

264-982

07/15/2005

1/5



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

 United States <b>Environmental Protection Agency</b> Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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**Application for Pesticide - Section I**

1. Company/Product Number 264-982	2. EPA Product Manager L. Arrington	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Protege-FL Seed Applied Fungicide	PM# Notifications	
5. Name and Address of Applicant (Include ZIP Code) Bayer CropScience 1400 Preston Road, Suite 400 Plano, Texas 75093 <input type="checkbox"/> Check if this is a new address		6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____  Product Name _____

**NOTIFICATION**

**Section - II**

<input type="checkbox"/> Amendment - Explain below.	JUL - 5 2005	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____		<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.		<input type="checkbox"/> Other - Explain below.

**Explanation:** Use additional page(s) if necessary. (For section I and Section II.)

Notification to change form Gustafson to Bayer CropScience emergency phone numbers and warranty statement.  
 Formerly 7501-188.

\*This notification is consistent with the provisions of PR Notices 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.\*

*Dennis McFadden*

**Section - III**

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____	
* Certification must be submitted		If "Yes" Unit Packaging wgt.    No. per container	If "Yes" Package wgt    No. per container		
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph Paper glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other _____					

**Section - IV**

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)			
Name Dennis McFadden	Title Reg. Mgr. - Seed Treatment Products	Telephone No. (Include Area Code) 972-985-8877	
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.			6. Date Application Received  (Stamped)
2. Signature <i>Dennis McFadden</i>		3. Title Reg. Mgr. - Seed Treatment Products	
4. Typed Name Dennis McFadden		5. Date 6/15/05	

# PROTÉGÉ™-FL *change added* Seed Applied Fungicide

NOTIFICATION

JUL 5 2005

Broad spectrum fungicide for control of plant diseases

**ACTIVE INGREDIENT:**

Azoxystrobin: methyl (E)-2-[2-[6-(2-cyanophenoxy)pyrimidin-4-yloxy]phenyl]-3-methoxyacrylate\* ..... 21.51%

INERT INGREDIENTS: ..... 78.49%

TOTAL 100.00%

\*IUPAC

EPA Reg. No. 264-982

EPA Est.

## KEEP OUT OF REACH OF CHILDREN WARNING

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>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• Do not give anything to an unconscious person.</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 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>
<b>IF ON SKIN OR CLOTHING:</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>
<p>In case of emergency call toll free the Bayer CropScience Emergency Response Telephone No. 1-800-334-7577. Have the product container or label with you when calling a poison control center or doctor, or going for treatment.</p>	

**PRECAUTIONARY STATEMENTS****WARNING****HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

May be fatal if inhaled. Harmful if swallowed. Do not breathe vapors. Do not get in eyes, on skin or on clothing. Wash thoroughly with soap and water after handling.

**PERSONAL PROTECTIVE EQUIPMENT (PPE)**

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category E on an EPA chemical resistance category selection chart.

**Applicators and other handlers must wear:** Long-sleeved shirt and long pants, chemical-resistant gloves, such as barrier laminate or nitrile rubber >14 mils or neoprene rubber >14 mils or Viton >14 mils, and shoes plus socks. 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.

**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 PPE 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**

The active ingredient, Azoxystrobin, in this product can be persistent for several months or longer. Azoxystrobin has degradation products which have properties similar to chemicals which are known to leach through soil to ground water under certain conditions as a result of agricultural use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow may result in ground water contamination.

This pesticide is toxic to freshwater and estuarine/marine fish and aquatic invertebrates. Drift and runoff may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment washwater or rinsate.

## DIRECTIONS FOR USE

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

Not for use on agricultural establishments in hopper box, planter-box, slurry-box or other seed treatment applications at or immediately before planting.

## STORAGE AND DISPOSAL

### PROHIBITIONS

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

### STORAGE

Store in original container only. Keep container closed when not in use. Do not store near food or feed. In case of spill on floor or paved surfaces, mop and remove to chemical waste storage area until proper disposal can be made if product cannot be used according to the label.

### PESTICIDE DISPOSAL

Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

### CONTAINER DISPOSAL

Contact Bayer CropScience or your chemical supplier for container return instructions. If container is not returned in accordance with instructions, triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill or alternatives allowed by State and local authorities.

