

264-849

11-15-2007

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

Mr. Melvin K. Tolliver  
Bayer CropScience LP  
2 T.W. Alexander Drive  
Research Triangle Park, NC 27709

NOV 15 2007

Dear Mr. Tolliver:

Subject: Absolute 500 SC Fungicide  
Label Amendment to add new use: grasses grown for seed  
EPA Registration No. 264-849  
Your Application Dated 12/30/2005

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable subject to the comments listed below.

*Per EFED Request*

1. A suitable aerobic aquatic metabolism study (162-4) is submitted, one year from the date of this letter.
2. The labels specify the maximum applications on a per season basis. Since, the number of crop seasons has not been specified EPA assumes that there is only 1 season per year. This should be clarified on the label.
3. In the Table on page 5, the rate is given in fl. Oz/acre whereas the restrictions utilizes oz (32 oz). It is assumed that this refers to 32 fl. Oz. This should be clarified on the label.

*Submitted  
Per conditions  
Label  
Requirements*

One copy of the finished labeling must be submitted prior to releasing the product for shipment. A stamped copy is enclosed for your records.

Tony Kish

*Janet Whitehurst for*

Product Manager 22  
Fungicide Branch  
Registration Division (H7505C)

Enclosure

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**GROUP 3 11 FUNGICIDE**

# ABSOLUTE™ 500 SC Fungicide

For control of certain diseases on peanuts and grasses grown for seed.

**Active Ingredients:**

|                      |        |
|----------------------|--------|
| Tebuconazole.....    | 22.63% |
| Trifloxystrobin..... | 22.63% |

Other Ingredients\*..... 54.74%

Contains 2.18 pounds tebuconazole and 2.18 pounds Trifloxystrobin per gallon. Total 100.00%

EPA Reg. No. 264-849

EPA Est. No. 3125-MO-01

## 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

|                      |  |
|----------------------|--|
| <b>IF SWALLOWED:</b> | <ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul> |
| <b>IF ON SKIN:</b>   | <ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>  |
| <b>IF INHALED:</b>   | <ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>  |
| <b>IF IN EYES:</b>   | <ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>  |

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.

**NOTE TO PHYSICIAN:** No specific antidote. Treat Symptomatically.

### PRECAUTIONARY STATEMENTS

#### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

#### CAUTION

Harmful if swallowed, inhaled or absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes, and clothing. Avoid breathing vapor or spray mist. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

#### Personal Protective Equipment (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Shoes plus socks
- Chemical resistant gloves made of any waterproof material

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

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## ENGINEERING CONTROL STATEMENTS

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

### 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.

## ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic invertebrates. 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 may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment wash water or rinsate.

## DIRECTIONS FOR USE

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

**Do not use this product until you have read the entire label.**

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 pesticide regulation.

## 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 interval. 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 24 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:

- Coveralls
- Chemical-resistant gloves made of waterproof material
- Shoes plus socks

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## STORAGE AND DISPOSAL

Do not contaminate water, 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, invert to prevent leakage. If container is leaking or material spilled for any reason or cause, carefully dam up spilled material to prevent runoff. Refer to Precautionary Statements on label for hazards associated with the handling of this material. Do not walk through spilled material. Absorb spilled material with absorbing type compounds and dispose of as directed for pesticides 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 number 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 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 by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

## GENERAL INFORMATION

ABSOLUTE™ 500 SC Fungicide is a broad spectrum fungicide for the control of certain diseases of peanut and grasses grown for seed. ABSOLUTE 500 SC works by interfering with both energy and cell membrane production by plant pathogenic fungi.

UNDER CERTAIN CONDITIONS CONDUCTIVE TO EXTENDED INFECTION PERIODS, ADDITIONAL FUNGICIDE APPLICATIONS BEYOND THE NUMBER ALLOWED BY THIS LABEL MAY BE NEEDED. UNDER THESE CONDITIONS, USE ANOTHER FUNGICIDE REGISTERED FOR THE CROP/DISEASE.

## RESISTANCE MANAGEMENT

The active ingredients in ABSOLUTE 500 SC belong to two different chemistry classes.

Tebuconazole belongs to the DMI (Group 3) class of chemistry which exhibits no known cross resistance to other chemical classes. Tebuconazole may exhibit cross resistance to other Group 3 fungicides, such as propiconazole and myclobutanil.

Trifloxystrobin belongs to the QoI (Group 11) class of chemistry which exhibits no known cross-resistance to other chemical classes. Trifloxystrobin does exhibit cross-resistance to other Group 11 fungicides, such as azoxystrobin, pyraclostrobin, and kresoxim-methyl. The NA-QoI Working Group has established the following general guidelines for the maximum number of applications of a Group 11-containing fungicide. In addition to that, the maximum number of applications may be restricted to a specific limit on a particular crop. (see crop specific recommendations). Follow the specific crop recommendations that limit the total number of sprays on a crop and the required alternations with fungicides from other resistance management groups. In situations requiring multiple fungicide sprays, develop season-long spray programs for Group 11 containing fungicides. In programs in which pre-mixes of a Group 11 fungicide with a fungicide of another Group are utilized, the number of Group 11 fungicide QoI-containing applications should be no more than 1/2 of the total number of fungicide applications per season.

