

72444-1

3/30/2010

1/28

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



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

MAR 30 2010

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Dr. Joseph W. Burley
Agent for Prophyta Biologischer Pflanzenschutz GmbH
2520 Meridian Parkway, Suite 525
Durham, NC 27713

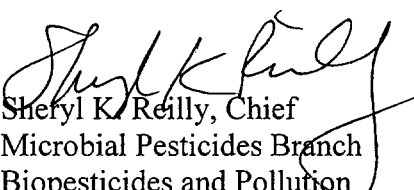
Re: Product Name: Contans® WG
EPA Reg. No.: 72444-1
Your application dated March 5, 2010 to make a minor revision related to the
Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and update the storage
and disposal section per Pesticide Registration (PR) Notice 2007-4
Decision #429904

Dear Dr. Burley:

The Biopesticides and Pollution Prevention Division (BPPD) is in receipt of your application, as indicated above, for notification under PR Notice 98-10. A preliminary screen of this request has been conducted for its applicability under PR Notice 98-10, and it has been determined that the actions requested fall within the scope of PR Notice 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. Jeannine Kausch at (703) 347-8920 or email at kausch.jeannine@epa.gov.

Sincerely,


Sheryl K. Reilly, Chief
Microbial Pesticides Branch
Biopesticides and Pollution
Prevention Division (7511P)

| CONCURRENCES | | | | | | | |
|--------------|------------|---------|--|--|--|--|--|
| SYMBOL | 7511P | 7511P | | | | | |
| SURNAME | KAUSCH | Reilly | | | | | |
| DATE | 03/25/2010 | 3/30/10 | | | | | |



United States
Environmental Protection Agency
Washington, DC 20460

 Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

| | | |
|--|--|--|
| 1. Company/Product Number 72444-1 | 2. EPA Product Manager Alan Reynolds | 3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted |
| 4. Company/Product Name Contans WG | PM# 92 | |
| 5. Name and Address of Applicant (Include ZIP Code) Prophyta Biologischer Pflanzenschutz GmbH C/O Advan, LLC 2520 Meridian Parkway, Suite 525 Durham, NC 27713 | 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 _____ | |

Check if this is a new address

Notification Accepted

Section - II

Amendment - Explain below. Final printed labels in response to Agency letter dated **Date: 03/30/2010**

Resubmission in response to Agency letter dated _____ "Me Too" Application. **Reviewer: J. KAUSCH**

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 the 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. With the exception of changes allowed by EPA's regulations at 40 CFR § 152.46(b), 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 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, 156.156 and 152.46(b), 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.

Section - III

1. Material This Product Will Be Packaged In:

| | | | |
|--|--|--|---|
| 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 | 2. Type of 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" Unit Packaging wgt. No. per container | If "Yes" Unit Packaging wgt. No. per container |

3. Location of Net Contents Information
 Label Container

4. Size(s) Retail Container
25 lbs

5. Location of Label Directions
 On Label
 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 Joseph W. Burley | Title Regulatory Manager | Telephone No. (Include Area Code) (919) 226 1297 |
|---------------------------------|------------------------------------|--|

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.

| | | |
|--|---|--|
| 2. Signature | 3. Title Regulatory Manager, Agent for Prophyta Biologischer Pflanzenschutz | 3. Date Application Received (Stamped) |
| 4. Typed Name Joseph W. Burley | 5. Date 03/05/10 | |



3/8

March 5, 2010

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Subject: **Contans WG - EPA Reg. No. 72444-1**

- 1. Withdrawal of notification related to PR Notice 2007-4 (Dated Feb 12, 2010)**
- 2. Notification per PR Notice 2007 - 4 re: updated container disposal language**

Dear Sir or Madam:

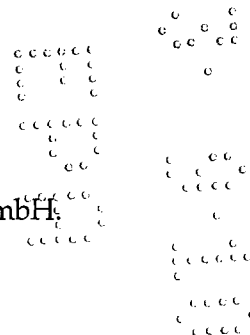
1. In a letter dated February 12, 2010 (copy enclosed for your convenience) I notified you of changes to the container disposal language for the subject product in compliance with PR Notice 2007-4. It has now come to my attention that in generating the label for this submission I accidentally employed a label template that was incorrect. I request, therefore, that my initial notification be withdrawn.
2. Please also find enclosed a new notification which replaces the original submission. This notification is supported by:
 - a. Application for pesticide form: 8570-1
 - b. An copy of the revised label, annotated to identify the changes
 - c. A "clean" copy of the revised label

I apologize for any inconvenience caused by the error in my earlier notification.

If you have any questions about this submission, please feel free to call me at 919-226-1297

Sincerely,

Joseph W. Burley PhD
Regulatory Manager, Agent for Prophyta Biologischer Pflanzenschutz GmbH



5/8

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 x 10⁹ 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 Weight: 25 lbs.

For more information call: (800) 295-0733

Batch Code:

Notification Accepted

Date: 03 / 30 / 2010

Reviewer: J. KAUSCH

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 or water is:

1. Coveralls
2. Waterproof gloves
3. 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 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 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."

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. (Almacene en un lugar fresco seco fuera de luz directa del sol y lejos de fuentes de calor en aproximadamente 39°F. Mantenga de recalentar.)

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on-site or, at an approved waste disposal facility.

8/8

CONTAINER HANDLING: Non-refillable container. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. 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 recycling, if available, or 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.

Distributed by:
Advan LLC
2520 Meridian Parkway, Suite 525
Durham, NC 27560