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

JUN 16 1989

OFFICE OF
PESTICIDES AND TOXIC SUBSTANCES

MEMORANDUM

SUBJECT: EPA Reg. No. 8590-563. Suspension of Captan Products.
Agway Liquid Fruit Tree Spray. DEB No. 4871.

FROM: Linda S. Propst, Chemist
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Linda S. Propst

THRU: Richard D. Schmitt, Ph. D., Acting Chief
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Richard D. Schmitt

TO: Eugene Wilson, Team 23
Fungicide-Herbicide Branch
Registration Division (H7505C)

Agway Inc. is challenging the Agency's intention to suspend the registration of Agway Liquid Fruit Tree Spray claiming that their product is neither a flowable formulation nor a true emulsifiable concentrate but rather a wettable powder considering the insoluble nature of the Captan.

The registrant claims that a generic exemption is appropriate for this formulation since the source of Captan in the formulation comes from ICI, a member of Captan Task Force which has supplied all the required data for wettable Captan.

There has been no submission of data other than the Confidential Statement of Formula.

Conclusions and Recommendations

While this formulation may react more like a wettable powder than an emulsifiable concentrate or a flowable formulation, the presence of certain inerts given in the Confidential Statement of Formula would indicate that this is an emulsifiable concentrate and DEB will need some data to support the claim that this formulation does indeed behave like a wettable powder rather than an emulsifiable concentrate or a flowable formulation.

DEB suggests that the best way for the registrant to prove that the formulation behaves as a wettable powder is to conduct residue trials, side by side, on a few representative crops. Comparable residue levels resulting from the wettable powder and emulsifiable concentrate would be acceptable. While there may be other ways to prove that the formulations produce similar residue levels, we would encourage the registrant to discuss these with the Dietary Exposure Branch before any studies are initiated.

cc: Reading File, Subject File, Circulation, Reviewer, PMSD/ISB
RDI:A.R.Rathman, 6/14/89; E. Zager, 6/15/89
H7509C:DEB:LSP:lsp:CM-2:Rm803C:557-7324:6/15/89