



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

June 30, 2016

Miriam Frugis
Registration Manager
Bayer CropScience
P.O. Box 12014
Research Triangle Park, NC 27710

Subject: Label Amendment – Addition of NY state restrictions
Product Name: FLUOXASTROBIN ST
EPA Registration Number: 264-1169
Application Date: 04/07/2016
Decision Number: 516043

Dear Ms. Frugis:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable. This approval does not affect any conditions that were previously imposed on this registration. You continue to be subject to existing conditions on your registration and any deadlines connected with them.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. "To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

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Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6. If you have any questions, please contact Maryam K. Muhammad by phone at 703-347-0301, or via email at Muhammad.maryam@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to be 'HJ', written in a cursive style.

Hope Johnson, Product Manager 21
Fungicide Branch
Registration Division (7505P)
Office of Pesticide Programs

Enclosure

Fluoxastrobin ST

A seed treatment for use on field corn and soybean seed for the protection against listed plant pathogenic fungi.

ACTIVE INGREDIENT:

Fluoxastrobin: ((2E)-(2-[6-(2-chlorophenoxy)-5-fluoro-4pyrimidinyl] oxy phenyl)-(5, 6-dihydro-1, 4, 2-dioxazin-3yl) methanone O-methyloxime)* 41.4%

OTHER INGREDIENTS:..... 58.6%

TOTAL: 100.0%

Contains 4 lbs Fluoxastrobin per gallon (480 g/liter)

*(CAS Number 361377-29-9)

EPA Reg. No. 264-1169

EPA Est. No.

KEEP OUT OF REACH OF CHILDREN

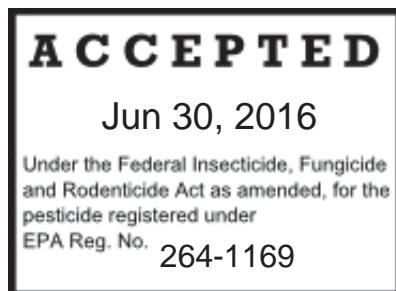
Please refer to [back panel] [booklet] for additional precautionary statements and directions for use. [Note to reviewer: Location of additional precautionary statements and directions for use will vary between those listed, depending on container type/size.]

For MEDICAL Emergencies Call 24 Hours A Day 1-800-334-7577.

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.

For PRODUCT USE Information Call 1-866-99BAYER (1-866-992-2937)



PRECAUTIONARY STATEMENTS

Personal Protective Equipment (PPE)

Workers involved with treating the seed (e.g. connecting and disconnecting hoses and transfer pumps, mixing, equipment calibration, etc.) and others exposed to the concentrate, and cleaners/repairers of seed treatment equipment must wear a long-sleeve shirt and long pants, shoes plus socks, and waterproof (natural rubber, barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, polyethylene, polyvinyl chloride, or viton) gloves.

Baggers and bag sewers must wear a long-sleeve shirt and long pants, and shoes plus socks.

User Safety Requirements

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions exist for washables, 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.
- User 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 fish and aquatic invertebrates. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. The active ingredient in this product can be persistent for several months or longer. Do not apply to water or to areas where surface water is present or to intertidal areas below the mean high water mark, or other sensitive areas that may be exposed to spray drift. Do not contaminate water when disposing of equipment washwaters or rinsate.

Treated seed exposed on soil surface may be hazardous to wildlife. Cover or collect seed spilled during loading

DIRECTIONS FOR USE

STOP - READ THE ENTIRE LABEL BEFORE 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. Read the entire label and observe all label directions and precautions before use. Do not use this product except as directed on this label or on other Bayer CropScience supplemental labeling for this product.

Not for Sale, Sale Into, Distribution and /or Use in Nassau and Suffolk Counties of New York State.

PRODUCT INFORMATION

Fluoxastrobin ST is a broad spectrum seed treatment labeled for the control or suppression of certain plant pathogenic fungi that cause seed and seedling blight. Aids in the suppression of late season stalk rot caused by *Fusarium* spp. & *Colletotrichum* spp.

