



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

October 10, 2008

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Sherri Gray
Authorized Representative for
Prophyt Biologischer Pflanzenschutz GmbH
1150 Connecticut Ave., NW, Suite 1100
Washington, DC 20036

RE: Product Name: Contans WG
EPA Reg. No: 72444-1
Application for Label Notification Dated September 19, 2008 to Label Revisions to Include the Net Contents, Correct Typographical Errors

Dear Ms. Gray:

The Biopesticides and Pollution Prevention Division is in receipt of your application for Notification under 98-10 dated above. A preliminary screen of this request has been conducted for its applicability under PRN 98-10 and it has been determined that the action(s) requested falls within the scope of PRN 98-10. Our records have been duly noted, and the label submitted with this application has been stamped "Notification, received and reviewed" and will be placed accordingly in our records.

Questions concerning this action should be directed to Ms. Diana Hudson at (703) 308-8713 or email at hudson.diana@epa.gov.

Sincerely,

Linda Hollis

Linda Hollis, Chief
Biochemical Pesticides Branch
Biopesticides and Pollution Prevention
Division (7511P)

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 2-28-

	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration	OPP Identifier Number
		<input type="checkbox"/> Amendment	
		<input checked="" type="checkbox"/> Other	

Application for Pesticide - Section I

1. Company/Product Number PROPHYTA Biologischer Pflanzenschutz GmbH / 72444-1	2. EPA Product Manager Sheryl Reilly	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) PROPHYTA Biologischer / Contans WG Biological Fungicide	PM#	
5. Name and Address of Applicant (Include ZIP Code) PROPHYTA Biologischer Pflanzenschutz GmbH Inselstrasse 12, D-23999 Malchow Poel, Germany <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 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

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

Date Reviewed: 10/10/08

Submission of label revisions per PR Notice 98-10 (EPA Registration Number 72444-1) Reviewed By: D. Hudson

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> Text		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container	<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input 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 Sherri Gray	Title Authorized Representative	Telephone No. (Include Area Code) 202-772-4964
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 Authorized Representative	
4. Typed Name Sherri Gray	5. Date September 19, 2008	

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Sheryl Reilly, Ph.D.
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Document Processing Desk (NOTIF)
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202

**RE: Submission of Label Notification per PR Notice 98-10
Contans[®] WG Biological Fungicide, EPA Registration No. 72444-1**

Dear Dr. Reilly:

On behalf of PROPHYTA Biologischer Pflanzenschutz GmbH (Inselstrasse 12, D-23999 Malchow/Poel, Germany, EPA Company Number 72444), we are submitting a notification to clarify the label language and make it more user-friendly for the end-use product Contans[®] WG Biological Fungicide, containing the active ingredient *Coniothyrium minitans* strain CON/M/91-08 (EPA Registration Number 72444-1). The following is a summary of the label notification language:

1. Net contents – product is now packaged in a 25 lb pail
2. Agricultural Use Requirements- we have corrected some typographical errors in this section.
3. Chemigation Using Public Water Systems –corrected the spelling of “effectively” and corrected the typo in “pressure decreases”.
4. Container Disposal – added “or”.

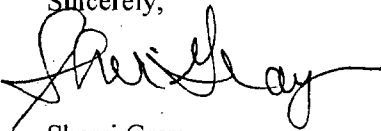
The following items are enclosed in support of this notification:

- Cover letter;
- EPA Form 8570-1;
- Revised label (track changes version and clean copy);
- Power of attorney letters; and
- No CSF has been included in this submission, as it has not changed.

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. 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 sections 12 and 14 of FIFRA.

If you have any questions, please contact me at 202.772.4964.

Sincerely,



Sherri Gray
Authorized Representative of
Advan, LLC.

Enclosures

cc: Cathy Fuhrman, Advan

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NOTIFICATION

Date Reviewed: 10/10/08

Reviewed By: D. Hudson

**Contans® WG
Biological Fungicide**

For agricultural use to reduce/control *Sclerotinia sclerotiorum* and *Sclerotinia minor* in the soil.

ACTIVE INGREDIENT:

Coniothyrium minitans strain CON/M/91-08 5.30%

OTHER INGREDIENTS:..... 94.70%

TOTAL:..... 100.00%

Contains a minimum of 1×10^9 cfu/gram

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

FIRST AID	
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 the 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"> • Remove 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	<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 by mouth-to-mouth, if possible. • Call a poison control center or doctor for treatment advice
Have the product container or label with you when calling a poison control center or doctor, or going for treatment.	

