

432-1230

9-11-2003

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Richard M. Gorrell
Bayer Environmental Science
95 Chestnut Ridge Road
Montvale, New Jersey 07645

SEP 11 2003

Subject: Proxy®Growth Regulator
EPA Registration Number 432-1230
Your label amendment application dated June 4, 2003

Dear Mr. Gorrell,

The amended labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended is acceptable, provided that you comply with the following conditions.

1. Make the following change to the label.

The third and fourth sentences in the "PESTICIDE DISPOSAL" subsection of the "STORAGE AND DISPOSAL" section must be combined by making the following change: modify "...label instructions. Contact your..." to "...label instructions, contact your...".

2. Submit one copy of your final printed labeling before you release the product for shipment.

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

If you have any questions about this letter, please contact John Bazuin at (703)305-7381.

Sincerely yours,

/s/

Cynthia Giles-Parker
Product Manager (22)
Fungicide Branch
Registration Division (7505C)

Attachment: Label stamped "ACCEPTED with COMMENTS"

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PROXY[®] Growth Regulator

General label revisions:

Added Section "Tank Mixture with: Primo MAXX" (highlighted in yellow)

PROXY®

For Commercial Use Only. Not For Residential Use.

For use on Turf.

ACTIVE INGREDIENT: Ethephon [(2-chloroethyl)phosphonic acid]* 21.7%

OTHER INGREDIENTS: 78.3%

*Contains 2 pounds ethephon per gallon.

EPA Reg. No. 432-1230

EPA Est. No. 264-PA-01

KEEP OUT OF REACH OF CHILDREN DANGER PELIGRO

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 1-800-334-8745

The use of this product for a variety of plant growth regulation uses is covered by United States and foreign patents including U.S. Patent 4,240,819. No license is granted to use this product in countries other than the United States or for any use not contemplated by this label. Liability for patent infringement may result from use or sale of this product outside the United States.

FIRST AID

IF IN EYES	-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:	-Call a poison control center or doctor immediately 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 ON SKIN OR CLOTHING:	-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.
IF INHALED:	-Move person to fresh air. -If person is not breathing, call 911 or ambulance, and then give artificial respiration preferably mouth-to-mouth if possible. -Call a poison control center or doctor for further treatment advice.

NOTE TO PHYSICIAN

Probable mucosal damage may contraindicate the use of gastric lavage. No specific antidote is available. All treatments should be based on observed signs and symptoms of distress in the patient. Overexposure to materials other than this product may have occurred.

Victims of severe overexposure, by inhalation, should be kept under medical observation for up to 72 hours for delayed onset of pulmonary edema. In a victim of overexposure by ingestion, careful gastric lavage is required due to the possibility of stomach or esophageal perforation. This material is an acid, but the use of alkaline substances to neutralize it is contraindicated.

PRECAUTIONARY STATEMENTS

DANGER

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Corrosive: Causes irreversible eye damage. Wear safety goggles when handling. Harmful if swallowed or absorbed through skin. Do not get in eyes or on clothing. Avoid contact with skin. Do not inhale vapors, as this product will irritate mucous membranes.

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 A on an EPA chemical-resistance selection chart.

Applicators and other handlers must wear long-sleeved shirts and long pants, chemical-resistant gloves made of any waterproof material such as polyethylene or polyvinyl chloride, shoes plus socks and protective eyewear.

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product concentrate. Do not reuse them. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions 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.

Users should remove clothing immediately if pesticide gets inside. Then wash body thoroughly and change into clean clothing. The contaminated clothing should be washed before reuse.

Users should remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing. Wash the outside of gloves before removing.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. 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.

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 regulations. Read entire label before using this product.

STORAGE AND DISPOSAL

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

STORAGE

Store in original container and keep tightly closed. Store in a cool dry place.

PESTICIDE DISPOSAL

Pesticide wastes are acutely hazardous. 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. Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL

Triple rinse (or equivalent). Then offer for recycling or reconditioning or puncture and dispose of in a sanitary landfill or by incineration or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

GENERAL PRECAUTIONS AND RESTRICTIONS

For local recommendations on rates, spray volumes (gallons of water per acre), and spray equipment under varying temperature and rainfall conditions consult Bayer Environmental Science Representative for his experience with this product in your area.

Apply only to actively growing turf, under favorable growing conditions, that is not going into a dormancy period. Do not treat turfgrass with poor root systems or growing under stress due to poor soil conditions, drought, and disease or insect damage.

Avoid Proxy use in areas where excessive thatch has accumulated.

Do not contaminate water used for irrigation or domestic purposes.

Do not apply PROXY® through any type of irrigation system.

Avoid spray drift to nearby crops, as this product will cause modifications in plant growth. Plant injury may result.

Do not use this product for purposes other than those listed on the label.

Do not exceed the rate of PROXY® per acre per year recommended on this label.

DO NOT MIX PROXY® WITH AMMONIUM THIOSULFATE. SUCH TANK MIXTURES MAY RESULT IN FORMATION OF TOXIC FUMES.

