

264-1076

11/14/2008

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Registration Division (7505P)
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

EPA Reg. Number:

264-1076

Date of Issuance:

NOV 14 2008

NOTICE OF PESTICIDE:

- x Registration
Reregistration
(under FIFRA, as amended)

Term of Issuance: Conditional

Name of Pesticide Product:

Vortex 2000

Name and Address of Registrant (include ZIP Code):

Bayer CropScience
2 T.W. Alexander Drive
Research Triangle Park, NC 27709 ATTENTION: Larry Hodges

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A) provided that you:

- 1. Submit and/or cite all data required for registration of your product under FIFRA Section 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for re-registration of your product under FIFRA section 4.
2. Submit a one year GLP Storage Stability (830.6317) and Corrosion Characteristics (830.6320) studies for proposed product, with recommended observations at 0, 3, 6, 9, & 12 month's periods. Due date is November 30, 2009. Also, please submit the results to the Agency in both electronic and hard copy format.
3. Submit two copies of a final printed label within 30 days from the date of this notice which makes the following label revisions:
a. Change the product registration number to "EPA Reg. No. 264-1076".
b. Within the "First Aid" box add the cautionary statements for "If in eyes..."

(continued on Page 2)

Signature of Approving Official:

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

Handwritten signature of Tony Kish

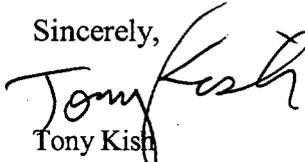
Date:

November 14, 2008

- c. Under the "Hazards to Humans and Domestic Animals" sections add the following statement: "Causes moderate eye irritation. Avoid contact with eyes or clothing."
- d. Within the "Environmental Hazard" insert the following groundwater advisory: "Metalaxyl is known to leach through soil into groundwater under certain conditions as a result of agricultural use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in ground water contamination."
- e. Within the "User Safety Recommendations" box revise to read as follows: "Users Should: - "Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco." - "Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing." - "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."
- f. On pages 2 & 3 of 5, **delete** the new uses and use directions for **corn, sweet corn, sorghum, and cotton** and all references to the uses from this label. This application was submitted and reviewed as a R310 which involves only Me-Too uses. Because these new uses were recently approved, you can now add them as Me-Too uses by separate amendment (with appropriate data compensation). We have blacked-out these uses on the stamped, approved label,
- g. On page 2, change "This seed has been treated with Ipconazole" to "This seed has been treated with Ipconazole and Metalaxyl".

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA Section 6(e). Your release for shipment of the product constitutes acceptance of these conditions. A copy of the label stamped "Accepted with Comments" is enclosed for your records.

Sincerely,



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

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ACCEPTED  
with COMMENTS  
In EPA Letter Dated  
NOV 14 2008

# Vortex<sup>®</sup> 2000

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
as amended, for the pesticide  
registered under EPA Reg. No.

264-107

## ACTIVE INGREDIENT:

Ipconazole: 2-[(4-chlorophenyl)methyl]-5-(1-methylethyl)-1-(1H-1,2,4-triazol-1-ylmethyl)	
cyclopentanol.....	14.0%
Metalaxyl: N-(2,6-dimethylphenyl)-N-(methoxyacetyl)alanine methyl ester .....	11.2%
<b>OTHER INGREDIENTS:</b> .....	74.8%
	<b>TOTAL...100.0%</b>

Contains 1.28 lbs ipconazole per gallon  
Contains 1.03 lbs metalaxyl per gallon

EPA Reg. No. 264-XXXX

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 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 a product container or 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

Harmful if swallowed.

#### 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, shoes, and chemical-resistant gloves, such as natural rubber. 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.

### USER SAFETY RECOMMENDATIONS

**Users should:** Wash thoroughly with soap and water after handling.

### ENVIRONMENTAL HAZARDS

For terrestrial uses, 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 apply when weather conditions favor drift from treated areas. Do not contaminate water when disposing of equipment washwater or rinsate. This fungicide may persist in soil, and long-term use in the same field may result in an accumulation of active ingredient.

### DIRECTIONS FOR USE

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

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

### STORAGE AND DISPOSAL

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

#### STORAGE

Store in a cool dry location. Do not store in direct hot sunlight.

