

264-1122

5/11/2012

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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

264-1122

Date of Issuance

MAY 11 2012

NOTICE OF PESTICIDE

Registration  
 Reregistration  
(under FIFRA as amended)

Term of Issuance

Unconditional

Name of Pesticide Product

EverGol Energy

Name and Address of Registrant (include ZIP Code)

Bayer CropScience LP  
2 T W Alexander Drive  
P O Box 12014  
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 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 unconditionally registered in accordance with FIFRA section 3(c)(5) provided that you

- 1 Submit and/or cite all data required for registration/registration review of your product when the Agency requires all registrant of similar products to submit such data
- 2 Make the following label changes before you release the product for shipment
  - a Revise the EPA Reg No so it reads "EPA Reg No 264-1122 "
  - b For clarity and consistency in the "Commercial Seed Treatment" table in the "Application Rates" column revise each "Maximum number of application for each crop listed is 3 per year" to read "Maximum number of applications per year is 3 "
  - c For clarity and consistency in the "Commercial Seed Treatment" table in the "Application Rates" column insert the information to deliver "xx mg ai/seed" for alfalfa, cereal grains, and rice
  - d In the "Commercial Seed Treatment" table in the "Directions" column revise the first two sentences of the dye statement to read as follows "All seed must be adequately dyed with a suitable colorant to prevent its accidental use as food for man or feed for animals "
  - e Add the batch code information Please be reminded that the 40 CFR part 156 140(a)(4) requires a batch code, lot number, or other code identifying the batch of the pesticide product distributed and sold be placed on non-refillable containers The code may appear either on the label or durably marked on the container itself

- 3 For future submissions, make the following changes to your Confidential Statement of Formula (EPA Form 8570-4)
  - a Box 4 Revise the EPA Reg No so it reads "EPA Reg No 264-1122 "
- 4 Submit 2 copies of your final printed label before release for shipment

Signature of Approving Official

Date



MAY 11 2012

Mark Corbin, Acting Branch Chief  
Insecticide-Rodenticide Branch, Registration Division (7505P)

EPA Form 8570 6

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, please contact Marianne Lewis at 703-308-8043 or lewis marianne@epa gov

Mark Corbin  
Acting Branch Chief,  
Insecticide-Rodenticide Branch  
Registration Division (7505P)

Enclosure

**ACCEPTED**  
 5/11/12  
 Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide Registered under EPA Reg No 264-1122

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# EverGol Energy

For use as a fungicide seed dressing for protection against listed soilborne, seedborne and early season post-emergence diseases of listed crop plants

**ACTIVE INGREDIENTS**

Prothioconazole	7.18%
Penflufen	3.59%
Metalaxyl	5.74%

**OTHER INGREDIENTS**

83.49%  
**TOTAL 100.00%**

Contains 0.64 lb prothioconazole 0.32 lb penflufen 0.51 lb metalaxyl per gallon

Contains 76.8 g prothioconazole 38.4 g penflufen 61.4 g metalaxyl per liter

**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 by a poison control center or doctor</li> <li>• Do not give anything by mouth to an unconscious person</li> </ul>
<b>IF ON SKIN</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>
<p><b>In case of emergency call toll free the Bayer CropScience Emergency Response Telephone No 1 800 334 7577</b>  <b>Have a product container or label with you when calling a poison control center or doctor or going for treatment</b></p>	

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# PRECAUTIONARY STATEMENTS

## CAUTION

### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Harmful if swallowed Harmful if absorbed through skin Avoid contact with skin eyes or clothing

### PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical resistant to this product are barrier laminate butyl rubber nitrile rubber neoprene rubber polyvinyl chloride or viton If you want more options follow the instructions for category C on an EPA chemical resistance category selection chart

**All mixers loaders applicators and other handlers must wear**

long sleeved shirt and long pants

socks plus shoes

chemical resistant gloves except when bagging or sewing bags of treated seeds

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

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 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 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 water adjacent to treated areas Do not contaminate water when disposing of equipment washwater or rinsate Treated seed exposed on soil surface may be hazardous to wildlife Cover or collect seed spilled during loading

This product has properties and characteristics associated with chemicals detected in ground water This chemical may leach into ground water if used in areas where soils are permeable particularly where the water table is shallow Therefore contain any product spills or equipment leaks and dispose of wastes according to the disposal instructions on this label

