



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

SEP 27 2010

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

Mr. Melvin K. Tolliver  
Product Registration  
Bayer CropScience LP  
P.O. Box 12014  
2T.W Alexander Drive  
Research Triangle Park, NC 27709

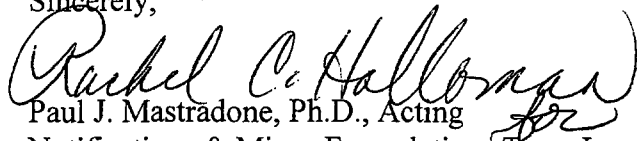
SUBJECT: Application for Pesticide Notification (PRN 98-10)  
Request General Label Change/Add Various Pest Diseases Controlled  
EPA Reg. No. 264-989  
Application Dated September 3, 2010

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 09/23/10 for the above product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. Tony Kish (PM-22) concurred with this action. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-5335 or Owen F. Beeder of my staff at 703-308-8899.

Sincerely,

  
Paul J. Mastradone, Ph.D., Acting  
Notifications & Minor Formulations Team Leader  
Registration Division (7505P)  
Office of Pesticide Programs

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0080. Approval expires 2-28-95

	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 264-989	2. EPA Product Manager Tony Kish	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Trifloxystrobin Flowable Fungicide	PM# Team 22	
5. Name and Address of Applicant (Include ZIP Code) Bayer CropScience LP P.O. Box 12014, 2 T.W. Alexander Drive Research Triangle Park, NC 27709 <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 _____

### Section - II

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

**SEP 27 2010**

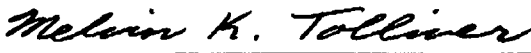
**Explanation:** Use additional page(s) if necessary. (For section I and Section II.)

Notification of adding a pest per PR Notice 98-10. See attached for explanation.

### Section - III

1. Material This Product Will Be Packaged In:					
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	2. Type of Container <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 <input type="checkbox"/> _____	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> 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 Melvin K. Tolliver	Title Registration Product Manager, Fungicides	Telephone No. (Include Area Code) (919) 548-2631
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 	3. Title Registration Product Manager, Fungicides	
4. Typed Name Melvin K. Tolliver	5. Date September 3, 2010	

Trifloxystrobin Flowable Fungicide  
EPA Reg. No. 264-989

Section II - Continued

Trifloxystrobin Flowable Fungicide is currently registered as a seed treatment for control of various diseases infecting a number of crops. With this application form, we are notifying the Agency that we are adding claims for control of the following additional diseases: *Alternaria* spp., *Aspergillus* spp, *Cladosporium* spp., and *Penicillium* spp.

As required by PR Notice 98-10 we are enclosing one copy of draft labeling, dated September 1, 2010, in which the disease *Alternaria* spp., *Aspergillus* spp, *Cladosporium* spp., and *Penicillium* spp are highlighted in yellow. In addition, we are also enclosing two copies of final printed labeling. There are no other changes in the currently registered label.

This notification is consistent with the provision of PR Notice 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.

# Bayer CropScience



Document Processing Desk (NOTIF)  
Office of Pesticide Programs (7504P)  
U.S. Environmental Protection Agency  
Room S4900  
One Potomac Yard  
2777 S. Crystal Drive  
Arlington, VA 22202

September 3, 2010

Bayer CropScience  
2 T.W. Alexander Drive  
P. O. Box 12014  
RTP, NC 27709  
Phone: (919) 549-2000

Subject: Trifloxystrobin Flowable Fungicide, EPA Reg. No. 264-989  
Notification to Add Pests per PR Notice 98-10

Dear Sir/Madam:

Trifloxystrobin Flowable Fungicide is currently registered as a seed treatment for control of various diseases infecting a number of crops. With this application form, we are notifying the Agency that we are adding claims for control of the following additional diseases per PR Notice 98-10: *Alternaria* spp., *Aspergillus* spp., *Cladosporium* spp., and *Penicillium* spp.

Since this is a notification, no PRIA fee is required.

If you have any questions or need additional information, please contact me by phone at (919) 549-2631 or by e-mail at [mel.tolliver@bayercropscience.com](mailto:mel.tolliver@bayercropscience.com).