EPA Reg. No: 72444-1

EPA Est. No: 72444-DEU-001

**Manufactured by:
PROPHYTA Biologischer Pflanzenschutz GmbH
Inselstrasse 12
D-23999 Malchow/Poel, Germany**

Net Contents: 250 lbs.

For more information call: (800) 250-5024

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PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS: CAUTION. Harmful if swallowed, if absorbed through skin or inhaled. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling.

PERSONAL PROTECTIVE EQUIPMENT (PPE): Applicators and other handlers must wear long-sleeved shirt and long pants, waterproof gloves and shoes plus socks. All mixer/loaders and applicators must wear a dust/mist-filtering respirator (MSHA/NIOSH approval number prefix TC-21C), or a NIOSH approved respirator with any N,P,R, or HE filter. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry. Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. 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, or to areas where surface water is present, or to intertidal areas below the mean high-water mark. Do not contaminate water by cleaning equipment or disposal of equipment washwaters.

DIRECTIONS FOR USE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. For any requirements specific to your state or tribe, consult the agency responsible for pesticide regulation. 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.

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 (REI). The requirements on this box/bag 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 of 4 hours. 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 and/or water is:

1. ~~C~~ or overalls
2. ~~W~~ Waterproof gloves
3. ~~and S~~ Shoes plus socks

GENERAL INFORMATION: CONTANS WG is applied directly to the soil surface and incorporated into the upper soil level. It is intended for use on agricultural and greenhouse soils used for the production of plants that are susceptible to infection by *Sclerotinia sclerotiorum* and *Sclerotinia minor*. Plants susceptible to *Sclerotinia sclerotiorum* and *Sclerotinia minor* are leafy vegetables, brassica vegetables, fruiting vegetables, bulb vegetables, cereal grains, legume vegetables, oil seeds, herbs and spices and ornamental plants. CONTANS WG may be applied directly to the soil prior to planting, at planting or during transplanting. CONTANS WG is a water dispersible granule for the reduction/control of *Sclerotinia sclerotiorum* and *Sclerotinia minor* in agricultural soils. CONTANS WG is intended for use as part of an Integrated Pest Management (IPM) system. When used in conjunction with good cultural management practices and as part of a complete disease control program, CONTANS WG reduces/controls soil infestations of *Sclerotinia sclerotiorum* and *Sclerotinia minor*.

See your CONTANS WG distributor for tank mix compatibility.

MIXING DIRECTIONS: Determine the volume of water needed to provide thorough coverage of the soil in the treatment area. The amount of water needed will depend on the weather, spray equipment and local experience. Partially fill the spray tank with clean water and begin agitation. Add the specified amount of CONTANS WG to the tank (consult application directions below). Finish filling the tank to the desired volume that provides maximum coverage. Maintain agitation. Do not allow spray mixture to stand overnight or for prolonged periods.

APPLICATION DIRECTIONS: CONTANS WG is applied directly to the soil surface, using conventional spray equipment. Thorough spray coverage is needed to provide a uniform deposit of CONTANS WG on the soil. The treated soil surface must be incorporated into the upper soil

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layer by means of water or disc, cultivator, tiller or other similar equipment. Maintain agitation. Do not allow spray mixture to stand overnight or for prolonged periods.

CONTANS WG is less effective in soils with temperatures over 85°F and under 35°F.

The active ingredient of CONTANS WG is exempt from the requirement of a tolerance for residues in and on all food commodities, and can be used in any agricultural soil without rotational crop restrictions.

APPLICATION RATES:

For general agricultural use - Apply CONTANS WG at a rate of 1 to 4 lbs. per acre to the soil prior to or at planting or at time of transplant. CONTANS WG may also be applied to plant debris that remains in the field after harvest, prior to replant of a susceptible crop. If incorporation will displace the soil greater than two inches, increase the application rate to 3 to 6 lbs. per acre.

For use on soils where sunflower, canola, safflower, root vegetables, dry beans or soybeans will be planted - Apply CONTANS WG to the soil at a rate of 1 to 2 lbs. per acre at or prior to planting sunflower, canola, safflower, root vegetables, dry beans or soybeans. When applied correctly, CONTANS WG will reduce inoculum loads of sclerotia in the soil. CONTANS WG may also be applied in the fall to treat the soil prior to spring planting of a susceptible crop. Treated soils should not be disturbed to avoid bringing untreated sclerotia from lower soil layers to the top soil layer. If the equipment used will incorporate CONTANS WG to a depth greater than two inches, the application rate should be increased to 2-6 lbs. per acre.