#### 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

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

(Containers equal to or less than 5 gallons)

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 1/4 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.

(Containers greater than 5 gallons or 50 lbs)

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

Then 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.

Federal law requires that bags containing treated seeds shall be labeled with the following information:

"This seed has been treated with Ipconazole. Do not use for feed, food or oil purposes. Store away from feeds and foodstuffs."

FAILURE TO FOLLOW DIRECTIONS ON THIS LABEL MAY RESULT IN CROP INJURY OR POOR DISEASE CONTROL.

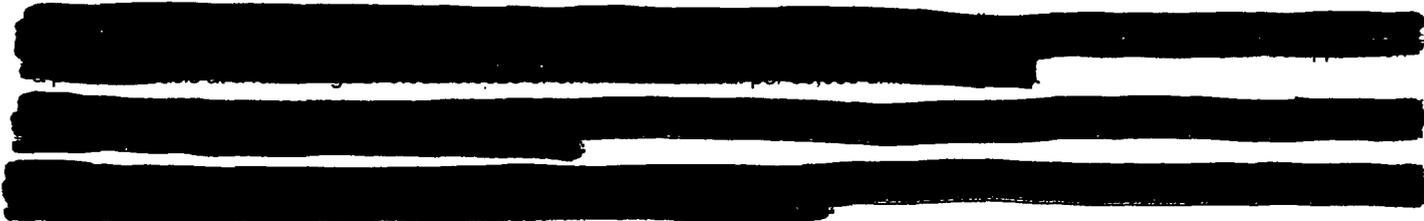
Vortex<sup>®</sup> 2000 is a systemic broad-spectrum seed dressing containing two fungicides specifically for protection against soilborne and seedborne diseases of crop plants. Ipconazole is active against *Fusarium*, *Rhizoctonia*, *Rhizopus*, *Helminthosporium*, *Mucor*, *Alternaria*, *Cladosporium*, *Phoma*, *Phomopsis*, *Aspergillus* and *Penicillium*. Metalaxyl is active against *Pythium*, *Phytophthora* and systemic downy mildew.

On some crops, additional Allegiance FL (metalaxyl) will be required to control *Pythium*, *Phytophthora*, and systemic downy mildew. The amount of additional Allegiance FL needed will depend on the level of disease pressure. Follow all directions on the Allegiance FL label if mixed with other BCS seed treatments. Consult the label for appropriate use rate and follow all use instructions for the products. Do not use with other seed treatment products unless previous experience assures compatibility.

NOTE: This product is undyed. The purchaser of this product is responsible for ensuring that all seed treated with this product are adequately dyed with a suitable color to prevent its accidental use as food for man or feed for animals. Refer to 21CFR, part 2.25. Any dye added to treated seed must be cleared for use under 40CFR, Part 153.155.

Vortex<sup>®</sup> 2000 may be applied as a water-based slurry with other registered seed treatment insecticides and fungicides through standard slurry or mist-type commercial seed treatment equipment.

NOTE: Vortex<sup>®</sup> 2000 is a systemic fungicide having a specific mode of action. Vortex<sup>®</sup> 2000 could be subject to development of resistant strains of fungi. Development of resistance cannot be predicted. Therefore, Bayer CropScience cannot assume liability for crop damage resulting from resistant strains of fungi. Consult your State Agricultural Experiment Station or Extension Service Specialist for guidance and ways to control any possible Vortex<sup>®</sup> 2000 resistant strains of fungi which may occur. FAILURE TO FOLLOW DIRECTIONS ON THIS LABEL MAY RESULT IN CROP INJURY OR POOR DISEASE CONTROL.



**SUNFLOWER**

For protection against seedborne and soilborne fungi that cause seed decay, damping-off, and seedling blight, apply 0.25 fl. oz. of Vortex® 2000 per 100 pounds of seed.

**MUSTARD, RAPE, CANOLA**

For protection against seedborne and soilborne fungi that cause seed decay, damping-off, and seedling blight, as well as for protection against *Phoma lingam* causing blackleg, apply 0.25 – 1 fl. oz. of Vortex® 2000 per 100 pounds of seed.

