

264-998

1/7/2013

1/6



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

OFFICE OF CHEMICAL SAFETY  
REGISTRATION DIVISION  
**NOTIFICATION**  
POLLUTION PREVENTION

JAN 07 2013

Ms Jessica Fernandez  
Bayer CropScience LP  
2 T.W. Alexander Drive  
Research Triangle Park, NC 27709

Subject: Notification for Label Change per PRN 98-10: Add the Required California Proposition 65 statement to the label  
Submission date: 12/6/2012  
Product Name: Four Way Peanut Seed Treatment Fungicide  
EPA Reg. No. 264-998  
Decision Number 473252

Dear Registrant:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated 12/6/2012 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. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have questions concerning this letter, please call Banza Djapao at 703-305-7269 or via email at [djapao.banza@epa.gov](mailto:djapao.banza@epa.gov), or you may call me at 703-308-9443.

Sincerely,

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

Tony Kish  
Product Manager 22  
Fungicide Branch  
Registration Division (7504P)



United States  
Environmental Protection Agency  
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

### Application for Pesticide - Section I

1. Company/Product Number 264-998	2. EPA Product Manager Tony Kish	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Four Way Peanut Seed Treatment Fungicide	PM# 22	
5. Name and Address of Applicant (Include ZIP Code) Bayer CropScience LP 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"/> 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, per PR Notice 98-10: As required by California Proposition 65 the following statement has been added to the label on page 3, "This product contains chemicals known to the state of California to cause developmental or reproductive harm". This notification is consistent with the provisions 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.

### 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	If "Yes" Unit Packaging wgt.    No. per 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" 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 <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 Jessica Fernandez	Title Registration Manager	Telephone No. (Include Area Code) 919-349-2631

#### Certification

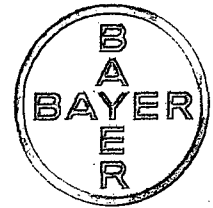
I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

6. Date Application Received (Stamped)

2. Signature 	3. Title Registration Manager
4. Typed Name Jessica Fernandez	5. Date December 6, 2012

3/6

# Bayer CropScience



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

December 6, 2012

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

Re: Four Way Peanut Seed Treatment Fungicide, EPA Reg. No. 264-998: Amendment by Notification (per PR Notice 98-10) to Add the Required California Proposition 65 Statement to the Label.

To Whom It May Concern:

As allowed by PR Notice 98-10, we are notifying the Agency of a minor labeling amendment for Four Way Peanut Seed Treatment Fungicide (EPA Reg. No. 264-998). As required by California Proposition 65, the following statement has been added to the label: "This product contains a chemical known to the state of California to cause developmental or reproductive harm."

"This notification is consistent with the provisions 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 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."

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

Sincerely,

Jessica Fernandez  
Registration Manager

Handwritten initials and marks on the right side of the page, including several sets of "J" and "F" characters and other scribbles.

JAN 07 2013

# Four Way Peanut Seed Treatment Fungicide

For Use Only By Commercial Seed Treators

**ACTIVE INGREDIENTS:**

Captan (N-trichloromethylthio-4-cyclohexene-1,2-dicarboximide) .....	49.0%
Related Derivatives .....	1.0%
Trifloxystrobin .....	2.0%
Thiophanate-methyl .....	13.6%
Metalaxyl .....	0.8%
<b>OTHER INGREDIENTS:</b> .....	<b>33.6%</b>
<b>TOTAL:</b> .....	<b>100.00%</b>

EPA Reg. No. 264-998

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>
<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>	

### PRECAUTIONARY STATEMENTS

#### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

##### CAUTION

Causes moderate eye irritation. Avoid contact with eyes 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 A on an EPA chemical resistance category selection chart.

**Applicators and other handlers must wear:** Long-sleeved shirt and long pants, socks and shoes, chemical-resistant gloves made of any waterproof material such as nitrile rubber, butyl rubber, or Viton and protective eyewear. 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. Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change 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 in accordance with local regulations.

## DIRECTIONS FOR USE

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

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

### USE RESTRICTION

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

### LABELLING OF TREATED SEED

Seed commercially treated with Four Way Peanut Seed Treatment 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 the pesticides, captan, trifloxystrobin, thiophanate-methyl, and metalaxyl.
- Do not use for feed, food or oil processing.
- Store away from feeds and foodstuffs.
- Seed that has been treated with this product must also contain the following labeling:
- "This bag contains seed treated with captan. Persons opening this bag or loading/pouring the treated seed must wear long-sleeved shirt, long pants, shoes, socks, and chemical-resistant gloves."

### APPLICATION INFORMATION

Four Way Peanut Seed Treatment Fungicide is a special formulation developed for dry application to peanut seed. It is used for protection against seedborne and soilborne fungi causing seed rots and seedling blights, including *Rhizoctonia solani*, *Pythium spp.*, *Rhizopus spp.*, *Fusarium spp.*, *Aspergillus spp.*, seedborne *Cylindrocladium* black rot (CBR), and seedborne *Sclerotinia* and fungi causing seed decay.

### Peanuts

Use 4-5 ounces per 100 pounds of seed. Apply with a standard commercial treating machine designed for dry formulations that provides uniform coverage to seed.

## STORAGE AND DISPOSAL

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

### PESTICIDE STORAGE

Store in cool, dry location.

### 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

Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available or offer for reconditioning, if appropriate. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. Do not reuse container. Dispose of liner in a sanitary landfill or by incineration if allowed by State and local authorities. If drum is contaminated and cannot be reused, dispose of in the same manner.

**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. To the extent allowed by law, 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. TO THE EXTENT ALLOWED BY 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:** 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.

This product contains chemicals known to the state of California to cause cancer and developmental or reproductive harm.

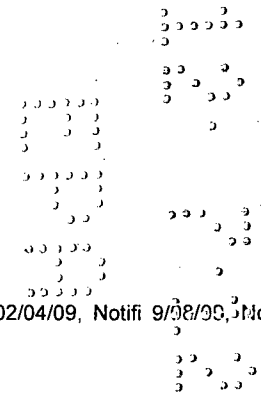
**NET CONTENTS:**

**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)**



Four Way Peanut Seed Treatment Fungicide (PENDING) Approved 07/01/05, Notif 02/06/06, Notif 02/04/09, Notifi 9/08/00, Motifi 11/29/12