For greenhouse use - Apply CONTANS WG at a rate of 0.75 -1.5 oz. per 1000 sq. f

CHEMIGATION DIRECTIONS FOR USE

Application through sprinkler: CONTANS WG may be applied through sprinkler (overhead) systems either pre-plant or to crop stubble on lighter textured soils (sandy loams - sand) at a rate appropriate to the crop as above. If applied in this manner, irrigate with enough water to saturate the soil to a depth of at least 4 inches. Generally 3/4 -1 inch of water will be enough for a good incorporation of CONTANS WG. If followed by tillage, do not disturb the soil below the treated soil layer (approximately 2 inches).

Mixing instructions: A supply tank is recommended. Mix CONTANS WG in the supply tank to a concentration appropriate to cover the intended acreage in one pass (example: 40 acres at 2 lbs. per acre will require 80 pounds in the supply tank). Agitation will be required for mixing and maintaining the suspension of the spores of the active agent in the injection solution. All of the CONTANS WG should be applied in one pass of the irrigation system.

Apply this product only through the following types of systems: sprinkler including center pivot, lateral move, side (wheel) roll irrigation systems. Do not apply this product through any other type of irrigation system.

Crop injury, lack of effectiveness, or illegal pesticide residues in the crop can result from non-uniform distribution of treated water.

If you have questions about calibration of your irrigation system, you should contact your State Extension Service specialists, equipment manufacturers or other experts.

"A person knowledgeable of the chemigation system and responsible for its operation or under the supervision of the responsible person; shall shut the system down and make necessary adjustments should the need arise."

Chemigation Using Public Water Systems

Do not connect an irrigation system (including greenhouse systems) used for pesticide application to a public water system unless the pesticide label prescribed safety devices for public water systems are in place.

"Public water systems means a system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year."

"Chemigation systems connected to public water systems must contain a functional, reduced-pressure zone, back flow preventer (RPZ) or the functional equivalent in the water supply line upstream from the point of pesticide introduction. As an option to the RPZ, the water from the public water system should be discharged into a reservoir tank prior to pesticide introduction."

There shall be a complete physical break (air gap) between the flow outlet end of the fill pipe and the top or overflow rim of the reservoir tank of at least twice the inside diameter of the fill pipe."

"The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the flow of fluid back toward the injection."

"The pesticide injection pipeline must contain a functional, normally closed, solenoid-operated valve located on the intake side of the injection pump and connected to the system interlock to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down."

"The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops, or in cases where there is no water pump, when the water ~~pressure decreases~~ ~~pressure decreases~~ to the point where pesticide distribution is adversely affected."

"Systems must use a metering pump, such as a positive displacement injection pump (e.g. diaphragm pump) ~~effectively~~ ~~effectively~~ designed and constructed of materials that are compatible with pesticides and capable of being fitted with a system interlock."

"Do not apply when wind speed favors drift beyond the area intended for treatment."

Chemigation Using Sprinkler Irrigation Systems

"The system must contain a functional check valve, vacuum relief valve, and low pressure drain appropriately located on the irrigation pipeline to prevent water source contamination from back flow."

"The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the flow of fluid back toward the injection pump."

"The pesticide injection pipeline must also contain a functional, normally closed, solenoid-operated valve located on the intake side of the injection pump and connected to the system interlock to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down."

"The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops."

"The irrigation line or water pump must include a functional pressure switch which will stop the water pump motor when the water pressure decreases to the point where pesticide distribution is adversely affected."

"Systems must use a metering pump, such as a positive displacement injection pump (e.g. diaphragm pump) effectively designed and constructed of materials that are compatible with pesticides and capable of being fitted with a system interlock."

"Do not apply when wind speed favors drift beyond the area intended for treatment."

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in a dry cool place out of direct sunlight and away from heat sources at approximately 39°F. Keep from overheating.

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: Completely empty package into application equipment. Then dispose of empty package in a sanitary landfill ~~or~~ by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

WARRANTY: PROPHYTA Biologischer Pflanzenschutz GmbH warrants that the product conforms to the description on the label and is reasonably fit for the purposes set forth on the label, when used according to directions under normal use conditions. Neither this warranty nor any other warranty of merchantability or fitness for a particular purpose, expressed or implied, extends to the use of this product contrary to the label instructions; the buyer assumes the risk of any such uses.

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