## DIRECTIONS FOR USE

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

For use only in commercial seed treatment equipment Not for use in hopper box planter box slurry box or other on farm seed treatment applications

## COMMERCIAL SEED TREATMENT

CROP	DISEASE	Application Rate Per 100 lbs Seed	DIRECTIONS
Alfalfa	Seed rot and damping off caused by <i>Rhizoctonia</i>	Apply 3 fl oz  Maximum number of application for each crop listed is 3 per year	Apply using commercial slurry or mist type seed treatment equipment Uniform application of seed is necessary to ensure seed safety and best disease protection Dilute product with sufficient water to ensure complete seed coverage Apply to high quality properly cleaned seed
<b>Beans and Peas (dried) including Soybean</b> (Crop Group 6 C)  Soybean Adzuki Bean Blackeyed Pea Broad Bean Catjang Chickpea Cowpea Crowder Pea Field Bean Field Pea Guar Kidney Bean Lablab Bean Lentil Lima Bean Moth Bean Mung Bean Navy Bean Pigeon Pea Pinto Bean Rice Bean Southern Pea Tepary Bean Urd Bean	Seed rot and damping off caused by <i>Rhizoctonia Fusarium and Pythium</i>  Seed rot damping off and seedling blight caused by seedborne <i>Botrytis cinerea</i>  Seed decay caused by <i>Phomopsis Ascochyta</i> blight (suppression)  Seed decay	Apply 1 0 fl oz  To deliver 0 019 mg ai per seed apply 0 5 fl oz of the product per 140 000 seeds <sup>1</sup>  Maximum number of application for each crop listed is 3 per year	<b>NOTES for Beans and Peas (dried) including Soybeans</b> Early season <i>Phytophthora</i> For longer season control add sufficient metalaxyl product (such as Allegiance) to supply a total metalaxyl amount of 15 to 30 gal/100kg of seed
<b>Cereal grains</b>  Barley Triticale and Wheat	Common bunt Covered smut False loose smut Flag smut Leaf stripe Loose smut Stinking smut Stem smut True loose smut  Seed rot pre emergence damping off and seedling blight caused by soilborne <i>Rhizoctonia Fusarium Cochliobolus</i> and <i>Pythium</i>  Seed rot pre emergence damping off and seedling blight caused by seed borne <i>Fusarium</i> and <i>Cochliobolus</i>  Seed decay  Common root rot foot rot and crown rot (early season suppression)  Rust <i>Septoria</i> and powdery mildew (early season suppression)	Apply 1 fl oz  Maximum number of application for each crop listed is 3 per year	All seed must be adequately dyed with a suitable colorant to prevent its accidental use as food for man or feed for animals Refer to 21CFR part 2 25 Any colorant added to treated seed must be cleared for use under 40CFR part 153 155
Rice	Seed rot and damping off caused by <i>Rhizoctonia Fusarium</i> and <i>Pythium</i> Seed decay Seed borne false smut (suppression) Seed borne kernel smut (suppression)	Apply 1 – 2 fl oz  (Must use high rate for moderate to high seedling disease pressure or for suppression of seed born false smut and kernel smut )  Maximum number of application for each crop listed is 3 per	

		year	
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<sup>1</sup> Based on 2 800 soybean seeds per pound

## SEED BAG TAG

The Federal Seed Act requires that the container of seed treated with EverGol Energy must be labeled with the following statements

- This seed has been treated with EverGol Energy which contains Metalaxyl Prothioconazole and Penflufen
- Do not use treated seed for food feed or oil production Excess treated seed may be used for ethanol production only if (1) by products are not used for livestock feed and (2) no measurable residues of pesticide remain in ethanol by products that are used in agronomic practice
- User is responsible for ensuring that the seed bag meets all the requirements under the Federal Seed Act

In addition the US Environmental Protection Agency requires the following statements on the container of seed treated with EverGol Energy

