

264-1123

5/11/2012

1/8



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 1123

Date of Issuance

MAY 11 2012

NOTICE OF PESTICIDE

Registration
 Reregistration
(under FIFRA as amended)

Term of Issuance

Unconditional

Name of Pesticide Product

Emesto Silver

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 1123
 - b In the Potato Seed Piece Treatment table in the Application Rates column insert xx g ai/100 lbs seed piece
 - c For clarity and consistency in the Commercial Seed Treatment table in the Application Rates column for wheat insert xx mg ai/seed
 - d 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 1123

4 Submit 2 copies of your final printed label before release for shipment

Signature of Approving Official

Mark Corbin for

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

Date

MAY 11 2012

EPA F rm 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

3/8

ACCEPTED
5/11/12
Under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, for the pesticide Registered under EPA Reg. No. 264-1123

Emesto Silver

For use as a fungicide seed dressing for protection against listed seedborne and soilborne diseases in potatoes and wheat

ACTIVE INGREDIENT

Penflufen 9.35%
Prothioconazole 1.68%

OTHER INGREDIENTS

88.97%
TOTAL 100.0%

Contains 0.83 lb Penflufen and 0.15 lb Prothioconazole per gallon (100 g Penflufen and 18 g Prothioconazole per liter)

EPA Reg No 264 ~~XXXX~~ 1123

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 SWALLOWED	<p>Call a poison control center or doctor immediately for treatment advice</p> <p>Have person sip a glass of water if able to swallow</p> <p>Do not induce vomiting unless told to by a poison control center or doctor</p> <p>Do not give anything by mouth to an unconscious person</p>
IF ON SKIN	<p>Take off contaminated clothing</p> <p>Rinse skin immediately with plenty of water for 15-20 minutes</p> <p>Call a poison control center or doctor for treatment advice</p>
<p>In case of emergency call toll free the Bayer CropScience Emergency Response Telephone No 1 800 334 7577</p> <p>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 Harmful if absorbed through the 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

1123

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 except for potato seed pieces

The Agricultural Use Requirements statements below are specific to the potato seed piece use

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard 40 CFR part 170 This Standard contains requirements for the protection of agricultural workers on farms forests nurseries and greenhouses and handlers of agricultural pesticides It contains requirements for training decontamination notification and emergency assistance It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted entry interval The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours Exception if the product is soil injected or soil incorporated the Worker Protection Standard under certain circumstances allows workers to enter the treated area if there will be no contact with anything that has been treated PPE required for early reentry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated such as plants soil or water is coveralls chemical resistant gloves made of any waterproof material and shoes plus socks

POTATO SEED PIECE TREATMENT

CROP	DISEASE	APPLICATION RATE FOR SEED PIECE	DIRECTIONS
<p>Potato (seed piece application)</p>	<p>Black scurf stem & stolon canker caused by seedborne and soilborne (suppression) <i>Rhizoctonia solani</i></p> <p>Silver scurf caused by seedborne <i>Helminthosporium solani</i> (suppression)</p> <p>Seed piece rot caused by <i>Fusarium</i> (suppression)</p>	<p>Apply 0.31 fl oz per 100 lbs of seed pieces</p> <p>Maximum number of application per year is 3</p>	<p>For disease control good coverage of the seed piece is required</p> <p>Apply specified dosage as a diluted spray slurry using equipment that ensures uniform coverage of each seed piece Do not apply more than 2.5 fl oz of slurry / 100 lbs of seed pieces Apply only in areas with adequate ventilation or in areas that are equipped to remove spray mist or dust</p> <p>As part of the seed cutting and treating process application of an inert absorbent ingredient is recommended to improve suberzation For added <i>Fusarium</i> protection apply a Mancozeb containing product specifically designed for application to potatoes in place of the inert absorbent</p> <p>Do not use treated seed pieces for food feed or fodder</p> <p>Do not exceed more than 0.143 lbs of active ingredient/A (65 g ai/A) per crop season for in furrow application</p>

COMMERCIAL SEED TREATMENT

CROP	DISEASE	APPLICATION RATE	DIRECTIONS
<p>Wheat</p>	<p>Loose smut</p> <p>Seed rot pre emergence damping off and seedling blight caused by soilborne <i>Rhizoctonia solani</i></p> <p>Seed decay</p>	<p>Apply 0.75 fl oz per 100 lbs seed</p> <p>Maximum number of application per year is 3</p>	<p>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 Use high quality properly cleaned seed</p>

SEED BAG TAG

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

This seed has been treated with Emesto Silver which contains 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 Emesto Silver

Store away from feeds and foodstuffs
Wear long sleeved shirt long pants shoes socks and chemical resistant gloves when handling treated seed
Crops for which there are registered uses of penflufen which includes alfalfa potatoes (Crop Subgroup 1C) legume vegetables (Crop Group 6/7) cereal grains (Crop Group 15/16) and oil seeds (Crop Group 20) may be replanted at any time All other crops may be planted no less than 30 days after planting treated seeds
After the seeds have been planted 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 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
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 use treated seed pieces for food feed or fodder
For potatoes Do not exceed 0.143 lb penflufen /A (65 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 Emesto Silver /seed which includes penflufen (2 g ai/100 Kg seed) and prothioconazole (0.36 g ai/100 Kg seed)
For wheat 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 Emesto Silver /seed which includes penflufen (4.9 g ai/100 Kg seed) and prothioconazole (0.88 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
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

INFORMATION

EMESTO SILVER is a fungicide seed dressing for protection against listed seedborne and soilborne diseases in potatoes and wheat

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



Bayer CropScience

Bayer CropScience LP
P O Box 12014 2 T W Alexander Drive
Research Triangle Park North Carolina 27709
1 866 99BAYER (1 866 992 2937)

EMESTO SILVER (PENDING) 04/02/12 04/23/12 04/30/12 05/11/12V4