Fungal pathogens are known to develop resistance to products with the same mode of action when used repeatedly. Because resistance development cannot be predicted, the use of this product should conform to resistance management strategies established for the crop and use area. Such strategies may include rotating and/or tank mixing with products having different modes of action or limiting the total number of applications per season. Bayer CropScience encourages responsible resistance management to ensure effective long-term control of the fungal diseases on this label.

## SPRAY EQUIPMENT

Thorough coverage is necessary to provide good disease control. Applications using sufficient water volume to provide thorough and uniform coverage generally provide the most effective disease control. For ground application equipment, a minimum of 10 gal./A is recommended. For aerial application equipment, a minimum of 5 gal./A is recommended.

### Broadcast Ground Sprayers

Equip sprayers with nozzles that provide accurate and uniform application. Be certain that nozzles are the same size and uniformly spaced across the boom. Calibrate the sprayer before use.

Use a pump with the capacity to: (1) maintain a minimum of 35 psi at nozzles, and (2) provide sufficient agitation in the tank to keep the mixture in suspension – this requires recirculation of 10% of the tank volume per minute. Use jet agitators or a liquid sparge tube for vigorous agitation.

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Use screens to protect the pump and to prevent nozzles from clogging. Screens placed on the suction side of the pump should be 16-mesh or coarser. Do not place a screen in the recirculation line. Use 50-mesh screens at the nozzles. Check nozzle manufacturer's recommendations.

For information on spray equipment and calibration, consult sprayer manufacturer's and/or state recommendations. For specific local directions and spray schedules, consult the current state agricultural experiment station recommendations.

#### **AERIAL APPLICATION**

Avoid application under conditions when uniform coverage cannot be obtained or when excessive spray drift may occur. Do not apply directly to humans or animals. Not registered for aerial application in New York State.

#### **CHEMIGATION**

Do not apply this product through any type of irrigation system.

#### **MIXING PROCEDURES**

Prepare no more spray mixture than is needed for the immediate operation. Thoroughly clean spray equipment before using this product. Vigorous agitation is necessary for proper dispersal of the product. Maintain maximum agitation throughout the spraying operation. Do not let the spray mixture stand overnight in the spray tank. Flush the spray equipment thoroughly following each use and apply the rinsate to a previously treated area.

**ABSOLUTE 500 SC Fungicide Alone:** Add approximately 1/2 of the required amount of water to the mix tank. With the agitator running, add the ABSOLUTE to the tank. Continue agitation while adding the remainder of the water. Begin application of the solution after the ABSOLUTE has completely and uniformly dispersed into the mix water. Maintain agitation until all of the mixture has been applied.

**ABSOLUTE 500 SC Fungicide + Tank Mix Partners:** Add approximately 1/2 of the required amount of water to the mix tank. Start the agitator running before adding any tank-mix partners. In general, tank-mix partners should be added in this order: products packaged in watersoluble packaging\*, wettable powders, wettable granules (dry flowables), liquid flowables such as ABSOLUTE, liquids, and emulsifiable concentrates. Always allow each tank-mix partner to become fully and uniformly dispersed before adding the next product. Provide sufficient agitation while adding the remainder of the water. Maintain agitation until all of the mixture has been applied.

\* Note: When using ABSOLUTE 500 SC in tank mixtures, all products in water-soluble packaging should be added to the tank before any other tank-mix partner, including ABSOLUTE 500 SC. Allow the water-soluble packaging to completely dissolve and the product(s) to completely disperse before adding any other tank-mix partner to the tank. If using ABSOLUTE 500 SC in a tank mixture, observe all directions for use, crop/sites, use rates, dilution ratios, precautions, and limitations which appear on the tank-mix partner product label. No label dosage rate should be exceeded, and the most restrictive label precautions and limitations should be followed. This product must not be mixed with any product which prohibits such mixing. Tank mixtures or other applications of products referenced on this label are permitted only in those states in which the referenced products are registered.

ABSOLUTE 500 SC is compatible with most insecticide, fungicide, and foliar nutrient products. However, the physical compatibility of ABSOLUTE 500 SC with tank-mix partners should be tested before use. To determine the physical compatibility of ABSOLUTE 500 SC with other products, use a jar test, as described below.

Using a quart jar, add the proportionate amounts of the products to 1 qt. of water. Add wettable powders and water-dispersible granular products first, then liquid-flowables, and emulsifiable concentrates last. After thoroughly mixing, let stand for at least 5 minutes. If the combination remains mixed or can be remixed readily, it is physically compatible. Once compatibility has been proven, use the same procedure for adding required ingredients to the spray tank.

The crop safety of all potential tank mixes including additives and other pesticides on all crops has not been tested. Before applying any tank mixture not specifically recommended on this label, the safety to the target crop should be confirmed. To test for crop safety, apply ABSOLUTE 500 SC Fungicide to the target crop in a small area and in accordance with label instructions for the target crop.