- Store away from feeds and foodstuffs
- Wear long sleeved shirt long pants shoes socks and chemical resistant gloves when handling treated seed
- Crops on this label and other crops for which tolerances exist for metalaxyl prothioconazole and penflufen may be replanted at any time All other crops may be planted after 30 days
- After the seeds have been planted do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 24 hours Exception Once the seeds are planted in soil or other planting media the Worker Protection Standard allows worker to enter the treated area without restriction if there will be no worker contact with the treated seeds in the soil or planting media
- Dispose of all excess treated seed Left over treated seed may be double sown 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
- This contains chemicals which are known to leach through soil into ground water under certain conditions as result of agricultural use Use of this product in areas where soils are permeable particularly where the water table is shallow may result in ground water contamination
- Dispose of seed packaging in accordance with local requirements
- Use planting equipment that will plant treated seed into the soil to a minimum depth of 0.5 inch
- This compound is toxic to birds and mammals Treated seed exposed on soil surface may be hazardous to birds and mammals Cover or collect seeds spilled during loading
- Do not plant treated rice seed directly into flooded field Do not soak treated rice seed
- Do not graze or feed soybean forage and hay to livestock
- For alfalfa Do not exceed 0.00225 lb penflufen /A (1.02 g ai/A) per crop season The maximum number of applications per year is 3 This seed has been treated with xx mg active ingredients (ai) of EverGol Energy /seed which includes penflufen (7.5 g ai/100 Kg seed) prothioconazole (15 g ai/100 Kg seed) and metalaxyl (12 g ai/100 Kg seed)
- For beans and peas (excluding soybeans) Do not exceed 0.0384 lb penflufen /A (17.5 g ai/A) per crop season The maximum number of applications per year is 3 This seed has been treated with xx mg active ingredients (ai) of EverGol Energy /seed which includes penflufen (2.5 g ai/100 Kg seed) prothioconazole (5 g ai/100 Kg seed) and metalaxyl (4 g ai/100 Kg seed)
- For soybeans Do not exceed 0.0384 lb penflufen /A (17.5 g ai/A) per crop season The maximum number of applications per year is 3 This seed has been treated with xx mg active ingredients (ai) of EverGol Energy /seed which includes penflufen (2.5 g ai/100 Kg seed) prothioconazole (5 g ai/100 Kg seed) and metalaxyl (4 g ai/100 Kg seed)
- For Barley Triticale and Wheat (based on wheat seeding rate) Do not exceed 0.0078 lb penflufen /A (3.5 g ai/A) per crop season The maximum number of applications per year is 3 This seed has been treated with xx mg active ingredients (ai) of EverGol Energy /seed which includes penflufen (2.5 g ai/100 Kg seed) prothioconazole (5 g ai/100 Kg seed) and metalaxyl (4 g ai/100 Kg seed)
- For rice (dry seeded) Do not exceed 0.006 lb Penflufen /A (2.7 g ai/A) per crop season The maximum number of applications per year is 3 This seed has been treated with xx mg active ingredients (ai) of EverGol Energy /seed which includes penflufen (2.5 g ai/100 Kg seed) prothioconazole (5.10 g ai/100 Kg seed) and metalaxyl (4.8 g ai/100 Kg seed)
- This product has properties and characteristics associated with chemicals detected in ground water This chemical may leach into ground water if used in areas where soils are permeable particularly where the water table is shallow Therefore contain any product spills or equipment leaks and dispose of wastes according to the disposal instructions on this label

# INFORMATION

EverGol Energy is a fungicide seed dressing for protection against listed soilborne seed borne and early season post emergence diseases of listed crop plants

## STORAGE AND DISPOSAL

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

### PESTICIDE STORAGE

Store in original container away from feed and food Store in cool dry area Do not store in direct sunlight Do not allow prolonged storage in temperatures that exceed 105°F (40°C) or in temperatures that fall below 14°F ( 10°C)

### PESTICIDE DISPOSAL

To avoid wastes use all material in this container by application according to label directions If wastes cannot be avoided offer remaining product to a waste facility or pesticide disposal program (often such programs are run by state or local governments or by industry)

### CONTAINER DISPOSAL

#### Rigid, Non refillable containers (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 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

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

#### Rigid, Non refillable containers (greater than 5 gallons or 50 lbs)

##### **Non refillable Containers**

Non refillable containers Do not reuse or refill this container Refer to Bottom Discharge IBC or Top Discharge IBC Drums Kegs information 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 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

##### **Refillable Containers**

Refillable container – Refer to Bottom Discharge IBC or Top Discharge IBC Drums Kegs information as follows Refill this container with pesticide only Do not reuse this container for any other purpose Contact your Ag retailer or Bayer CropScience for container return disposal and recycling information

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 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.

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.

### 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. 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.

### NET CONTENTS

PRODUCED FOR



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