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70252-8

12-5-97

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



U.S. ENVIRONMENTAL PROTECTION AGENCY

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

EPA Reg. Number:

70252-8

Date of Issuance:

DEC 5 1997

NOTICE OF PESTICIDE:

☒ Registration
☐ Reregistration

(under FIFRA, as amended)

Term of Issuance: Conditional:
Expires January 30,
2000

Name of Pesticide Product: Nation's
Ag Technical
Metalaxyl for Seed
Treatment

Name and Address of Registrant (include ZIP Code):

Nation's Ag, LLC
P.O. Box 808
Isle of Palms, SC 29451

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) provided that you:

1. Submit or cite the following studies conducted in accordance with the Good Laboratory Practice Standards, 40 CFR Part 160, and appropriate test guidelines as referenced in EPA's Data Requirements for Registration Regulations, 40 CFR Part 158:

a. Avian reproduction study in quail and duck to be submitted by January 30, 1999

b. General metabolism study in rat; MRID NO. 43317301 is covered by cite-all

c. Residue analytical method in plants and animals; study has been submitted and may be cited if found acceptable

d. Storage stability; interim study has been submitted, is in review and may be cited if found acceptable and applicable to metalaxyl

e. Field crop trials from seed treatment; required studies are covered by cite-all

Signature of Approving Official:

Mary J. Waller

Date:

DEC 5 1997

EPA Form 8570-6

CONCURRENCES

SYMBOL	7505C	7505C					
SURNAME	Ellwanger	rw					
DATE	12/5/97	12/5/97					

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f. Worker exposure studies; to the extent that these studies apply to seed treatment, required studies are covered by cite-all

2. Submit and/or cite all data required for registration/reregistration of your product under FIFRA sec. 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of your product under FIFRA sec. 4.

a. Groundwater monitoring; applicant may have to share the costs of a user educational program if groundwater monitoring detects metalaxyl levels at or above 400 ppb

3. Make the following label changes:

a. Revise the EPA Registration number to read "EPA Reg. No.70252-8" before you release the product for shipment.

b. Under "forage legumes" the list should read "...lespedeza, beans..." and "...peas (for forage)..."

c. Under "seed and pod vegetables" split out peas that use the higher dosage for Pythium damping off and systemic downy mildew and indicate the dosage as 0.50. For the remainder of the seed and pod vegetables the dosage rate should be 0.25.

d. Under "sorghum" split out the 0.5 dosage rate for non-disease resistant cultivars and revise the dosage rate for disease resistant cultivars to 0.25.

e. Under "soybeans" delete the dash in Phytophthora.

f. Under "corn" for export and "millet" for export reduce dosage rates to 0.49.

g. Under "peas" for export lower the dosage rate to 1.0.

h. Under "sorghum" for export split out the dosage rate for systemic downy mildew at 1.5 and revise the dosage for Pythium to 0.5.

i. Under "sunflowers" for export lower the dosage rate to 3.0.

j. Delete "(Revision 1, 11/26/97)" under the product name.

4. Submit production information (pounds or gallons produced) for this product for the fiscal year in which the seed treatment use is conditionally registered, in accordance with FIFRA Section 29. The fiscal year begins October 1, and ends September 20. The product information must be submitted to the Agency no later than November 15, following the end of the preceding fiscal year. This information must be submitted to:

Registration Support Branch
Registration Division (7505C)

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401 M Street, S.W.
Washington, DC 20460

5. Submit two copies of the revised final printed labeling before you release the product for shipment.

6. Per our earlier discussion we request that within 10 business days from the date of this registration you withdraw your applications for registration of the six metalaxyl-containing end-use products: Metalaxyl FL Seed Treatment Fungicide (file symbol 70252-E), Metalaxyl LS Fungicide (file symbol 70252-T), Kodiak(TM) A-T Fungicide (file symbol 70252-A), Metalaxyl Dry Seed Protectant Fungicide (file symbol 70252-L), Prevail(R) Metalaxyl-Terrachlor(R)-Vitavax(R) Fungicide (file symbol 70252-G), and Metalaxyl-Terrachlor(R) Dust Seed Treatment (file symbol 70252-U).

