

70252-8

8/19/2004

1/6

AUG 19 2004

Mr. J.S. Lovell
Nation's Ag, LLC
4680 Monticello Ave. #18i-174
Williamsburg, VA 23188

Dear Mr. Lovell:

Subject: Nation's Ag Metalaxyl Technical For Seed Treatment
EPA Reg. No. 70252-8
Your Submission of July 20, 2004

The amendment referred to above, submitted in connection with registration under FIFRA sec. 3(c)(7)(A), is acceptable provided that the following labeling change is made prior to release of the product for shipment.

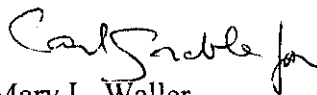
The product registration number on the draft label is still incorrect. Change the label to read: EPA Reg. No. 70252-8.

Submit one copy 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 bearing the amended labeling constitutes acceptance of these conditions.

A stamped copy of the label is enclosed.

Sincerely yours,



Mary L. Waller
Product Manager (21)
Fungicide Branch
Registration Division (7505C)

Enclosure

7505C:CGable:cg:8/19/04

**NATION'S AG METALAXYL TECHNICAL
FOR SEED TREATMENT**

Active Ingredient:

| | |
|--|-------------|
| Metalaxyl: N-(2,6-dimethylphenyl)- N-(methoxyacetyl)alanine methyl ester..... | 97% |
| Inert Ingredients..... | 3% |
| TOTAL | 100% |

EPA Reg. No. 70258-8

EPA Est. No. _____

KEEP OUT OF REACH OF CHILDREN

WARNING

ACCEPTED
with COMMENTS
In EPA Letter Dated:
AUG 19 2004
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
70258-8

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 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 by a poison control center or doctor.
Do not give anything by mouth to an unconscious person.

IF ON SKIN

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 ambulance; then give artificial respiration, preferably mouth-to-mouth, if possible.
Call a poison control center or doctor for further treatment advice.

For MEDICAL Emergencies involving this product, call 1-800-308-5391.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

PRECAUTIONARY STATEMENTS:**HAZARDS TO HUMANS AND DOMESTIC ANIMALS: WARNING:**

May cause substantial but temporary eye injury. Harmful if swallowed or absorbed through the 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.

ENVIRONMENTAL HAZARDS:

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans or other waters unless in accordance with 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 Environmental Protection Agency.

DIRECTIONS FOR USE:

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

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.

PESTICIDE 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 1-800-424-9300.

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 disposed of according to label instructions must be disposed of according to federal, state and 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 container into formulation equipment. Then dispose of empty container in 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, DC, for the uses listed below.

This product may be used to formulate products for any additional use(s) not listed on the MP label if the formulator, user group or grower has complied with U.S.EPA submission requirements regarding support of such use (s).

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

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 | 0.50 | For <i>Pythium</i> seed rot and damping-off. |
| Peanuts | 0.25 | For <i>Pythium</i> seed rot and damping-off. |
| Soybeans | 0.50 | For <i>Pythium</i> damping-off and early season <i>Phytophthora</i> control. |
| Sorghum | 0.25 (for disease resistant cultivars) | For control of <i>Pythium</i> and systemic downy mildew. |
| Sorghum | 0.50 (for non-disease resistant cultivars) | For control of <i>Pythium</i> and systemic downy mildew. |
| Spinach | 0.25 | For <i>Pythium</i> damping-off. |
| Sunflowers | 1.0 | For control of systemic downy mildew. |
| Garden Beets (Including Sugar Beets) | 0.25 | For control of <i>Pythium</i> damping-off. |
| Forage Legumes | 0.50 | 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 (for forage), 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, corn (field corn, sweet corn and popcorn), buckwheat and triticale. | | |
| Sweet Corn | 0.50 | For control of systemic downy mildew. |

| | | |
|---|--------------------|---|
| Rice | 0.50 | For <i>Pythium</i> damping-off control. |
| Vegetables (Seed and Pod) | 0.25 | For <i>Pythium</i> damping-off and early season <i>Phytophthora</i> control. |
| 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. | | |
| Peas | 0.50 | For <i>Pythium</i> damping-off and systemic Downy mildew. |
| Cucumbers | 0.25 | For control of <i>Pythium</i> damping-off. |
| Turf Grasses | 0.50 | 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 or Grazing. |
| 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, 0.49) | For <i>Pythium</i> damping-off control. |
| Corn | (For export, 1.00) | For control of systemic downy mildew. |
| Millet | (For export, 0.49) | For <i>Pythium</i> damping-off control. |
| Millet | (For export, 0.84) | For control of systemic downy mildew. |
| Peas | (For export, 1.00) | For <i>Pythium</i> damping-off control. |
| Sorghum | (For export, 0.5) | For <i>Pythium</i> damping-off control. |
| Sorghum | (For export, 1.5) | For control of systemic downy mildew. |
| Sunflowers | (For export, 3.0) | For control of systemic downy mildew. |

6/6

**NOTICE- READ CAREFULLY
CONDITIONS OF SALE AND LIMITED WARRANTY**

Treatment of highly mechanically damaged seed, or seed of known low vigor or 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, LLC, no claims are made to guarantee germination of carry-over seed.

Nation's Ag 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, LLC 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 RESULT 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, LLC and the Seller offer this product, and the Buyer and User accept it, subject to the forgoing Conditions of Sale and Warranty.

EPA DRAFT 072004

Nation's Ag, LLC
2901-12 Rivendell
Knoxville, TN 37922

Net Content: _____