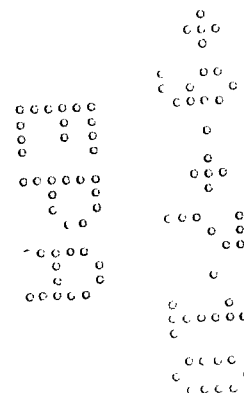
Sincerely,

*Melvin K. Tolliver*

Melvin K. Tolliver  
Registration Product Manager, Fungicides

Enclosure:

1. EPA application form 8570-1
2. Draft labeling, dated 09/01/10, with changes highlighted in yellow
3. Final Printed labeling (two copies)



SEP 27 2010

# 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>

**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.**

### 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.

## 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 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 container is leaking, invert to prevent leakage. If the container is leaking or material is 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 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 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.

**Rigid Non-refillable containers that are too large to shake (i.e., with capacities greater than 5 gallons or 50 lbs)**

Non-refillable containers - Do not reuse or refill this container. After emptying product from container, either return container to Bayer CropScience per instructions from Bayer CropScience Customer Service Center (1-800-527-4781), or rinse and either recycle or dispose of the container as follows:

Bottom Discharge IBC (e.g. - Schuetz Caged IBC or Snyder Square Stackable)

Pressure rinsing the container before final disposal is the responsibility of the person disposing of the container. To pressure rinse the container before final disposal, empty the remaining contents from the IBC into application equipment or mix tank. Raise the bottom of the IBC by 1.5 inches on the side which is opposite of the bottom discharge valve to promote more complete product removal. Completely remove the top lid of the IBC. Use water pressurized to at least 40 PSI to rinse all interior portions. Continuously pump or drain rinsate into application equipment or rinsate collection system while pressure rinsing. Continue pressure rinsing for 2 minutes or until rinsate becomes clear. Replace the lid and close bottom valve.

Top Discharge IBC, Drums, Kegs (e.g.- Snyder 120 Next Gen, Bonar B120, Drums, and Kegs).

Triple rinsing the container before final disposal is the responsibility of the person disposing of the container. To triple rinse the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container at least 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Rinse all interior surfaces. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this procedure two more times.

Once container is rinsed, offer for recycling if available or puncture and dispose of in a sanitary landfill.

### Refillable Containers

Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. After emptying product from container, either return container to Bayer CropScience per instructions from Bayer CropScience Customer Service Center (1-800-527-4781) or rinse and either recycle or dispose of the container as follows:

#### Bottom Discharge IBC (e.g. – Schuetz Caged IBC or Snyder Square Stackable)

Pressure rinsing the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To pressure rinse the container before final disposal, empty the remaining contents from the IBC into application equipment or mix tank. Raise the bottom of the IBC by 1.5 inches on the side which is opposite of the bottom discharge valve to promote more complete product removal. Completely remove the top lid of the IBC. Use water pressurized to at least 40 PSI to rinse all interior portions. Continuously pump or drain rinsate into application equipment or rinsate collection system while pressure rinsing. Continue pressure rinsing for 2 minutes or until rinsate becomes clear. Replace the lid and close bottom valve.

#### Top Discharge IBC, Drums, Kegs (e.g. – Snyder 120 Next Gen, Bonar B120, Drums, and Kegs).

Triple rinsing the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To triple rinse the containers before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container at least 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Rinse all interior surfaces. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this procedure two more times.

Once container is rinsed, offer for recycling if available or puncture and dispose of in a sanitary landfill.

### Refillable Containers

End users are authorized to remove tamper evident cables as required to remove the product from the container unless the container is equipped with one way valves and refilling or returning is planned. If this is the case, end users are not authorized to remove tamper evident cables, one way valves or clean container. See Container Disposal instructions under Storage and Disposal.

## 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, *Alternaria* spp., *Aspergillus* spp., *Cladosporium* spp., and *Penicillium* spp. 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.

## 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.

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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.

**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:**

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 FLOWABLE FUNGICIDE (MASTER) Approved 07/01/10, Notification 09/01/10