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

C. Furlow

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OFFICE OF  
PESTICIDES AND TOXIC  
SUBSTANCES

MEMORANDUM

SUBJECT: OK910006. Sec. 24(c) Special Local Need Registration for the use of a combination of Captan, PCNB and Thiophanate-Methyl as a peanut seed treatment.

[No MRID No. DEB No. 8178 DP BARCODE; D165582]

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TO: Susan Lewis/ B. Chambliss PM-21  
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and

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The Oklahoma Department of Agriculture requests a Sec. 24(c) special local needs registration for the use of TOPS PC as a peanut seed treatment to control Sclerotinia and other seed rot organisms. The active ingredients in the Gustafson, Inc. fungicide product TOPS PC are: captan (N-trichlormethylthio-4-cyclohexene-1,2-dicarboximide), PCNB (pentachloronitrobenzene) and thiophanate-methyl (dimethyl[(1,2-phenylene)-bis(iminocarbonothioyl)] bis[carbamate]).

A similar Sec. 24(c) special local needs registration for the use of TOPS PC on peanut seed in Texas was recently reviewed (TX 910007, L. Cheng, 6/19/91). CB was requested to make a determination on the food/non-food use status of the proposed use. It was concluded the use is a food use and tolerances are required.

Tolerances are established in 40 CFR 180.103 for combined residues of captan and its metabolite, tetrahydrophthalimide (THPI), in/on numerous RACs including soybeans (dry and succulent) at 2 ppm. No tolerances have been established for residues of captan in/on peanuts, however CB (then DEB) has previously concluded that a tolerance of 0.1 ppm for captan residues in/on peanuts will be adequate when it is proposed. CB further concluded that sufficient data are available to support the use of captan as a seed treatment on soybeans (C. Olinger, 7/30/90). Captan was registered for use as a peanut seed treatment without a tolerance. The Residue Chemistry Chapter, Captan Registration Standard was issued 8/15/85. Captan is a List A pesticide.

Tolerances for thiophanate-methyl, its oxygen analog and its metabolite are established in 40 CFR 180.371 for combined residues in/on peanut hulls (2 ppm), forage (15 ppm) and fodder (15 ppm). An interim tolerance is established in 40 CFR 180.319 for residues of PCNB in/on peanuts at 1 ppm. Both thiophanate-methyl and PCNB are list A pesticides.

The fungicide TOPS PC, no EPA Reg. No., (containing 40% captan, 15% PCNB and 15% thiophanate-methyl) is to be applied as a dry formulation to peanut seed, at a rate of 4-5 ounces per 100 lb. seed (2 oz. captan/100 lb. seed). Application is to be made with standard commercial treating equipment used for dry formulations. Note to PM: The product TOPS PC [REDACTED] as one of its components according to its confidential statement of formulation. The label restrictions in this proposed Sec. 24(c) include:

- o Do not use treated seed for food or feed purposes.
- o Do not use treated seed for human consumption.
- o A required label statement for treated seed in commerce is to read: **TREATED SEED. DO NOT USE FOR FOOD, FEED OR OIL.**

Next ingredient information is not included

No data were submitted with this Sec. 24(c) registration application. The use of captan as described is a food use. In order to be considered a non-food use as a seed treatment, the following criteria must be met: 1. The seed must not be a raw agricultural commodity, 2. Data must be available which indicate that residues do not occur in the crop grown from treated seed, and 3. Subsequent to seed treatment, all parts of the crop are not fit for human consumption or fed to livestock. The RAC in this Sec. 24 (c), peanut seed, is a raw agricultural commodity. Data on file indicate that captan related residues do occur in soybean crops grown from captan treated soybean seed (Captan Reg. Std., Residue Chem. Chptr, 8/15/85). Peanuts and soybeans are members of the same commodity crop group. Consequently, captan residues are likely to occur in crops grown from peanut seed treated as proposed in this Sec. 24(c). A tolerance will be required for peanuts.

#### CONCLUSIONS AND RECOMMENDATION

1. The use of captan as proposed in this Sec. 24(c) is a food use.
2. No tolerance has been established for captan residues in peanuts. A tolerance for residues of captan and its metabolite, tetrahydrophthalimide (THPI) in/on peanuts is required.
3. The use of PCNB and thiophanate-methyl were not reviewed because a tolerance is needed for captan.

CBRS concludes the use described in this SLN (OK910006) is a food use for which tolerances are required. We recommend against this proposed Sec. 24(c) use for this reason.

CC: R.F., CAPTAN/PCNB/THIOPHANATE-METHYL S.F., Circu, AIKENS,  
 Sec. 24(c) , DRES/SACB, PIB/FOD (C. Furlow)  
 RDI:SH for FS:7/25/91:EZ:7/25/91  
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