

264-989

10-13-2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

OCT 13 2009

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

Subject: Trifloxystrobin Flowable Fungicide  
EPA Reg. No. 264-989  
Amended Labeling  
EPA Decision Number 418252  
Your Application Dated 2/12/09

Dear Mr. Tolliver:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act as amended is acceptable.

One copy of the label stamped "Accepted" is enclosed for your records. This label supersedes all labels previously accepted for this product. Please submit one copy of the final printed label before the product is released for shipment.

If you have any questions, please contact Janet Whitehurst by phone at (703) 305-6129 or via email at [whitehurst.janet@epa.gov](mailto:whitehurst.janet@epa.gov).

Sincerely,

A handwritten signature in cursive script that reads "Janet Whitehurst".

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

Enclosure

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# TRIFLOXYSTROBIN Flowable Fungicide

**ACTIVE INGREDIENT:**

Trifloxystrobin.....22%

**OTHER INGREDIENTS:** .....78%

**TOTAL** 100%

EPA Reg. No. 264-989

EPA Est.

## 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 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>
<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 by mouth to an unconscious person.</li> </ul>
<p>In case of emergency call toll free the Bayer CropScience Emergency Response Telephone No. 1-800-334-7577. Have the product label with you when calling a poison control center or doctor, or going for treatment.</p>	

### PRECAUTIONARY STATEMENTS

#### CAUTION

#### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

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.

#### 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 C on an EPA chemical resistance category selection chart.

**Applicators and other handlers must wear:** Long-sleeved shirt and long pants, socks plus shoes, chemical-resistant gloves, made of any waterproof material, such as barrier laminate >14 mils, butyl rubber >14 mils, nitrile rubber >14 mils, neoprene rubber >14 mils, polyvinyl chloride >14 mils and Viton >14 mils and protective eyewear.

**Engineering Controls:** When handlers use closed systems 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. Users should 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. Do not contaminate water when disposing of equipment washwaters. Cover or incorporate spilled treated seeds, complying with any regulations.

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## DIRECTIONS FOR USE

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

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.

### STORAGE AND DISPOSAL

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

#### PESTICIDE STORAGE

Store in a cool dry location.

#### 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

Rigid, Non-refillable containers small enough to shake (i.e., with capacities equal to or less than 5 gallons).

Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Triple rinse or pressure rinse container (or equivalent) promptly after emptying.

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

Once container is rinsed, offer for recycling if available, 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.

Rigid Non-refillable containers that are too large to shake (i.e., with capacities greater than 5 gallons).

Non-refillable container. Do not reuse or refill this container. After emptying product from container, contact Bayer CropScience Customer Service Center (1-800-527-4781) with return authorization for container return instructions. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Once container is rinsed, offer for recycling if available 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.

### 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 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: Coveralls, chemical-resistant gloves made of any waterproof material, such as barrier laminate >14 mils, butyl rubber >14 mils, nitrile rubber >14 mils, neoprene rubber >14 mils, polyvinyl chloride (PVC) >14 mils and Viton >14 mils, shoes plus socks and protective eyewear.

### LABELING OF TREATED SEED

Seed commercially treated with TRIFLOXYSTROBIN Flowable Fungicide must be labeled in accordance with all applicable requirements of the Federal Seed Act. All bags containing treated seed must be labeled or tagged as follows:

- This seed has been treated with trifloxystrobin.
- Do not use for feed, food or oil processing.
- Store away from feeds and other foodstuffs.

### GENERAL INFORMATION

TRIFLOXYSTROBIN Flowable Fungicide provides seed and seedling protection against seedborne fungi causing seed decay and soilborne pathogens, *Rhizoctonia solani* and *Fusarium* spp. Apply as a seed treatment using standard slurry or mist-type seed treatment equipment. Uniform application of 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 a seed treatment specialist regarding slurry rates recommended for the crop to be treated with TRIFLOXYSTROBIN Flowable Fungicide. The length of control will vary depending on the rate used.

### USE RESTRICTION

Do not use treated seed for food, feed, or oil processing.

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## 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 it and prevent subsequent inadvertent use as a food for man or feed for animals.

**Canola, cotton, Cucurbit vegetable group, Fruiting vegetable group, Field corn, Mustardseed, Rapeseed, Popcorn, Rice, Sorghum, Sugar beet, Wheat, Potato (seed-piece), Peanut, Turf grass, Conifer, and Ornamental flowers:**

Apply at a product rate of 0.32 – 0.64 fl.oz. per 100 lbs. of seed.

**Soybean, Adzuki Bean, Asparagus Bean, Broad Bean (Succulent or Dry), Catjang Bean, Chinese Longbean, Field Bean, Guar Bean, Jackbean, Kidney Bean, Lablab Bean, Lima Bean (Succulent or Dry), Moth Bean, (Succulent or Dry), Mung Bean, Navy Bean, Pinto Bean, Rice Bean, Runner Bean, Snap Bean, Sword Bean, Tepary Bean, Urd Bean, Wax Bean, Yardlong Bean, Blackeyed Pea (Succulent or Dry), Chickpea, Cowpea (Succulent or Dry), Crowder Pea, Dwarf Pea, Edible-Pod Pea, English Pea, Field Pea, Garden Pea, Green Pea, Pigeon Pea (Succulent or Dry), Snow Pea, Southern Pea (Succulent or Dry), Sugar Snap Pea, Grain Lupin, Sweet Lupin, White Sweet Lupin, Lentil:**

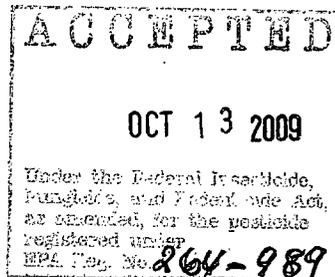
Apply at a product rate of 0.32 fl. Oz. per 100 lbs. of seed.

**Sweet Corn:**

Apply at a product rate of 0.32 – 0.96 fl. Oz. per 100 lbs. of seed.

## ROTATIONAL CROP RESTRICTION

Areas planted with treated seed may be replanted immediately with any crop for which a tolerance exists for trifloxystrobin. Do not plant any crop without trifloxystrobin tolerances until 30 days after planting trifloxystrobin treated seed.



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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.

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 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 LP. All such risks shall be assumed by the user or buyer.

**DISCLAIMER OF WARRANTIES:** TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE LP 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 LP 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 LP 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 LP'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:



**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 FLOWABLE FUNGICIDE (PENDING) Submitted 02/04/09