LABELED USES

Corn (Field corn and field corn grown for seed) and Soybean.

RESISTANCE MANAGEMENT

The active ingredient in Fluoxastrobin ST (fluoxastrobin) belongs to the strobilurin class of chemistry (Group 11). Because resistance development cannot be predicted, the use of this product should conform to resistance management strategies established for the crop and use area. Such strategies may include rotating and/or tank mixing with products having different modes of action; or limiting the total number of applications per season. Use labeled rates. Contact your local extension specialist, certified crop advisor, and/or manufacturer for fungicide/insecticide resistance management and/or integrated pest management recommendations for specific crops and pest populations. Bayer CropScience encourages responsible product stewardship to ensure effective long-term control of pests on this label.

COMPATIBILITY

It is essential that before using Fluoxastrobin ST seed treatment in any tank mixture the compatibility of the mixture be established. Add Fluoxastrobin ST at the labeled rate to a clean quart jar containing approximately one-half the amount of water intended for a final slurry application rate. Next, follow with all other tank mix components that will be used in the total slurry application. Add last the remaining balance of water. The total amount of volume is determined by the seed size and how much is necessary to ensure complete and uniform coverage and distribution on the seed, as well as the type of commercial seed treating application equipment that will be used. **DO NOT USE MIXTURES THAT CURDLE, PRECIPITATE, OR GEL. USE TANK MIXTURES IMMEDIATELY AFTER MIXING WITH ADEQUATE AGITATION.**

USE INFORMATION

Uniform application of seed is necessary to ensure seed safety and best disease protection. Dilute with a sufficient amount of water to achieve uniform application to seed which is necessary to ensure seed safety and best disease control. Use high quality, properly cleaned seed.

RESTRICTIONS

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.

Not for Sale, Sale Into, Distribution and /or Use in Nassau and Suffolk Counties of New York State.

MIXING INSTRUCTIONS

When applied with seed treatment application equipment designed to treat seed utilizing a treatment slurry mixture, add approximately 1/2 to 2/3 of the required water to the treatment slurry tank followed by the accompanying seed treatment products and Fluoxastrobin ST. The order of product addition is dependent on the accompanying seed treatment products and application equipment used. Allow each slurry component to disperse completely prior to the next addition until a uniform suspension is obtained. After all slurry components have been added and dispersed completely add the remaining 1/2 to 1/3 of required water for proper slurry volume and mix until uniform. Do not store mixed slurries for greater than 72 hours. Maintain adequate agitation until treatment slurry is applied. For additional instructions for use, slurry component mixing order, and other application suggestions contact your Bayer CropScience representative.

APPLICATION RATES

May be used in combination with other registered Bayer CropScience seed treatment fungicides and insecticides. Pre-test for compatibility with other seed treatment products.

CORN

To aid in the control of seedborne & soilborne fungi, *Penicillium* spp & *Aspergillus* spp, causing seed & seedling blights.

		Fluoxastrobin ST Application Rates ¹				
Crop	seeds/lb	fl oz / one hundred pounds of seed	ml / one hundred kilograms of seed	fl oz / 80,000 seed unit	ml / 80,000 seed unit	mg AI/seed ²
Field Corn & Field Corn Grown for Seed	1681	0.16 - 0.32	10.42 - 20.83	0.075 - 0.15	2.25 - 4.50	0.014 - 0.027

To aid in suppression of late season stalk rot caused by *Fusarium* spp. & *Colletotrichum graminicola*.