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.

The revised CSF submitted on December 2, 1997 is acceptable.

A stamped copy of the label is enclosed for your records.

Sincerely,

Mary L. Waller

Mary L. Waller
Acting Product Manager 21
Fungicide Branch, RD (7505C)

Nation's Ag Metalaxyl Technical For Seed Treatment

4066
ACCEPTED
with COMMENTS
In EPA Letter Dated
DEC 5 1997

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
70252-8

ACTIVE INGREDIENT:

Metalaxyl: N-(2,6-dimethylphenyl)-
N-(methoxyacetyl)alanine methyl ester 97.0%

INERT INGREDIENTS: 3.0%

TOTAL 100.0%

(Revision 1, 11/26/97)

DIRECTIONS FOR USE

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

KEEP OUT OF REACH OF CHILDREN WARNING

See Additional Precautionary Statements.

EPA Reg. No. 70252-01 EPA Est. No. 46120-EN-01

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS WARNING

Causes substantial but temporary eye injury. Harmful if swallowed or absorbed through skin. Do not get in eyes or on clothing. Wear goggles or face shield. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

STATEMENT OF PRACTICAL TREATMENT

If in eyes: Hold eyelids open and flush with a steady, gentle stream of water for 15 minutes. Get medical attention. If **swallowed:** Call a physician or Poison Control Center. Drink 1 or 2 glasses of water and induce vomiting by touching back of throat with finger. If person is unconscious, do not give anything by mouth and do not induce vomiting. **If on skin:** Wash with plenty of soap and water. Get medical attention if irritation persists.

ENVIRONMENTAL HAZARDS

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

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—Store in original container only, in a cool, dry, locked area. Store separately from other pesticides, fertilizers, food or feed to prevent contamination. In case of a spill or broken container, call CHEMTREC at 800-424-9300.

PESTICIDE DISPOSAL—Wastes resulting from the use of this product are acutely toxic. Improper disposal of unused pesticide is a violation of federal law. Pesticides that cannot be used according to label instructions must be disposed of according to federal, state or local procedures. For guidance in proper disposal methods, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office.

CONTAINER DISPOSAL—Completely empty bag into formulation 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.

FORMULATION:

USE PATTERN: This product is for formulator use in the manufacture of agricultural seed treatment fungicidal products only, offered for sale to the public, and which are duly registered with the Environmental Protection Agency, Washington, D.C., for the uses listed below.

FORMULATION ASSISTANCE: Additional information regarding specific problems in formulations involving this product may be obtained by writing: Nation's Ag, L.L.C., 2901-12 Rivendell, Knoxville, TN 37922

Nation's Ag, L.L.C.
2901-12 Rivendell
Knoxville, TN 37922

Net Content:

Only for formulation into seed treatment fungicidal products, for the use sites listed below:

