

264-672

01/23/2003

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U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (7505C)
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

EPA Reg. Number:
264-672

Date of Issuance:
JAN 23 2003

Term of Issuance:
June 30, 2007
(Expiration date)

Name of Pesticide Product:
Charter Brand PB
Fungicide

NOTICE OF PESTICIDE:
 Registration
 Reregistration
(under FIFRA, as amended)

Name and Address of Registrant (include ZIP Code):

Bayer Crop Science LP
P.O. Box 12014, 2 T.W. Alexander Drive
Research Triangle Park, North Carolina 27709

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA Sec. 3(c)(7)(C) provided that you:

1. Submit and/or cite all data required for registration/reregistration of your product under FIFRA sec. 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of your product under FIFRA Section 4.

2. Make the following labeling changes before you release the product for shipment:

A. Add the phrase "EPA Registration Number 264-672".

B. In the Directions for Use, revise "RATE: 5.5 fl. ounces/100 pounds. . ." to read "RATE: 5.5 fl. ounces of product/100 pounds. . .".

C. On page 3, under the heading "Treated Seed Must...", remove the quotation marks after the word "processing" in second sentence and before the word "Do" in third sentence.

D. Revise the sentence "The date of treatment must also be included." to read "The date of treatment must also be included on the treated seed label."

Signature of Approving Official:

Mary L. Waller

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

Date:

1/23/2003

3. Submit the following studies conducted in accordance with the Good Laboratory Practices Standard, 40 CFR Part 160, and appropriate test guidelines as referenced in EPA's Data Requirements for Registration Regulations, 40 CFR Part 158:

A. 28-day (nose only) inhalation toxicity study in rats (870.3200) due by October 2003.

B. Developmental neurotoxicity study (870.6300) due by October 2004.

C. Rat metabolism study (870.7485) due by October 2004.

D. Mechanistic studies (to be discussed and designed in collaboration with the registrant). Due date will be specified by the Agency at a later date.

E. Partial carcinogenicity study (870.4200) in the male rat at higher dose levels due by December 2006.

F. Additional storage stability data (860.1380 & 860.1850) due by October 2004.

G. Avian Reproduction Study in Bobwhite Quail (850.2300) due by October 2004.

H. Acute Freshwater Fish Toxicity Study in Bluegill Sunfish and Rainbow Trout (850.1075) due by October 2003.

I. Freshwater Fish Early Life-Stage Toxicity Study (850.1400) due by October 2004.

J. Freshwater Fish Chronic Life Cycle Toxicity Study (850.1500) due by December 2004.

K. Acute Aquatic Invertebrate Freshwater Toxicity Study (850.1010) due by October 2003.

L. *Daphnia magna* Life-Cycle Toxicity Study (850.1300) due by December 2004.

M. Acute Estuarine/Marine Aquatic Animal Toxicity Studies (850.1035, 850.1055, & 850.1075) due by October 2003.

N. Fish Early Life-Stage Estuarine/Marine Toxicity Study (850.1400) due by October 2003.

O. Estuarine/Marine Invertebrate Life-Cycle Toxicity Study (850.1350) due by October 2003.

P. Additional aerobic soil metabolism data (835.4100) due by October 2003.

Q. Aerobic aquatic metabolism study (835.4300) due by December 2004.

R. Additional aqueous photolysis data (835.4200) due by October 2003.

4. Submit production information (pounds of or gallons produced) for this product for the fiscal year in which the technical is conditionally registered, in accordance with FIFRA Sec. 29. The fiscal year begins October 1, and ends September 30. Production information must be submitted to the Agency no later than November 15, following the end of the preceding fiscal year, to:

U.S. Environmental Protection Agency
Office of Pesticide Programs (7505C)
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

5. Submit one copy of the revised final printed label before the product is released 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 constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records.

Sincerely,



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

Enclosure

CHARTER™ brand PB Fungicide

A LIQUID FLOWABLE FOR CONTROL OF VARIOUS SEED-BORNE DISEASES IN WHEAT AND BARLEY.

ACTIVE INGREDIENTS:

Triticonazole*	1.25%
Thiram	12.50%

INERT INGREDIENTS: 86.25%

TOTAL 100.00%

* Contains 0.12 lbs. of the active ingredient, Triticonazole and 1.2 lbs. of the active ingredient, Thiram, per U.S. gallon.

E.P.A. Reg. No. 264-ATE

E.P.A. Est. No.

KEEP OUT OF REACH OF CHILDREN WARNING AVISO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand the label, find someone to explain it to you in detail.)

For MEDICAL And TRANSPORTATION Emergencies ONLY Call 24 Hours A Day 1-800-334-7577

For PRODUCT USE Information Call 1-866-99BAYER (1-866-992-2937)

FIRST AID

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 mouth-to-mouth if possible. • Call a poison control center or doctor for further treatment advice.
IF IN EYES:	<ul style="list-style-type: none"> • 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. • Call a poison control center or doctor for treatment advice.
IF ON SKIN OR CLOTHING:	<ul style="list-style-type: none"> • 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 SWALLOWED:	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor for treatment advice. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Have person sip a glass of water if able to swallow. • Do not give anything by mouth to an unconscious person.

For MEDICAL Emergencies Call 24 Hours A Day 1-800-334-7577.

Have the product container or label with you when calling a poison control center or doctor or going for treatment.

NOTE TO PHYSICIAN: No specific antidote is available. Treat symptomatically. Consumption of alcoholic beverages increases the toxic effects of thiram.

