

## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

September 28, 2015

David Chi Regulatory Affairs Manager Monsanto Company 800 North Lindbergh Blvd. St. Louis, MO 63167

Subject: Non-PRIA (Pesticide Registration Improvement Act) Labeling Amendment – To extend

the registration expiration date, add a website and make other minor label revisions

Product Name: MON 89034 x MON 88017 Seed Blend

EPA Registration Number: 524-606 Application Date: April 3, 2015 OPP Decision Number: 509404

Dear Mr. Chi:

The amended labeling, referred to above, submitted in connection with registration under Sec. 3(c)(7)(A) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable and the expiration date of the registration has been hereby extended to January 31, 2016.

This approval does not affect any terms or conditions that were previously imposed on this registration. You continue to be subject to existing terms or 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.

Should you wish to add/retain a reference to your company's website on your label, then please be aware that the website becomes labeling under FIFRA and is subject to review by the U.S. Environmental Protection Agency (EPA). If the website is false or misleading, the product will be considered to be misbranded and sale or distribution of the product is unlawful under FIFRA section 12(a)(1)(E). 40 CFR § 156.10(a)(5) lists examples of statements the 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 EPA 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 Assurance.

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Your release for shipment of this product constitutes acceptance of these terms. If these terms are not complied with, this registration will be subject to cancellation in accordance with FIFRA section 6.

If you have any questions, please contact Ann Sibold of my team by phone at (703) 305-6502 or via email at sibold.ann@epa.gov.

Sincerely,

Alan Reynolds, Team Leader Microbial Pesticide Branch Biopesticides and Pollution Prevention Division (7511P) Office of Pesticide Programs

Enclosure

### **Plant-Incorporated Protectant Label** MON 89034 × MON 88017 Seed Blend

Insect-Protected, Herbicide-Tolerant Corn
(Alternate Brand Name: Genuity® VT Triple PRO® RIB Complete®)

(OECD Unique Identifier: MON-89Ø34-3 × MON 88Ø17-3)

Active Ingredients:  Bacillus thuringiensis Cry1A.105 protein and the genetic material necessary for its production (Vector PV-ZMIR245) in MON 89034 × MON 88017 corn (OECD Unique Identifier: MON-89Ø34-3 × MON-88Ø17-3)≤0.0024%	
Bacillus thuringiensis Cry2Ab2 protein and the genetic material necessary for its production (Vector PV-ZMIR245) in MON 89034 × MON 88017 corn (OECD Unique Identifier: MON-89Ø34-3 × MON-88Ø17-3)≤0.0057%	
Bacillus thuringiensis Cry3Bb1 protein and the genetic material necessary for its production (Vector PV-ZMIR39) in MON 89034 × MON 88017 corn (OECD Unique Identifier: MON-89Ø34-3 × MON-88Ø17-3)≤0.0070%	
Other Ingredients:	
CP4 EPSPS protein (5-enolpyruvylshikimate-3-phosphate synthase) and the genetic material necessary for its production (Vector PV-ZMIR39) in MON 89034 × MON 88017 corn (OECD Unique Identifier: MON-89Ø34-3 × MON-88Ø17-3)	
*Percentage (wt/wt) on a dry weight basis whole plant (forage)	
Genuity <sup>®</sup> VT Triple PRO <sup>®</sup> RIB Complete <sup>®</sup> seed with this refuge configuration contains up to 90% MON 89034 × MON 88017 mixed with at least 10% non- <i>Bt</i> corn within a single lot of seed.	
KEEP OUT OF REACH OF CHILDREN	ACCEPTED
CAUTION	09/28/2015
EPA Registration No. 524-606 EPA Establishment No. 524-MO-002	Under the Federal Insecticide, Fungicide and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No. 524-606

NET CONTENTS:

800 North Lindbergh Blvd.

Monsanto Company

St Louis, MO 63167

<sup>&</sup>lt;sup>®</sup> Genuity, VT Triple PRO, and RIB Complete are registered trademarks of Monsanto Technology, LLC

### **DIRECTIONS FOR USE**

It is a violation of Federal law to use this product in any manner inconsistent with its labeling. This product must be used as specified in the terms and conditions of the registration.

MON 89034  $\times$  MON 88017 Seed Blend protects corn crops from leaf, stalk, and ear damage caused by lepidopteran corn pests listed on this label and root damage caused by corn rootworm larvae listed on this label. In order to minimize the risk of these pests developing resistance to MON 89034  $\times$  MON 88017 Seed Blend corn, an insect resistance management plan must be implemented as defined in the registration terms and conditions

Grower agreements will specify that growers must adhere to the refuge requirements that will be described on the bag or bag-tag for MON 89034 × MON 88017 Seed Blend corn or other applicable product use documents.

Sales of corn hybrids that contain Monsanto's *Bt* corn plant-incorporated protectants must be accompanied by information on planting, production, and insect resistance management. This information may appear on either an IRM/Grower Guide or on the corn seed bag or bag tag.