Mix only the amount of spray you expect to use each day. Do not allow mixed solution to stand overnight.

Do not use PROXY® with additives other than recommended on this label.

Avoid spills of concentrated product on spray equipment.

IMMEDIATELY RINSE ANY SPILLS WITH PLENTY OF WATER AS PROXY® IS CORROSIVE.

EQUIPMENT CLEANING

Because of the acidic nature of this product, prolonged exposure to spray deposits will damage acrylic plastics, certain paints, and metals.

Rinse thoroughly all exposed acrylic-plastic materials and painted surfaces with a detergent and water within one hour after exposure to spray deposits.

TURF

Growth Regulator: An application of PROXY® slows the growth of turfgrasses thus reducing the required frequency of mowing and the volume of clippings collected. For best turfgrass growth regulation, apply Proxy when daytime air temperatures are 65°F and rising. Applications when lower temperatures occur may result in poor performance for clipping reductions. Proxy should only be applied once turfgrass mowing heights have been established for the season. Avoid Proxy use in areas where excessive thatch has accumulated. For best results, avoid nitrogen fertilization within 3 weeks prior to or following any Proxy application.

Poa annua Seedhead Suppression: Foliar application of Proxy, to actively growing turf, at the labeled rate (5 fl. oz./1000 ft²) will provide suppression of *Poa annua* and white clover seedheads. Allow 2-3 weeks for maximum performance. Repeat applications should be made at the intervals specified in the chart for the desired turfgrass. Repeat applications to predominately *Poa annua* or White Clover sites may be made at a 6-7 week interval. Follow other general recommendations and precautions on the label.

APPLICATION	SITES	RATE	SPRAY VOLUME
Turfgrass Growth Regulation and <i>Poa annua</i> and White Clover Seedhead Suppression: Apply to actively growing turf. It will require 7-10 days for PROXY® to act. Reapplication intervals: <ul style="list-style-type: none"> • Kentucky Bluegrass-7 wks. • Perennial Ryegrass-7 wks. • Tall/Fine Fescue-4 wks. • Bentgrass-4 wks. 	Fairways, Roughs and Commercial Turfgrasses: such as Bentgrass, Kentucky Bluegrass, Perennial Ryegrass, Tall & Fine Fescue	5 fl. oz./1000 ft ²	0.5-4.0 gals/1000 ft ²

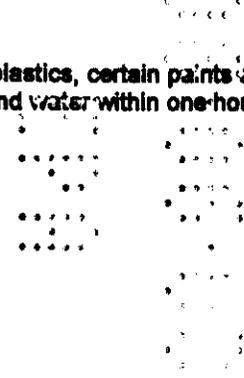
Tank Mixture with Primo MAXX:

Tank mixtures of Proxy at 5 oz/1000 sq. ft. and Primo MAXX at 0.125 or 0.25 oz/1000 sq. ft. can be used to promote seedhead suppression as well as turfgrass quality. Multiple applications of the tank mix combination may be needed. The number of applications must not exceed recommendations for rates or timings for either product applied once. Follow the recommendation on each product label for the most restrictive application interval for each turfgrass.

Use Limitations:

- Do not allow entry to treated areas until sprays have dried.
- For best results, apply with sprayer in sufficient volume of water to provide uniform coverage. Proxy® is foliarly absorbed.
- A maximum of 6 applications per season allowed.
- Apply only to actively growing turf, under favorable growing conditions, that is not going into a dormancy period. Do not treat turfgrass with poor root systems or growing under stress due to poor soil conditions, drought, and disease or insect damage.
- Use of spreaders/stickers with PROXY® is not necessary.
- PROXY® is an acidic product and prolonged exposure to spray deposits will damage acrylic plastics, certain paints and metals. Rinse thoroughly all exposed acrylic plastic materials and painted surfaces with a detergent and water within one-hour after exposure to spray deposits.

Test tank mixes with other products on a small area before using widely.



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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.

By using this product, user or buyer accepts the following conditions, warranty, and disclaimer of warranties and limitations of liability.

CONDITIONS: The directions for use of this product are believed to be adequate and should be followed carefully. However, because of extreme weather and soil conditions, manner of use and other factors beyond Bayer Environmental Science's control, it is impossible for Bayer Environmental Science to eliminate all risks associated with the use of this product. As a result, crop injury or ineffectiveness is always possible. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: THERE ARE NO WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, WHICH EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Bayer Environmental Science is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. Bayer Environmental Science disclaims any liability whatsoever for incidental or consequential damages, including, but not limited to, liability arising out of breach of contract, express or implied warranty (including warranties of merchantability and fitness for a particular purpose), tort, negligence, strict liability or otherwise.

LIMITATIONS OF LIABILITY: 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 ENVIRONMENTAL SCIENCE'S ELECTION, THE REPLACEMENT OF PRODUCT.

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Net Contents:

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

SEP 11 2003

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

432-1230

**Bayer Environmental Science
95 Chestnut Ridge Rd.
Montvale, NJ 07645**

PROXY is a registered trademark of the Bayer Group

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