PRECAUTIONARY STATEMENTS

HAZARD TO HUMANS AND DOMESTIC ANIMALS WARNING

May be fatal if inhaled. Harmful if swallowed or absorbed through the skin. Do not breathe vapor or spray mist. Avoid contact with skin, eyes or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. When handling CHARTER™ brand PB Fungicide and when treating seed or while augering or handling treated seed, work in a well ventilated area.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear: a dust/mist filtering respirator (MSHA/NIOSH approval number prefix TC-21C), or a NIOSH approved respirator with any N, R, P or HE filter, long-sleeved shirt and long pants, socks and shoes, and chemical-resistant gloves made of waterproof material.

USER SAFETY RECOMMENDATIONS

Users should: Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Remove Personal Protective Equipment 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. Drift and runoff from treated areas may be hazardous to fish and aquatic organisms in adjacent aquatic sites. Do not contaminate water when cleaning equipment or disposing of equipment washwaters.

DIRECTIONS FOR USE

**It is a violation of Federal law to use this product in a manner inconsistent with its labeling.
Read entire label before using this product.**

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. For any requirements specific to your State or Tribe, consult the agency responsible for pesticides.

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. The requirements in this box 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 (REI) of 12 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 long-sleeved shirt and long pants, socks and shoes, and chemical-resistant gloves made of waterproof material.

STORAGE AND DISPOSAL

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

STORAGE

Store in original container. Keep container closed. Store in an area that is out of reach of children and animals, away from food, feedstuffs, fertilizers and seed. Protect from frost and freezing.

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

Triple rinse or equivalent. Then offer for recycling or reconditioning or puncture and dispose of in a sanitary landfill or incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

GENERAL INFORMATION

CHARTER™ brand PB Fungicide is a liquid seed treatment used for the control of true loose and covered smut of barley and loose smut and common bunt in wheat. CHARTER™ brand PB Fungicide will increase emergence and plant stands by reducing seed and soil-borne seed rots (*Cochliobolus sp.*), seedling blights (*Fusarium sp.*), and damping-off (*Pythium sp.*).

RATE: 5.5 fluid ounces per 100 pounds of seed. The 2.5 Gallon container will treat:

Crop	Wheat	Barley
Pounds	5,818	5,818
Bushels	97 ¹	121 ²

¹ Assumes wheat 60 lbs/bu treated with 3.3 fl. oz/bu

² Assumes barley 48 lbs/bu treated with 2.6 fl. oz/bu

METHOD OF APPLICATION

Seed should be well conditioned and free of chaff before treating with CHARTER™ brand PB Fungicide. Treated seed should not require drying after treatment and can be stored or bagged immediately (provided excessive slurry volumes are not applied to the seed). CHARTER™ brand PB Fungicide may be applied using standard commercial seed treatment equipment (such as, but not limited to, slurry or mist-type equipment) or on-farm seed treatment equipment. CHARTER™ brand PB Fungicide may also be used in "On the Go" type air seeder treatment systems.

CHARTER™ brand PB Fungicide should be applied to wheat and barley at the rate of 5.5 fluid ounces of product per 100 pounds of seed. Thorough seed coverage and proper application equipment calibration is essential for good disease control. To achieve thorough coverage CHARTER™ brand PB Fungicide may be diluted with water if needed into a slurry. Consult the specific equipment manufacturer for slurry recommendations and calibrations. This product is not intended for direct application into a planter box.

USE RESTRICTIONS

- Do not use treated seed for food, feed or oil processing.
- Do not store CHARTER™ brand PB Fungicide near feed or foodstuffs.
- Do not contaminate feed or foodstuffs.
- Do not contaminate domestic or irrigation waters.
- Do not plant any crop not listed on this label in soil treated with CHARTER™ brand PB Fungicide within 30 days after planting treated seed.

TREATED SEED MUST BE LABELLED AS FOLLOWS: "This seed has been treated with CHARTER™ brand PB Fungicide containing triticonazole and thiram. DO NOT use for food, feed or oil processing". "Do not plant any crop not listed on this label in soil treated with CHARTER™ brand PB Fungicide within 30 days after planting treated seed". The date of treatment must also be included.

Thoroughly clean auger after handling treated seed before using same auger for handling commercial or feed grains.

Leftover treated seed should not be stored where there is a chance of it becoming mixed with untreated seed. Store treated seed in cool, dry conditions.

Unused or leftover seed which is intended to be stored and used the following season should have the germination and seedling vigour confirmed prior to planting.

**ACCEPTED
with COMMENTS
In EPA Letter Dated:**

JAN 23 2003

**Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.**

264-672

IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

CONDITIONS: The directions for use of this product are believed to be adequate and should be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Bayer CropScience. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: BAYER CROPSCIENCE MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Bayer CropScience is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. BAYER CROPSCIENCE DISCLAIMS ANY LIABILITY WHATSOEVER FOR SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

LIMITATIONS OF LIABILITY: THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT BAYER CROPSCIENCE'S ELECTION, THE REPLACEMENT OF PRODUCT.

NET CONTENTS:

CHARTER is a trademark of Bayer.



Bayer CropScience

Bayer CropScience LP
P.O. Box 12014, 2 T.W. Alexander Drive
Research Triangle Park, North Carolina 27709
1-866-99BAYER (1-866-992-2937)
<http://www.bayercropscienceus.com>

CHARTER™ brand PB Fungicide (PENDING) Submitted 1/31/00, Resubmitted 3/7/02, Resubmitted 9/30/02, Resubmitted 1/13/03 as Bayer.