

264-1079

11/21/2008

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U.S. ENVIRONMENTAL PROTECTION AGENCY  
Office of Pesticide Programs  
Registration Division (7505C)  
1200 Pennsylvania Ave., N.W.  
Washington, D.C. 20460

EPA Reg. Number:

264-1079

Date of Issuance:

NOV 21 2008

NOTICE OF PESTICIDE:

Registration  
 Reregistration

(under FIFRA, as amended)

Term of Issuance:

Conditional

Name of Pesticide Product:

Three-Way VAP

Name and Address of Registrant (include ZIP Code):

Bayer CropScience  
2 T.W. Alexander Drive  
Research Triangle Park, NC 27709

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/reregistered 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 section 3(c)(7)(A) provided that you:

1. Submit and/or cite all data required for registration/reregistration/registration review of your product when the Agency requires all registrants of similar products to submit such data.
2. Make the following label changes before you release the product for shipment:
  - a. Revise the EPA Registration Number to read, "EPA Reg. No. 264-1079".
  - b. Within the **LABELLING OF TREATED SEED** section of the label, revise the sentence "All bags containing treated seed..." to read "In addition, all bags containing treated seed..."
3. The data requirements for storage stability (830-6317) and corrosion characteristics (830-6320) have not been satisfied, and must be submitted within eighteen months of the date of this notice.

Signature of Approving Official:

Venus Eagle, Product Manager (01)  
Insecticide-Rodenticide Branch, Registration Division (7505P)

Date:

NOV 21 2008

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4. Should you wish to retain the company's website on your label, then please be aware that the language presented in the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to the false and misleading provisions of 40 CFR 156.10(a)(5). Therefore should the Agency find or if it is brought to our attention that a website contains claims substantially differing from the EPA approved section 3 registration, the website will be referred to the EPA's Office of Enforcement and Compliance Assurance.
5. Submit one copy of the revised final printed label for the record before you release the product for shipment.

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 stamped copy of the label is enclosed for your records. If you have any questions regarding this notice, please contact Kable Bo Davis at (703) 306-0415.

Venus Eagle  
Product Manager (01)  
Insecticide-Rodenticide Branch  
Registration Division (7505P)

Enclosure- Stamped Labeling

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# Three-Way VAP

**Corn Seed Treatment combination of two fungicides and an insecticide**

**ACTIVE INGREDIENT:**

Clothianidin.....	37.89%
Ipconazole.....	1.02%
Metalaxyl.....	0.81%
<b>INERT INGREDIENTS:</b> .....	<b>60.28%</b>

**TOTAL.....100.00%**

Contains 3.82 lbs. active ingredient Clothianidin per gallon, 0.103 lbs. active ingredient Ipconazole per gallon and 0.082 lbs. active ingredient Metalaxyl per gallon.

**E.P.A. Reg. No. 264-RNTO**

**E.P.A. Est. No.**

## KEEP OUT OF REACH OF CHILDREN CAUTION

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

<b>IF SWALLOWED:</b>	<ul style="list-style-type: none"> <li>• Immediately call a poison control center or doctor for treatment advice.</li> <li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
<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.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>IF INHALED:</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li> <li>• Call a poison control center or doctor for further 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>

**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 is available. Treat the patient symptomatically.

**ACCEPTED  
with COMMENTS  
In EPA Letter Dated:**

**NOV 21 2008**

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

264-1079

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## PRECAUTIONARY STATEMENTS

### CAUTION

#### HAZARD TO HUMANS AND DOMESTIC ANIMALS

Harmful if swallowed. Avoid contact with skin or clothing. Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet.

#### 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.

A. Workers involved with treating the seed (e.g. connecting and disconnecting hoses and transfer pumps, mixing, equipment calibration, etc.) must wear a long-sleeved shirt and long pants, chemical-resistant gloves (such as nitrile, butyl, neoprene, barrier laminate, polyvinyl chloride or Viton) and shoes plus socks.

B. Workers involved with packaging the treated seed (e.g. bagging, bag sewing, and filling seed containers) must wear a long-sleeved shirt and long pants, and shoes plus socks.

C. Workers involved with the clean up and maintenance of the seed treatment equipment must wear a long-sleeved shirt and long pants, chemical-resistant gloves (such as nitrile, butyl, neoprene, barrier laminate, polyvinyl chloride or Viton), shoes plus socks and a dust/mist filtering respirator (MSHA/NIOSH approval number prefix 21-C.)

D. Multiple Task Workers (except when involved in activities described in B) must wear a long-sleeved shirt and long pants, chemical-resistant gloves (such as nitrile, butyl, neoprene, barrier laminate, polyvinyl chloride or Viton) and shoes plus socks. A dust/mist filtering respirator (MSHA/NIOSH approval number prefix 21-C) must be worn during clean-up and maintenance of seed treatment equipment activities.

Follow manufacturer's instructions for cleaning/maintaining PPE. If no instructions for washables exist, 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. Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Remove Personal Protective Equipment 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 product is toxic to aquatic invertebrates. Contain any product spills or equipment leaks and dispose of wastes according to disposal instructions on this label. Do not contaminate water when disposing of equipment washwaters.

