

264-999

04-24-2009

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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES
OFFICE OF PESTICIDE PROGRAMS
REGISTRATION DIVISION (7505C)

Lois Rossi, Director
(703) 305-5447

April 24, 2009

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

Subject: Notification for Minor Label Changes per PR Notice 2007-4
Three Way Peanut Seed Treatment Fungicide
EPA Registration Number 264-999
Your Application Dated April 24, 2009

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated April 24, 2009 for the abovementioned product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 2007-4 and finds that the action(s) requested fall within the scope of PRN 2007-4. The label submitted with the application has been stamped "Acceptable Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060, Approval expires 2-28-95



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 264-999	2. EPA Product Manager Tony Kish	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Three Way Peanut Seed Treatment 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: NOTIFICATION EPA Reg. No. _____ APR 4 2009 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 of label change per PR Notice 2007-4. See attached.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* 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 checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 50 lbs		5. Location of Label Directions <input checked="" type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input checked="" 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) 549-2631
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 <i>Melvin K. Tolliver</i>	3. Title Registration Product Manager, Fungicides	
4. Typed Name Melvin K. Tolliver	5. Date February 9, 2009	

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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

February 9, 2009

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

Subject: Three Way Peanut Seed Treatment Fungicide, EPA Reg. No. 264-999
Notification per PR Notice 2007-4

Dear Sir/Madam:

Three Way Peanut Seed Treatment Fungicide is currently registered with the Agency as a seed treatment product for control of fungi infecting peanuts. With this application form, we are notifying the Agency of label changes per PR Notice 2007-4.

Since this is a notification, no fee under PRIA 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.

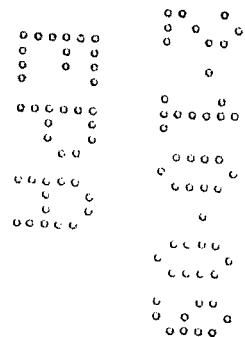
Sincerely,

Melvin K. Tolliver

Melvin K. Tolliver
Registration Product Manager, Fungicides

Enclosure:

1. EPA application form 8570-1
2. Draft labeling with changes highlighted in yellow
3. Final Printed labeling (two copies)



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 your 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.

LABELING OF TREATED SEED

Seed commercially treated with Three 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 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."

USE RESTRICTION

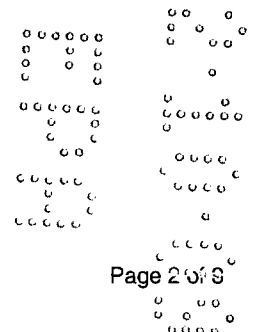
Do not use treated seed for food, feed, or oil processing.

APPLICATION INFORMATION

Three 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., and *Aspergillus* spp.

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.



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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 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.

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.

NOTIFICATION

APR 4 2009

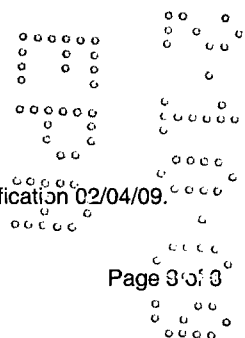
NET CONTENTS:

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)



Three Way Peanut seed Treatment Fungicide (MASTER) Approved 07/01/05, Notification 02/06/06, Notification 02/04/09.