

264-1102

11-19-2009

1/7



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:

Date of Issuance:

264-1102

NOV 19 2009

NOTICE OF PESTICIDE:

Registration
 Reregistration
(under FIFRA, as amended)

Term of Issuance: Conditional

Name of Pesticide Product:

Proceed Concentrate Fungicide

Name and Address of Registrant (include ZIP Code):

Bayer CropScience (Attn: Mel Toliver)
P.O. Box 12014
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 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. There is an impending review of the subject one-year GLP storage stability study (830.6317) and corrosion characteristics study (830.6320).
3. Submit revised enforcement methods, by January 1, 2010, for the LC/MS/MS Method RPA JA/03/01 for plants, and LC/MS/MS Method Bayer Report No. 200537 for ruminants, which must include at least two multiple reaction monitoring (MRM) transitions to preclude the need for a confirmatory method.

Signature of Approving Official:

Date:

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

— NOV 19 2009

4. By May 1, 2011, a valid prothioconazole immunotoxicity study must be submitted to the Agency to satisfy guideline requirement (OPPTS 870.7800). An earlier study (MRID 42626438) in the Prothioconazole data base was reviewed by the Agency, and found to be unacceptable.
5. Before releasing the product for shipment, revise the EPA Registration Number to read, "EPA Reg. No. 264-1102." Submit a final printed label, within 45 days of the date hereon, making the following changes:
 - A. On page 1, change "Wear protective eyewear" to "Wear protective eyewear (goggles, face shield or safety glasses)."
 - B. After "Chemical resistant gloves" and "Protective eyewear," in the PPE section, insert respectively, "(such as Natural Rubber, selection Category A)," and then "(goggles, face shield, or safety glasses)."
 - C. On page 3, change "Protective eyewear..." to "Protective eyewear such as goggles, face shield, or safety glasses."
 - D. To the "Environmental Hazards" section, on page 2, add the missing NPDES statement.
 - E. Delete the "Use Precautions" subsection altogether, from page 4.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release of the shipment of your product constitutes acceptance of these conditions.

A copy of the label stamped "Accepted with Comments" is enclosed for your records.

Enclosures

3

PROCEED™ CONCENTRATE

Fungicide

ACTIVE INGREDIENTS:

Prothioconazole: 2-[2-(1-Chlorocyclopropyl)-3-(2-chlorophenyl)-2-hydroxypropyl]-1,2-dihydro-3H-1,2,4-triazole-3-thione...	6.88%
Tebuconazole: (Alpha-[2-(4-chlorophenyl)ethyl]-alpha-(1,1-dimethylethyl)-1H-1,2,4-triazole-1-ethanol)	1.38%
Metalaxyl: N-(2,6-dimethylphenyl)-N-(methoxyacetyl)alanine methyl ester	2.75%

OTHER INGREDIENTS: 88.99%

TOTAL:.....100.00%

Contains 0.643 pounds Prothioconazole, 0.129 pounds Tebuconazole and 0.257 pounds Metalaxyl per U.S. 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

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.

ACCEPTED
with **COMMENTS**
In EPA Letter Dated
NOV 19 2009

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Harmful if swallowed, inhaled, or absorbed through skin. Causes moderate eye irritation. Do not get in eyes or on clothing. Wear protective eyewear. Avoid contact with skin, eyes, or clothing 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.

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
264-1102 264-110

4/7

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical resistant gloves
- Shoes plus socks
- Protective eyewear

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/estuarine/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-dethio (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. 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).

Non-refillable container. Do not reuse or refill this container. After emptying product from container, contact Bayer CropScience Customer Service Center (1-800-527-4781) with return authorization for container return instructions. Cleaning the container before final disposal is the responsibility of the person disposing of the container. 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.

Refillable container.

Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. After emptying product from container, contact Bayer CropScience Customer Service Center (1-800-527-4781) with return authorization for container return instructions. Cleaning the container before final disposal is the responsibility of the person disposing of the container. 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.

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.

USE PRECAUTIONS

When using formulations that do not contain dye, to comply with 40 CFR.153.155, all seed treated with an economic poison must be colored to distinguish it and prevent subsequent inadvertent use as a food for man or feed for animals.

APPLICATION DIRECTIONS

Apply this product only as specified on this label. This product is for commercial or on-farm application. Applications must be made using standard slurry or mist-type seed treatment equipment. Do not apply this product with a hopper box, planter box, slurry box, or any other at-plant methods. Dilute with a sufficient amount of water to achieve uniform application to seed which is necessary to ensure seed safety and best disease control. Only use seed that is sound and well cured prior to treatment.

Crop	Disease	Rate Proceed Concentrate Fungicide fl oz/100 lbs of seed
Barley, Triticale and Wheat	Aids in the control or suppression of the following seed, seedling and soilborne diseases: stinking smut, flag smut, loose smut, early season <i>Septoria</i> disease complex, general seed rots, <i>Pythium</i> damping-off, early season <i>Rhizoctonia</i> root rot, early season common root rot, seedborne <i>Fusarium</i> scab, early season <i>Fusarium</i> foot rot. Early season suppression of powdery mildew and rust.	1 – 1.5

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

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.

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PROCEED is a trademark of Bayer CropScience LP

PRODUCED FOR



Bayer CropScience

**Bayer CropScience LP
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1-866-99BAYER (1-866-992-2937)**

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