#### DIRECTIONS FOR USE

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

**Read entire label before using this product.**

Intended for use by commercial treaters only. Not for use in agricultural establishments in hopper-box, slurry-box, or similar on farm seed treatment applicators used at planting. This product is to be used in commercial liquid or slurry treaters. Mix thoroughly before use or use entire container at one time.

All seed treated with this product must be conspicuously coloured at the time of treatment. This product contains no colorant. An appropriate colorant must be added when this product is applied to seed to distinguish and prevent subsequent inadvertent use as a food for man or feed for animals. Regulations pertaining to coloration of treated seed enforced by 40 CFR 153.155 must be strictly adhered to when using this product.

## STORAGE AND DISPOSAL

### STORAGE

Do not contaminate water, food or feed by storage or disposal. Store in a cool, dry secured storage area.

### 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

Contact Bayer CropScience or your chemical supplier for container return instructions. If container is not returnable; follow the container disposal and rinsing instructions.

#### 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. Offer for reconditioning, if appropriate. Triple 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 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.

Then offer for recycling or reconditioning 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 container. Do not reuse or refill this container. Offer for recycling, if available. Offer for reconditioning, if appropriate. Triple rinse container (or equivalent) promptly after emptying. 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. Turn the container over onto its other 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 offer for recycling or reconditioning 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.

## SEED QUALITY AND STORAGE OF TREATED SEED

Treatment of highly mechanically damaged seed, or seed of known low vigor or 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.

## LABELLING OF TREATED SEED

Seed commercially treated with Three-Way VAP must be labelled in compliance with the *Federal Seed Act*.

All bags containing treated seed must be labelled or tagged as follows:

- This seed has been treated with Three-Way VAP seed protectant, which contains clothianidin, ipconazole and metalaxyl.
- Do not use treated seed for feed, food or oil processing.
- Store away from feeds and other foodstuffs.
- Wear long-sleeved shirt, long pants and chemical-resistant gloves when handling treated seed.
- Dispose of all excess treated seed. Left over treated seed may be doublesown around the headland or buried away from water sources in accordance with local requirements. Do not contaminate water bodies when disposing of planting equipment washwaters.
- Dispose of seed packaging in accordance with local requirements.
- Treated seeds exposed on soil surface may be hazardous to wildlife. Cover or collect treated seeds spilled during loading.

### ROTATIONAL CROP PLANT-BACK INTERVALS

Crop Planted	Immediate Plant-back	30-Day Plant-back	4-Month Plant-back	8-Month Plant-back	12-Month Plant-back
Field corn, popcorn	Field corn, popcorn, sweet corn, rapeseed, canola	Cereal grains, grasses, non-grass animal feeds, soybeans, dry beans, root and tuber vegetables		Sugar cane	Any crops without an earlier plant-back interval
Sweet corn,	Field corn, popcorn, sweet corn, rapeseed, canola, sorghum	Cereal grains, grasses, non-grass animal feeds, soybeans, dried beans, root and tuber vegetables	Any crop without an earlier plant-back interval		

## INFORMATION

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Three-Way VAP is a systemic corn seed treatment that contains two fungicides for the control of listed soilborne and seedborne diseases and an insecticide for the control of listed insects.

For use in commercially available equipment designed for seed treatment only. Not for use in hopper-box, slurry-box, or similar seed treatment applications used at planting. This product is to be used in liquid or slurry treaters. Mix thoroughly before use or use entire container at one time. All tank mixes must be pre-tested to determine physical compatibility between formulations. Observe all cautions and limitations on labeling of all products used in mixtures.

**For Early Season Protection Against Listed Insects and Plant Pathogens:**

Three-Way VAP will aid in the protection of seeds and seedlings against injury by certain early season insects. It is a systemic broad-spectrum seed dressing containing two fungicides specifically for protection against listed soilborne and seedborne diseases of crop plants.

**RECOMMENDED APPLICATIONS**

CROP	PESTS	RATE - Three-Way VAP	
		mg a.i./Kernel	80,000 Seed Unit
Corn (sweet)	<b>INSECTS:</b> Chinch bug Corn flea beetle Corn leaf aphid Cutworm, black Grape colaspis Seedcorn maggot Southern corn leaf beetle Southern corn rootworm Southern green stinkbug Storage pests <sup>1</sup> (including Indian meal moth, Lesser grain borer, Red flour beetle, Rice weevil, Rusty grain beetle) Sugarcane beetle White grub (including European, Chafer larvae, May/June beetle larvae, Japanese beetle larvae) Thrips Wireworm <b>PLANT PATHOGENIC FUNGI:</b> <i>Fusarium</i> spp <i>Pythium</i> spp <i>Rhizoctonia</i> spp <i>Rhizopus</i> spp <i>Mucor</i> spp <i>Aspergillus</i> spp <i>Penicillium</i> spp <i>Helminthosporium</i> spp <i>Cladosporium</i> spp <i>Alternaria</i> spp	0.262	1.45 fl oz or 42.9 mL

<sup>1</sup> It is recommended that seed with existing populations of storage pests be fumigated prior to treating and bagging seed.

\*Not registered for use in California.

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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.

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.

By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

**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. 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 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 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.

### NET CONTENTS:

PRODUCED FOR



**Bayer CropScience**

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