CROP	MAXIMUM USE RATE oz. a.i./cwt.	DISEASE
Carrots	0.25	For control of <i>Pythium</i> damping-off.
Cotton	0.26	For <i>Pythium</i> seed rot and damping-off.
Peanuts	0.25	For <i>Pythium</i> seed rot and damping-off.
Soybeans	0.25	For <i>Pythium</i> damping-off and early season <i>Phytophthora</i> control.
Sorghum	0.50	For control of <i>Pythium</i> and systemic downy mildew.
Spinach	0.25	For <i>Pythium</i> damping-off.
Sunflowers	0.50	For control of systemic downy mildew.
Garden Beets	0.25	For control of <i>Pythium</i> damping-off.
(including Sugar Beets)		
Forage Legumes	0.25	For <i>Pythium</i> damping-off and early season <i>Phytophthora</i> control.
Alfalfa, clover, lespedeza beans(for forage), soybeans(for forage), soybean hay, peanuts (for forage), peanut hay, peas, pea vine hay, cowpeas (for forage), cowpea hay, trefoil, vetch and velvet beans (for forage).		
Grain Crops	0.25	For <i>Pythium</i> damping-off control.
Wheat, barley, rye, oats, millet, milo, rice, corn (field corn, sweet corn and popcorn), buckwheat and triticale.		
Seed and Pod Vegetables	0.56	For <i>Pythium</i> damping-off and early season <i>Phytophthora</i> control. For control of <i>Pythium</i> damping-off and systemic downy mildew of peas.
Black-eyed peas, chickpeas (Garbanzos), cowpeas, dill, edible soybeans, field beans, field peas, garden peas, green beans, kidney beans, lima beans, lupines, navy beans, okra, peas, pole beans, snap beans, string beans, wax beans, and lentils.		
Cucumbers	0.25	For control of <i>Pythium</i> damping-off.
Turf Grasses	0.5	For <i>Pythium</i> damping-off control on golf courses home lawns, reclamation and erosion control projects.
Forage Grasses	0.25	Grasses grown for hay grazing or silage, corn (fodder or silage), sorghum (hay or silage), and small grain grown for hay grazing or silage.
Cucurbit Vegetables	(For export, 0.25)	For <i>Pythium</i> damping-off control.
Fruiting Vegetables	(For export, 0.49)	For <i>Pythium</i> damping-off control.
Leafy Vegetables	(For export, 0.49)	For <i>Pythium</i> damping-off control.
Brassica(Cole) Leafy Vegetables	(For export, 0.49)	For <i>Pythium</i> damping-off control.
Root and Tuber Vegetables	(For export, 0.49)	For <i>Pythium</i> damping-off control.
Onions	(For export, 0.49)	For <i>Pythium</i> damping-off and early season <i>Phytophthora</i> control.
Corn	(For export, 1.70)	For <i>Pythium</i> damping-off control.
Millet	(For export, 2.15)	For <i>Pythium</i> damping-off control.

(Continued next page)

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Peas (For export, 1.13)
Sorghum (For export, 1.70)
Sunflowers (For export, 3.35)

6076
For *Pythium* damping-off and early season *Phytophthora* control.

For control of *Pythium* and systemic downy mildew.

For control of systemic downy mildew.

NOTICE - READ CAREFULLY
CONDITIONS OF SALE AND LIMITED WARRANTY

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 Nation's Ag, L.L.C., no claims are made to guarantee germination of carry-over seed.

Nation's Ag, L.L.C. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes set forth in the Directions for Use when it is used in accordance with such directions. NATION'S AG, L.L.C. NEITHER MAKES NOR INTENDS, NOR DOES IT AUTHORIZE ANY AGENT OR REPRESENTATIVE TO MAKE, ANY OTHER WARRANTIES, EXPRESS OR IMPLIED, AND IT EXPRESSLY EXCLUDES AND DISCLAIMS ALL IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

THIS WARRANTY DOES NOT EXTEND TO, AND THE BUYER SHALL BE SOLELY RESPONSIBLE FOR, ANY AND ALL LOSS OR DAMAGE WHICH RESULTS FROM THE USE OF THIS PRODUCT IN ANY MANNER WHICH IS INCONSISTENT WITH THE LABEL DIRECTIONS, WARNINGS, OR CAUTIONS. BUYER'S EXCLUSIVE REMEDY AND MANUFACTURER'S OR SELLER'S EXCLUSIVE LIABILITY FOR ANY AND ALL CLAIMS, LOSSES, DAMAGES OR INJURIES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER OR NOT BASED IN CONTRACT, NEGLIGENCE, STRICT LIABILITY IN TORT OR OTHERWISE, SHALL BE LIMITED, AT THE MANUFACTURER'S OPTION, TO REPLACEMENT OF, OR THE REPAYMENT OF THE PURCHASE PRICE FOR, THE QUANTITY OF PRODUCT WITH RESPECT TO WHICH DAMAGES ARE CLAIMED. IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INDIRECT OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. Nation's Ag, L.L.C. and the Seller offer this product, and the Buyer and User accept it, subject to the foregoing conditions of Sale and Warranty.