**ROOT VEGETABLES**

Beet (garden), burdock (edible), carrot, celeriac, chervil (turnip-rooted), chicory (roots), chufa, dandelion (roots), ginseng, parsley (turnip-rooted), parsnip, radish, radish (oriental), rutabaga, salsify, salsify (black), salsify (Spanish), skirret, turnip and yam bean.

For protection against seedborne and soilborne fungi that cause seed decay, damping-off, and seedling blight, apply 0.25 fl. oz. of Vortex® 2000 per 100 pounds of seed or propagating root or tuber material.

**LEAFY VEGETABLES (Except Brassica Vegetables)**

Amaranth (leafy, Chinese spinach, tampala), arugula, cardoon, celery (including Chinese), celtuce, chervil, chrysanthemum (edible-leaved and garland), corn salad, cress (garden and upland), dandelion, dock, endive, fennel (Florence, finocchio), lettuce (head and leaf), orach, parsley, purslane (garden and winter), radicchio, rhubarb, spinach, spinach (New Zealand), spinach (vine), and Swiss chard.

For protection against seedborne and soilborne fungi that cause seed decay, damping-off, and seedling blight, apply 0.25 fl. oz. of Vortex® 2000 per 100 pounds of seed.

**BRASSICA (COLE) LEAFY VEGETABLE GROUP**

Broccoli, broccoli (Chinese), broccoli (raab), Brussels sprouts, cabbage (including Chinese bok choy, Chinese napa, and Chinese mustard), cauliflower, cavalo broccolo, collards, kale, kohlrabi, mizuna, mustard greens, mustard spinach, and rape greens.

For protection against seedborne and soilborne fungi that cause seed decay, damping off, and seedling blight , apply 0.25 – 1 fl. oz. of Vortex® 2000 per 100 pounds of seed.

**CUCURBIT VEGETABLES**

Chayote, Chinese waxgourd, citron mēlon, cucumber, gherkin, gourd edible (includes hyotan, cucuzza, hechima, Chinese okra), *Momordica*, all muskmelon, pumpkin, squash and watermelon.

For protection against seedborne and soilborne fungi that cause seed decay, damping-off, and seedling blight, apply 0.25 fl. oz. of Vortex® 2000 per 100 pounds of seed.

**TURF GRASS**

For protection against seedborne and soilborne fungi that cause seed decay, damping-off, and seedling blight, apply 0.25 fl. oz. of Vortex® 2000 per 100 pounds of seed.

**DIRECTIONS FOR ADDITIONAL ALLEGIANCE FL IN COMBINATION WITH Vortex® 2000 IN SEVERE DISEASE CONDITIONS**

ALLEGIANCE-FL is a systemic fungicide seed dressing which may be applied in combination with Vortex® 2000 to aid in control of Pythium, Phytophthora and Downy Mildew. ALLEGIANCE-FL may be applied as a water-based slurry through standard slurry or mist-type commercial seed treatment equipment.

