

264-776

05/21/2008

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

MAY 21 2008

Attention: Melvin Toliver
Bayer CropScience
P.O. Box 12014
2 T.W. Alexander Dr.
Research Triangle, NC 27709

Subject: Trifloxystrobin Technical Fungicide
EPA Registration No. 264-776
Your bundled label associated with new food uses, which includes Strawberry new use Petition No. 7F7171, product application dated December 27, 2006, and new uses on Asparagus; Vegetable, Root (except Sugar Beet), Subgroup 1B; Radish (Tops); and Papaya, Black Sapote, Canistel, Mamey Sapote, Mango, Sapodilla, and Star Apple Petition No. 6E7088, petition application dated July 6, 2006

Dear Mr. Tolliver,

The amendments referred to above, submitted in connection with registration under FIFRA, sec. 3(c)(7)(B), have been reviewed and are acceptable, so long as revised final printed labels are submitted, to the Agency, complying with the conditions as described herein, within 45 days of the date hereon. A copy of the label stamped "Accepted with Comments" is included for your records.

1. Under the section 'Conditions', append the sentence "**All such risks shall be assumed by the buyer...**" with "*To the extent consistent with applicable law all such risks shall be*"
2. Throughout the label, change "**Tropical Crops**" to "*Tropical Fruits.*"

If you have any questions, please contact Bryant Crowe by phone at (703) 305-0025 or via email at crowe.bryant@epa.gov.

Enclosure

Sincerely,

A handwritten signature in black ink that reads "Tony Kish".

Tony Kish
Product Manager (Team 22)
Fungicide Branch
Registration Division (7505P)

Trifloxystrobin Technical

with COMMENTS
In EPA Letter Dated
MAY 21 2008

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A Fungicide for Formulation Use
For Manufacturing Purposes Only

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

264-
776

Active Ingredient:

Trifloxystrobin:

Benzeneacetic acid, alpha-(methoxyimino)-2-[[[3-trifluoromethyl)phenyl] ethylidene]amino]oxy]methyl]-,methyl ester..... 98.0%

Other Ingredients:..... 2.0%

TOTAL 100.0%

EPA Reg. No. 264-776

EPA Est. No. 70992-CHE-006

KEEP OUT OF REACH OF CHILDREN CAUTION

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 in eyes	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • 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 to 20 minutes. • Call a poison control center or doctor for treatment advice.
<p>In case of emergency call toll free the Bayer CropScience Emergency Response Telephone No. 1-800-334-7577. Have a product container or label with you when calling a poison control center or doctor, or going for treatment.</p>	
<p>Note to Physician: If ingested, induce emesis or lavage stomach. Treat symptomatically.</p>	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Causes moderate eye irritation. Harmful if absorbed through skin. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Avoid contact with eyes, skin, or clothing. Wash thoroughly with soap and water after handling.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic invertebrates. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters, unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

Ground Water Advisory

Several trifloxystrobin degradates have properties and characteristics associated with chemicals detected in ground water. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in ground water contamination.

DIRECTIONS FOR USE

It is a violation of federal law to use this product in a manner inconsistent with its labeling.

Use only for formulation into fungicide end-use products for the following use sites:

Foliar uses on:

Asparagus, barley, citrus, corn, cucurbits, fruiting vegetables, grapes, grasses grown for seed, hops, leafy petiole vegetables, oats, peanuts, pistachios, pome fruits, potatoes, rice, root vegetables, soybeans, strawberries stone fruits, sugar beets, tree nuts, tropical crops, wheat;

turf sites including golf courses, institutional, commercial and residential lawns, sod farms, sports fields, parks, municipal grounds and cemeteries;

ornamentals grown in interior spaces, field nursery plantings, forest nurseries, residential and commercial landscapes, greenhouses, lath and shadehouses, containers, and other enclosed structures.

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Seed treatment uses on:

canola, corn (field corn, field corn grown for seed, and popcorn), cotton, cucurbit vegetables, fruiting vegetables, legume vegetables (succulent and dried), mustard seed, peanut, potatoes (seed-piece), rapeseed, rice, sorghum, soybean, sugar beets, wheat, conifer, ornamental flowers and turf.

STORAGE AND DISPOSAL

Do not contaminate food or feed by storage or disposal.

PESTICIDE STORAGE: Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Store in original container and out of the reach of children, preferably in a locked storage area.

Handle and open container in a manner as to prevent spillage. If the container is leaking or material spilled for any reason or cause, carefully sweep material into a pile. Refer to Precautionary Statements on label for hazards associated with the handling of this material. Do not walk through spilled material. Dispose of pesticide as directed below. In spill or leak incidents, keep unauthorized people away. You may contact the Bayer CropScience Emergency Response Team for decontamination procedures or any other assistance that may be necessary. The Bayer CropScience Emergency Response Telephone No. is 1-800-334-7577.

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

CONTAINER DISPOSAL: Triple rinse (or equivalent). Then offer for return to manufacturer or recycle or recondition, or puncture and dispose of in a sanitary landfill, or dispose of by other procedures approved by state and local authorities.

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 must 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: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE DISCLAIMS ANY LIABILITY WHATSOEVER FOR SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

LIMITATIONS OF LIABILITY: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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: 70 KGS

PRODUCED FOR



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)

Trifloxystrobin Technical (PENDING) 01/21/08