		Fluoxastrobin ST Application Rates ¹				
Crop	seeds/lb	fl oz / one hundred pounds of seed	ml / one hundred kilograms of seed	fl oz / 80,000 seed unit	ml / 80,000 seed unit	mg AI/seed ²
Field Corn and Field Corn Grown for seed	1681	0.96 - 1.92	62.59 - 125	0.457 - 0.914	13.51 - 26.98	0.0811 - 0.162

¹Do not apply more than 0.36 lb ai of fluoxastrobin per acre per year including seed treatment, foliar, in-furrow or banded applications)

²Rate is calculated based on seed/lb averages of Field corn (1681).

SOYBEAN

To aid in the early season control of *Rhizoctonia solani*, the causal agent of seedling blight. Provides suppression of seedborne fungi, *Fusarium* spp, *Penicillium* spp, *Aspergillus* spp, that cause seed decay.

		Fluoxastrobin ST Application Rates ¹			
Crop	# seeds/kg (# seeds/lb)	mL / 100 kg seed (fl oz/100 lb seeds)	mL / 140,000 seed unit (fl oz / 140,000 seed unit)	Mg a.i. / seed ²	g/A ³ (lb/A)
Soybean	6173 (2800)	10.43 - 20.86 (0.16 - 0.32)	2.37 - 4.74 (0.08 - 0.16)	0.008 - 0.016	2.3 - 4.5 (0.005 - 0.01)

¹Do not apply more than 0.72 lb ai/A of fluoxastrobin per acre per year (including seed treatment, foliar, in-furrow or banded applications)

²Rate is calculated based on number of seeds/kg averages of soybean (6173).

³Based on seeding rate of 300,000 seeds/ acre [(300,000 seeds/A) x (mg a.i./seed) x (g/1000mg)

SEED BAG LABEL REQUIREMENTS

The Federal Seed Act requires that the container of seed treated with Fluoxastrobin ST must be labeled with the following statements:
This seed has been treated with Fluoxastrobin ST which contains Fluoxastrobin.
Do not use treated seed for food, feed, or oil purposes.

User is responsible for ensuring that the seed bag meets all requirements under the Federal Seed Act.

The US Environmental Protection Agency requires the following statements on the container of seed treated with Fluoxastrobin ST.

- Store treated seed away from food and feedstuff.
- Do not allow children, pets, or livestock to have access to treated seeds.
- Wear long pants, long-sleeved shirt and protective gloves when handling treated seed.
- Treated seeds exposed on soil surface may be hazardous to wildlife. Cover or collect treated seeds spilled during loading and planting.
- Dispose of all excess treated seed by burying seed away from bodies of water.
- Do not contaminate water bodies when disposing of planting equipment wash waters.
- Dispose of seed packaging in accordance with local requirements.
- Excess treated seed may be used for ethanol production if:
 - (1) by-products are not used for livestock feed and;
 - (2) no measurable residues of pesticides remain in ethanol by-products that are used for agronomic practice.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE

Store in original container and keep tightly closed when not in use. Store in a cool dry place. Avoid cross-contamination with other pesticides.

PESTICIDE DISPOSAL

Pesticide wastes may be toxic. Improper disposal of unused pesticide, spray mixture, or rinse water is a violation of federal law. If these wastes cannot be disposed of by use according to label instruction, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance in proper disposal methods.

CONTAINER HANDLING

Containers with capacities equal to or less than 5 gallons

Non-refillable container. Do not reuse or refill this container. 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.

Offer for recycling, if available, or puncture and dispose of in a sanitary landfill, or by incineration.

Containers that are too large to shake (i.e., with capacities greater than 5 gallons)

Non-refillable containers - Do not reuse or refill this container. After emptying product from container, either return container to Bayer CropScience per instructions from Bayer CropScience Customer Service Center (1-800-527-4781), or rinse and either recycle or dispose of the container 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 inch 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, and 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.

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 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 SHALL NOT BE LIABLE 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 LP
P.O. Box 12014, 2 T.W. Alexander Drive
Research Triangle Park, North Carolina 27709
1-866-99BAYER (1-866-992-2937)

Fluoxastrobin ST (PENDING) 04/05/2016, 04/07/2016