Canola* Mustard seed* Rapeseed*	Apply only in combination with Vortex® 2000 registered rates of Bayer CropScience broad-spectrum seed treatment fungicide. For additional control of <i>Pythium</i> damping-off control: Apply ALLEGIANCE-FL as a seed treatment at 0.15-0.4 fl. oz. per 100 lbs. of seed. *Not registered for use in California
Sunflowers	Apply only in combination with Vortex® 2000 registered rates of Bayer CropScience broad-spectrum seed treatment fungicide. For additional control to aid in the control of seed decay and damping-off caused by <i>Pythium</i> : Apply ALLEGIANCE-FL as a commercial seed treatment at the rate of 0.1 - 0.275 fl. oz. per 100 lbs. of seed. For control of systemic downy mildew: Apply ALLEGIANCE-FL as a seed treatment at the rate of 1.4 - 2.9 fl. oz. per 100 lbs. of seed.
Sorghum	Apply only in combination with Vortex® 2000 registered rates of Bayer CropScience broad-spectrum seed treatment fungicide. For additional control of <i>Pythium</i> damping-off apply 0.275-0.65 fl. oz. of ALLEGIANCE-FL per 100 lbs. of seed applied as a seed treatment. For control of systemic downy mildew (races susceptible to chemical control), apply 0.65-1.4 fl. oz. ALLEGIANCE-FL per 100 lbs. Of seed on cultivars which possess sorghum downy mildew resistance. To those cultivars which do not possess resistance to a particular race of sorghum downy mildew in heavily infected areas with recent severe history, apply 1.4-2.9 fl. oz. of ALLEGIANCE-FL per 100 lbs. of seed as a seed treatment. Only high quality sorghum seed (90% germination and above) should be treated with ALLEGIANCE-FL.
Turf grasses	Apply only in combination with Vortex® 2000 registered rates of Bayer CropScience broad-spectrum seed treatment fungicide. For additional control of <i>Pythium</i> damping-off control on golf courses, home lawns reclamation and erosion control projects: Apply ALLEGIANCE-FL as a seed treated at the rate of 1.4 fl. oz. per 100 lbs of seed.
Brassica (Cole) Leafy Vegetables	Broccoli (including Chinese and raab), Brussels sprouts, cabbage (including Chinese bok choy, Chinese napa and mustard), cauliflower, cavalo broccolo, collards, kale, kohlrabi, mizuna, mustard greens, mustard spinach, and rape greens  Apply only in combination with Vortex® 2000 registered rates of Bayer CropScience broad-spectrum seed treatment fungicide. For additional control of <i>Pythium</i> damping-off control: Apply ALLEGIANCE-FL as a seed treatment at the rate of 0.1-0.65 fl. oz. per 100 lbs. of seed.
Cucurbit Vegetables	Chayote (fruit), Chinese waxgourd, citron melon, cucumber, gherkin, edible gourd (includes hyotan, cucuzza, Chinese okra, and hechima), Momordica spp. (includes balsam apple, balsam pear, bitter melon, Chinese cucumber), muskmelon (includes true cantaloupe, cantaloupe, casaba, Crenshaw melon, golden pershaw melon, honeydew melon, honey balls, mango melon, Persian melon, pineapple melon, Santa Claus melon, and snake melon), pumpkin, summer squash (includes crookneck squash, scallop squash, straightneck squash, vegetable marrow, zucchini), winter squash (includes butternut squash, calabaza, hubbard squash), Cucumis mixtar, Cucumis pepo (includes acorn squash, spaghetti squash), watermelon (includes hybrids and/or varieties of Citrullus lanatus.)  Apply only in combination with Vortex® 2000 registered rates of Bayer CropScience broad-spectrum seed treatment fungicide. For additional control of <i>Pythium</i> damping-off control: Apply ALLEGIANCE-FL as a seed treatment at 0.1-0.65 fl. oz. per 100 lbs. of seed.
Leafy Vegetables	Amaranth (leafy, Chinese spinach, tampala), cardoon, celery (including Chinese), celtuce, chervil, chrysanthemum (edible-leaved and garland), corn salad, cress (garden and upland), dandelion, dock, endive, fennel (finocchio), lettuce (head and leaf), orach, parsley, purslane (garden and winter), radicchio, rhubarb, spinach* (including new Zealand and vine), and Swiss chard.  *Not registered for use in California.  NOTE: Do not apply Allegiance-FL to spinach which is destined to be grown in the greenhouse. Containers or bags containing ALLEGIANCE-FL –treated spinach seed must be labeled with this restriction.  Apply only in combination with Vortex® 2000 registered rates of Bayer CropScience broad-spectrum seed treatment fungicide. For additional control of <i>Pythium</i> damping-off control: Apply ALLEGIANCE-FL as a seed treatment at 0.1-0.65 fl. oz. per 100 lbs. of seed.
Root and Tuber Vegetables (except potatoes)	Beet (garden and sugar), burdock (edible), carrot, celery root, chervil, chicory, chufa, ginseng, horseradish, parsley (turnip-rooted), parsnip, radish* (includes oriental daikon), rutabaga, salsify (includes black and Spanish), skirret, turnip, and yam bean.  Apply only in combination with Vortex® 2000 registered rates of Bayer CropScience broad-spectrum seed treatment fungicide. For additional control of <i>Pythium</i> damping-off control: Apply ALLEGIANCE-FL as a seed treatment at 0.1-0.65 fl. oz. /100 lbs. of seed.  NOTE: Do not apply ALLEGIANCE-FL to potatoes.

**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.

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PRODUCED FOR



**Bayer CropScience**

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P.O. Box 12014, 2 T.W. Alexander Drive  
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