Corn seed bags or bag tags for products containing MON  $89034 \times MON 88017$  Seed Blend must include the refuge requirement.

#### INSECT RESISTANCE MANAGEMENT

Growers are instructed to read information on insect resistance management in the IRM Grower Guide or the bag or bag-tag.

The seed producer must ensure a minimum of 10% non-Bt refuge seed is included with the MON 89034 × MON 88017 in each lot of seed corn.

The IRM Grower Guide for MON 89034 × MON 88017 Seed Blend, and comparable information presented on the product bag or bag-tag, must contain the following information:

This product is a seed mixture containing up to 90% MON 89034  $\times$  MON 88017 and a minimum of 10% non-Bt seed that when planted creates an interspersed refuge within the field. The interspersed refuge can only be used by planting seed corn specifically generated by qualified seed producers/conditioners licensed by the registrant. The refuge seed in the seed mixture may not be treated with seed-applied insecticides for corn rootworm (CRW) control unless the MON 89034  $\times$  MON 88017 seed in the seed mixture receives an equivalent seed treatment for CRW control.

The seed mix refuge option for MON  $89034 \times MON 88017$  Seed Blend satisfies the refuge requirements in all areas other than in the cotton-growing area where corn earworm is a significant pest as defined below.

# Additional refuge requirements in the cotton-growing area where corn earworm is a significant pest

In the cotton-growing area where corn earworm is a significant pest, as defined below, MON 89034  $\times$  MON 88017 Seed Blend requires the planting of an additional 20% structured refuge (i.e. 20 acres of non-*Bt* corn for every 80 acres of MON 89034  $\times$  MON 88017 Seed Blend planted).

The 20% refuge must be planted with corn hybrids that do not contain *Bt* technologies for the control of corn rootworms or corn borers.

The 20% refuge and the MON 89034 × MON 88017 Seed Blend should be sown on the same day, or with the shortest window possible between planting dates to ensure that corn root development is similar among varieties.

The 20% refuge may be planted as an in-field or adjacent (e.g., across the road) refuge or planted as a separate block that is within  $\frac{1}{2}$  mile of the MON 89034 × MON 88017 Seed Blend field. In-field refuge options include blocks, perimeter strips (i.e., strips around the field), or in-field strips. If perimeter or in-field strips are implemented, the strips must be at least 4 consecutive rows wide. The refuge can be protected from lepidopteran damage by use of non-Bt insecticides if the population of one or more target pests of MON 89034 × MON 88017 Seed Blend in the refuge exceeds economic thresholds. In addition, the refuge can be protected from CRW damage by an appropriate seed treatment or soil insecticide. Economic thresholds will be determined using methods recommended by local or regional professionals (e.g., Extension Service agents, crop consultants).

The cotton-growing area requiring the additional 20% refuge consists of the following states: Alabama, Arkansas, Georgia, Florida, Louisiana, North Carolina, Mississippi, South Carolina, Oklahoma (only the counties of Beckham, Caddo, Comanche, Custer, Greer, Harmon, Jackson, Kay, Kiowa, Tillman, and Washita), Tennessee (only the counties of Carroll, Chester, Crockett, Dyer, Fayette, Franklin, Gibson, Hardeman, Hardin, Haywood, Lake, Lauderdale, Lincoln, Madison, Obion, Rutherford, Shelby, and Tipton), Texas (except the counties of Carson, Dallam, Hansford, Hartley, Hutchinson, Lipscomb, Moore, Ochiltree, Roberts, and Sherman), Virginia (only the counties of Dinwiddie, Franklin City, Greensville, Isle of Wight, Northampton, Southampton, Suffolk City, Surrey, and Sussex) and Missouri (only the counties of Dunklin, New Madrid, Pemiscot, Scott, and Stoddard).

#### **Corn Insects Controlled**

European corn borer (ECB)

Southwestern corn borer (SWCB)

Southern cornstalk borer (SCSB)

Corn earworm (CEW)

Ostrinia nubilalis

Diatraea grandiosella

Diatraea crambidoides

Helicoverpa zea

Corn earworm (CEW)

Fall armyworm (FAW)

Stalk borer

Helicoverpa zea

Spodoptera frugiperda

Papaipema nebris

Lesser corn stalk borer Elasmopalpus lignosellus Sugarcane borer (SCB) Elasmopalpus lignosellus Diatraea saccharalis

Western corn rootworm (WCRW) Diabrotica virgifera virgifera Northern corn rootworm (NCRW) Diabrotica barberi

Mexican corn rootworm (MCRW) Diabrotica virgifera zeae

MON 89034 × MON 88017 Seed Blend is a product of Monsanto's research program, offering unique genetic characteristics for specific grower needs and may be protected by one or more U.S. patents found at the following web page: www.monsantotechnology.com.