

264-1072

5/4/2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

MAY 4 2010

Melvin K. Tolliver
Bayer CropScience LP
P.O. Box 12014
Research Triangle Park, NC 27709

Subject: Proceed MD Fungicide
EPA Reg. No. 264-1072
Amended Labeling
EPA Decision Number 426438
Your Application Dated November 19, 2009

Dear Mr. Tolliver:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act as amended, to comply with PR Notice 2007-4, 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.

Sincerely,

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

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

Enclosure:

2016

PROCEEDTM MD Fungicide

ACTIVE INGREDIENTS:

Prothioconazole: 2-[2-(1-Chlorocyclopropyl)-3-(2-chlorophenyl)-2-hydroxypropyl]-1,2-dihydro-3H-1,2,4-triazole-3-thione... 1.47%
 Tebuconazole: (Alpha-[2-(4-chlorophenyl)ethyl]-alpha-(1,1-dimethylethyl)-1H-1,2,4-triazole-1-ethanol)0.29%
 Metalaxyl: N-(2,6-dimethylphenyl)-N-(methoxyacetyl)alanine methyl ester0.59%

OTHER INGREDIENTS:97.65%
TOTAL:.....100.00%

Contains 0.128 pounds Prothioconazole, 0.025 pounds Tebuconazole and 0.052 pounds Metalaxyl per U.S. gallon.

EPA Reg. No. 264-1072

EPA Est.

KEEP OUT OF REACH OF CHILDREN WARNING AVISO

See Additional Precautionary Statements

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
 (If you do not understand the label, find someone to explain it to you in detail.)

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

IF IN EYES:	<ul style="list-style-type: none"> Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.
IF SWALLOWED:	<ul style="list-style-type: none"> Immediately call a poison control center or doctor for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.
IF INHALED:	<ul style="list-style-type: none"> Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. Call a poison control center or doctor for further treatment advice.
IF ON SKIN OR CLOTHING:	<ul style="list-style-type: none"> Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.

For MEDICAL Emergencies Call 24 Hours A Day 1-800-334-7577.

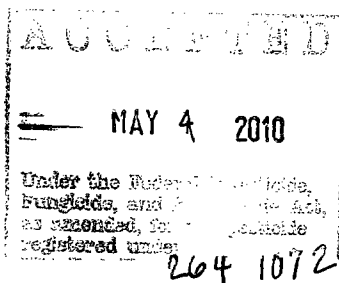
Have the product container or label with you when calling a poison control center or doctor or going for treatment.

NOTE TO PHYSICIAN: No specific antidote. Treat symptomatically.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS WARNING

Causes substantial but temporary eye injury. Harmful if swallowed, inhaled, or absorbed through skin. Do not get in eyes, or on clothing. Wear protective eyewear (goggles, face shield or safety glasses). Avoid contact with skin and breathing vapor or spray mist. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.



PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical resistant gloves (such as Natural Rubber, selection Category A)
- Shoes plus socks
- Protective eyewear (goggles, face shield, or safety glasses)

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

Engineering Control Statements

When handlers use closed systems, enclosed cabs, or aircraft 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 clothes.

Users should 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

This pesticide is toxic to mammals, fish, aquatic invertebrates, and freshwater/estuarines/marine aquatic plants. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Runoff may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment washwater or rinsate.

Cover or incorporate spilled treated seed.

Groundwater Advisory: Prothioconazole-desthio (a degradate of prothioconazole), metalaxyl and tebuconazole are known to leach through soil into ground water under certain conditions as a result of label use. Use of this product in areas where soils are permeable, particularly where the water table is shallow, may result in ground-water contamination.

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, disposal, or by cleaning of equipment.

PESTICIDE STORAGE

Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat.

PESTICIDE DISPOSAL

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

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.

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 or 50 lbs)

Non-refillable Containers

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, or by incineration.

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 or by incineration.

SEED LABELING

Seed that has been treated with this product that is then packaged or bagged for future use must contain the following additional labeling on the outside of the seed package or bag.

- **TREATED SEED.**
- **DO NOT USE FOR FOOD, FEED OR OIL PURPOSES.**
- Treated with prothioconazole, tebuconazole and metalaxyl.
- Barley, wheat and triticale green forage may be grazed or harvested for hay 31 days after seeding.
- Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours. Exception: Once the seeds are planted in soil or other planting media, workers may enter the treated area without restriction if there will be no contact with the soil/media subsurface.
- 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 is: Coveralls, Shoes plus socks, Chemical-resistant gloves made of any waterproof material, and Protective eyewear.

- Cover or collect spilled treated seed.

PRODUCT INFORMATION

PROCEED MD Fungicide is a combination of the systemic fungicides, prothioconazole, tebuconazole and metalaxyl which aids in the control or suppression of the following seed, seedling and soilborne diseases of wheat, barley and triticale: stinking smut, flag smut, loose smut, early season *Septoria* disease complex, general seed rots, *Pythium* damping-off, early season *Rhizoctonia* root rot, early season common root rot, seedborne *Fusarium* scab, early season *Fusarium* foot rot, early season suppression of powdery mildew (7.5 fluid ounce rate only) and rust.

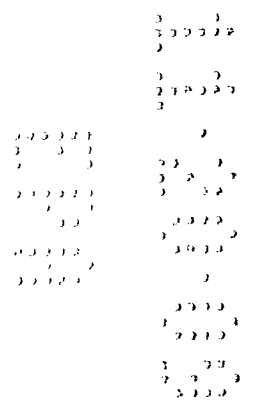
In California – Registered only for use in commercial seed treating establishments. Not allowed for "on-farm" use.

APPLICATION DIRECTIONS

Apply this product only as specified on this label. Use 5.0 – 7.5 fluid ounces of PROCEED MD per 100 pounds of seed. Applications must be made using standard slurry or mist-type seed treatment equipment. In some instances, a chemical slurry dilution may enhance coverage. A 1 part PROCEED MD with 1 part water dilution may be used. This product is for commercial or on-farm application. Do not apply this product with a hopper box, planter box, slurry box, or any other at-plant methods. Uniform application to seed is necessary to ensure seed safety and best disease control. Only use seed that is sound and well cured prior to treatment. Consult your area agronomist regarding planting depth recommendations for the particular variety to be planted.

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.



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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. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, all such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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 CONSISTENT WITH APPLICABLE 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: 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'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:

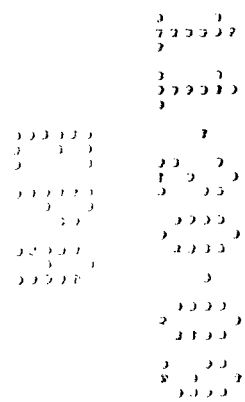
PROCEED is a trademark of Bayer CropScience LP

PRODUCED FOR



Bayer CropScience

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Research Triangle Park, North Carolina 27709
1-866-99BAYER (1-866-992-2937)**



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