**CONTAINER IS NOT SAFE FOR FOOD, FEED OR DRINKING WATER.**

## 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 4 hours. Exception if the seed is treated with the product and the treated seed is soil-injected or soil-incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated. 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, such as barrier laminate or nitrile rubber >14 mils, or neoprene rubber >14 mils or Viton >14 mils, and shoes plus socks.

## SEED LABELING

To meet U.S. *Federal Seed Act* requirements, all seed treated with PROTÉGÉ-FL Seed Applied Fungicide should be labeled:

- TREATED SEED. DO NOT USE FOR FOOD, FEED OR OIL PURPOSES.
- Treated with methyl (E)-2-[6-(2-cyanophenoxy)pyrimidin-4-yl]oxy]phenyl]-3-methoxyacrylate (PROTÉGÉ).

## GENERAL INFORMATION

PROTÉGÉ-FL Seed Applied Fungicide is a broad spectrum, preventative fungicide with systemic properties recommended for the control of many important plant diseases.

## GENERAL USE PRECAUTIONS

Crops on this label may be planted immediately after last treatment. Do not plant other crops within 45 days after previous planting.

## USE PRECAUTION

When using formulations that do not contain dye, to comply with 40 CFR 153.155, all seed treated with an economic poison must be colored to distinguish and prevent subsequent inadvertent use as a food for man or feed for animals.

## APPLICATION

Apply PROTÉGÉ-FL Seed Applied Fungicide at the recommended rate, using standard slurry or mist-type seed treatment equipment. Uniform application to seed is necessary to ensure seed safety and best disease protection. Seed should be sound and well cured prior to treatment. Product should be diluted with sufficient water to ensure complete seed coverage. Consult your Bayer CropScience technical representative regarding slurry rates recommended for the crop to be treated with PROTÉGÉ-FL Seed Applied Fungicide. It is recommended that PROTÉGÉ-FL Seed Applied Fungicide be combined with a *Pythium*-active seed treatment product, such as ALLEGIANCE®-FL Seed Treatment Fungicide to offer broad spectrum protection against the seed and seedling disease complex (*Rhizoctonia spp.* and *Pythium spp.*)

**Cotton:**

For systemic seed and seedling protection against seedborne fungi causing seed decay and the soilborne pathogen, *Rhizoctonia solani* inciting seedling damping-off, apply 0.20 – 0.53 fl.oz./cwt of seed. For *Pythium* seed rot and damping-off, apply Allegiance-FL as a seed treatment at the rate of 0.75 – 1.5 fl.oz./cwt of seed to enhance broad spectrum protection.

**Soybean:**

For systemic protection against seedborne fungal pathogens causing seed decay and the soilborne fungus, *Rhizoctonia solani* causing seedling damping-off, apply 0.20 – 0.27 fl.oz./cwt. of seed. For *Pythium* protection, a reduced rate application of Allegiance-FL (0.2 – 0.375 fl.oz. cwt of seed) may be used. Apply Allegiance-FL at 0.75 fl.oz./cwt. of seed for *Pythium* protection of seed being planted into soils known to have a history of severe *Pythium* pressure. For early season *Phytophthora* control, apply Allegiance-FL as a seed treatment at the rate of 0.75 fl.oz./cwt. of seed

4/5

**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.

Treatment of highly mechanically damaged seed, or seed of known low vigor and poor quality, may result in reduced germination and/or reduction of seed and seedling vigor. Treat and conduct germination tests on a small portion of seed before committing the total seed lot to a selected chemical treatment. Due to seed quality conditions beyond the control of Bayer CropScience, no claims are made to guarantee germination of carry-over seed.

**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 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.

**NOTICE TO BUYER**

Purchase of this material does not confer any rights under patents governing this product or the use thereof in countries outside of the United States.

**NET CONTENTS:** 1 Gallon

PROTÉGÉ is a registered trademark of Syngenta Crop Protection Inc.  
ALLEGIANCE is a registered 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)

SJS



May 27, 2005

Linda Arrington, Notifications  
Office of Pesticide Programs  
Document Processing Desk (NOTIF)  
Room 266A, Crystal Mall 2  
1801 S. Bell St.  
Arlington, VA 22202

Subject: Protégé-FL Seed Applied Fungicide, 264-982 (Formerly 7501-188)

Dear Ms. Arrington,

We are submitting a notification to change from Gustafson to Bayer CropScience emergency phone numbers and warranty statement.

Sincerely,

Dennis McFadden

Reg. Mgr. – Seed Treatment Products