment applications. Mix product thoroughly with dry seeds and plant immediately. All persons handling unbagged treated seed must wear protective eyewear.

BEANS, CABBAGE, CORN, MELONS, PEAS, SQUASH: (Seed Rot, Damping-off)

Use $\frac{1}{2}$ teaspoonful per pound of dry seeds. Mix product thoroughly with dry seeds and plant immediately.

BEETS, SWISS CHARD, SPINACH GRASS (Seed Rot, Damping-off)

Use 1.8 ounces (0.9 oz ai) per 10 lbs seed for beets, Swiss chard and grass seed. Use 0.9 ounces (0.45 oz ai) per 10 lbs seed for spinach. Mix product thoroughly with dry seeds and plant immediately.

DO NOT USE FOR COMMERCIAL SEED TREATMENT.

FRUIT

APPLE (Scab, Fruit Spot, Sooty Blotch, Fly-Speck, Frog-eye, Fruit Rots)
Use 2 level tablespoons per gallon of water. Spray 1 to 2 pints for small/dwarfs trees, 1 to 2 quarts per medium-size tree, and 1 to 3 gallons for large/mature, 3 trees. Apply at 10 to 14 day intervals from petal fall through harvest For Frog-

eye leaf spot also apply during the prebloom and bloom periods on a 10 to 14 day schedule.

The maximum application rate is 8 lbs of CAPTAN GARDEN SPRAY per acre (4 lb/acre), with a maximum seasonal application rate of 64 lbs of CAPTAN GARDEN SPRAY per acre per crop cycle (32 lb ai/acre per crop cycle).

GRAPE (Downy Mildew, Black Rot)

Use -5 teaspoons per gallon of water. Spray ½ gallon per 100 sq. ft. Apply just before bloom, just after bloom and 7 to 10 days after bloom. Make an additional application 2 to 3 weeks later for downy mildew. (**Dead Arm**) (current season infections) (Northeastern states) – Use 5 teaspoons per gallon of water. Spray ½ gallon per 100 sq. ft. apply when shoots are 1 to 2 inches long. Repeat application when shoots are 4 to 6 inches long.

PEACH (Brown Rot, Scab)

Use 2 level tablespoons per gallon of water in pink, full bloom, petal fall, shuck shed, cover and preharvest sprays. Spray 1 to 2 pints per small/dwarf tree, 1 to 2 quarts per medium sized tree, and 1 to 3 gallons per large/mature tree. Repeat applications at 7 to 14 day intervals as needed to maintain cover. Continue applications through harvest if conditions favor brown rot.

The maximum application rate is 8 lbs of CAPTAN GARDEN SPRAY per acre (4 lb ai/acre), with a maximum seasonal application rate of 64 lbs per acre per crop cycle (32 lb ai/acre per crop cycle).

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage, disposal or cleaning of equipment. Open dumping is prohibited. Do not reuse empty container.

PESTICIDE STORAGE: Keep pesticide in original container. Protect from excessive heat. Store in a cool, dry place.

PESTICIDE DISPOSAL: Pesticide wastes are 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 quidance.

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Offer for recycling, if available, or dispose of in a sanitary landfill or by incineration, or if allowed by State and local authorities, by burning. If burned, stay out of smoke.

Warranty and Disclaimer Statement

The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Such risks may arise from weather conditions, soil factors, off-target movement, unconventional farming techniques, the presence of other materials, the manner of use or application, or other unknown factors, all of which are beyond the control of Arysta LifeScience North America, LLC ("Arysta"), and can cause crop injury, injury to non-target crops or plants, ineffectiveness of the product, or other unintended consequences. To the extent consistent with applicable law, all such risks shall be assumed by the user or buyer.

Arysta warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks described above, when used in accordance with the Directions for Use under normal conditions. This warranty does not extend to the use of this product contrary to label instructions or under conditions not reasonably foreseeable to Arysta, and is subject to the inherent risks described above.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ARYSTA WARRANTIES, ALL OTHER **EXPRESS** OR INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ARYSTA, MANUFACTURER, AND SELLER DISCLAIM AND SHALL NOT BE LIABLE FOR ANY SPECIAL, INCIDENTAL, INDIRECT, OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE, HANDLING, APPLICATION, STORAGE, OR DISPOSAL OF THIS PRODUCT OR FOR DAMAGES IN THE NATURE OF PENALTIES, AND THE USER AND BUYER WAIVE ANY RIGHT THAT THEY MAY HAVE TO SUCH DAMAGES. AGENT, REPRESENTATIVE OR EMPLOYEE OF ARYSTA IS AUTHORIZED TO MAKE ANY WARRANTY, GUARANTEE OR REPRESENTATION BEYOND THOSE CONTAINED HEREIN OR TO MODIFY THE WARRANTIES CONTAINED HEREIN. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE TOTAL LIABILITY OF ARYSTA, MANUFACTURER, AND SELLER, SHALL BE LIMITED TO THE PURCHASE PRICE PAID, OR AT ARYSTA'S ELECTION, THE REPLACEMENT OF THE PRODUCT.