#### **RECOMMENDATIONS TO AVOID SPRAY DRIFT**

Do not make applications when conditions favor drift beyond the target application area. When drift may be a problem, take measures to reduce drift, including:

1. Do not spray if wind speeds are or become excessive. Do not spray if wind speed is 15 mph or greater. If nontarget crops are located downwind, use caution when spraying if wind is present. Do not spray if winds are gusty.
2. Use caution when conditions are favorable for drift (high temperatures, drought, low relative humidity).
3. Do not apply when a temperature inversion exists. If inversion conditions are suspected, consult with local weather services before making an application.

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**USE DIRECTIONS FOR SPECIFIC CROPS**

| <b>Grasses Grown For Seed (Northwest U.S. only)</b>  |                                |   |   |
|--|--------------------------------|---|---|
| <b>Diseases Controlled</b>   | <b>Rate<br/>(fl. oz./acre)</b> | <b>Application Timing</b>   | <b>Notes</b>  |
| Rust<br>( <i>Puccinia</i> spp.)<br><br>Powdery Mildew<br>( <i>Erysiphe graminis</i> )  | 5 to 7.7                       | Begin applications when rust and powdery mildew infections are noticeable and beginning to increase in number. Continue applications on a 21 day application interval | Continue applications if favorable conditions for disease development persist. Use higher rates when disease pressure is severe.<br><br>Most bluegrass has little resistance to rust or powdery mildew. It is important to begin applications early in the growing season for bluegrass and other more susceptible species.<br><br>Apply ABSOLUTE 500 SC in a minimum of 20 gallons per acre for ground application, or in a minimum of 10 gallons per acre for aerial application. |
| <p><b>Restrictions:</b> Do not apply more than 32 oz. of ABSOLUTE 500SC per acre per season. Do not apply more than 2 sequential applications of Absolute or other Group 11 containing fungicide without alternation to at least 2 applications of a fungicide from a different (not Group 11) mode of action.</p> <p>For optimum performance, the lowest recommended rate of a spray surfactant containing methylated seed oil, or other equivalent oil based product, should be tank mixed with ABSOLUTE 500SC.</p> <p>Do not apply within 4 days of harvest. Do not forage or cut green crop for feed purposes. Chaff, screenings, and straw from treated areas may be used for feed purposes, but do not use seed for feed purposes. Regrowth may be grazed starting 17 days after the last application of Absolute 500SC.</p> |                                |   |   |

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ABSOLUTE 500 SC Fungicide provides control or suppression of several important diseases of peanut. When reference is made to disease suppression, suppression can mean either erratic control from good to fair, or consistent control at a level below that obtained with the best commercial disease control products.

| PEANUTS   |  |   |   |
|---|--|---|---|
| Disease Control   | Rate fl. oz./Acre                          | Application Timing  | Notes   |
| Early Leaf Spot<br><i>(Cercospora arachidicola)</i><br><br>Late Leaf Spot<br><i>(Cercosporidium personatum)</i><br><br>Rust<br><i>(Puccinia arachidis)</i><br><br>Web Blotch<br><i>(Phoma arachidicola)</i>   | 3.5  | Begin applications when conditions are favorable for diseases but before infection.   | Apply on a 10 to 14-day spray schedule. Use the shorter intervals when disease pressure is severe.  |
| White mold<br><i>(Sclerotium rolfsii)</i>   | 3.5<br>+<br>5.2 fl. oz./A<br>Folicur.3.6 F | <b>Folicur tank-mix</b> - Begin applications when conditions are favorable for diseases, typically within timings 3 - 6 in a seven spray program. | This Folicur tank-mix, when part of a Folicur four block program, will also provide protection against <b>Rhizoctonia limb rot</b> .      |
| Limb Rot<br><i>(Rhizoctonia solani)</i>   | 7.0  | Begin applications when conditions are favorable for diseases, typically within timings 3 - 6 in a seven spray program.                           | In the southeast, applications at approximately 90 and 104 days after planting may be the most effective timings for control of limb rot. |
| <b>Restrictions</b><br>Do not exceed more than 4 total applications of ABSOLUTE 500 SC per season. Do not apply ABSOLUTE 500 SC within 14 days of harvest. If 4 or less total fungicide sprays are planned then alternate each application of ABSOLUTE 500 SC with a non Group 11 containing fungicide. If 5 or more fungicide sprays are planned use a maximum of 2 consecutive applications of ABSOLUTE 500 SC alternated with at least 2 applications of a non Group 11 containing fungicide before returning to another Group 11 fungicide. To limit development of disease resistance do not apply a Group 11 containing fungicide for more than 1/2 of the seasonal sprays.<br><br>Do not feed hay or threshings or allow livestock to graze in treated area. |  |   |   |

**ROTATIONAL RESTRICTIONS**

Treated areas may be replanted immediately following harvest with any crop listed on this label. For crops not listed on this label, do not plant back within 120 days of last application.

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**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: 2.5 Gallons**

**ACCEPTED  
with COMMENTS  
in EPA Letter Dated  
NOV 15 2007**  
**Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
as amended, for the pesticide  
registered under EPA Reg. No.**

264-849



**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)**

**ABSOLUTE 500 SC Fungicide (PENDING) 05/25/07**