

Mr. Melvin K. Tolliver  
Bayer Corporation  
P.O. Box 4913  
8400 Hawthorn Road  
Kansas City, MO 64120-0013

FEB 24 2000

Dear Mr. Tolliver:

Subject: Elite 45 DF Foliar Fungicide  
EPA Reg. No. 3125-388  
Your Submission of January 28, 2000

The amendment referred to above, submitted in connection with registration under FIFRA sec. 3(c)(7)(A), is acceptable provided that the following labeling changes are made prior to release of the product for shipment.

Delete "New York Only" above the spray drift statements. These are common sense precautions which would be applicable everywhere. Limiting the precautions to New York would imply that it is acceptable to ignore such precautions in other states.

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

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 bearing the amended labeling constitutes acceptance of these conditions.

A stamped copy of the label is enclosed.

Sincerely yours,



Mary L. Waller  
Product Manager (21)  
Fungicide Branch  
Registration Division (7505C)

Enclosure

7505C:CGable:cg:2/18/00

# Elite® 45 DF

## Foliar Fungicide

### ACTIVE INGREDIENT:

Tebuconazole,  
alpha-[2-(4-chlorophenyl)ethyl]alpha-  
(1,1-dimethylethyl)-1H-1,2,4-triazole-1-ethanol . . . . 45%

INERT INGREDIENTS . . . . . 55%  
100%

EPA Reg. No. 3125-388  
EPA Est. 3125-MO-1                      Net Contents: \_\_\_\_ Pounds

**STOP - Read the label before use.**  
**Keep out of reach of children.**

### WARNING                      AVISO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.

(TO THE USER: If you do not understand the label, find someone to explain it to you in detail.)

### STATEMENTS OF PRACTICAL TREATMENT

If **In eyes**, hold eyelids open and flush with a steady, gentle stream of water for 15 minutes. Get medical attention. If **swallowed**, call a physician or Poison Control Center. Drink one or two glasses of water and induce vomiting by touching back of throat with finger, or, if available, by administering syrup of ipecac. If syrup of ipecac is available, administer 1 tablespoon (15 mL) of syrup of ipecac followed by 1 to 2 glasses of water. If vomiting does not occur within 20 minutes, repeat the dose once. Do not induce vomiting or give anything by mouth to an unconscious person. If on **skin**, wash skin with plenty of soap and water. Get medical attention. If **Inhaled**, remove victim to fresh air. If not breathing, give artificial respiration, preferably mouth to mouth. Get medical attention.

**SYMPTOMS OF POISONING:** The compound does not cause any definite symptoms that would be diagnostic. Contact with the eyes may cause irritation.

**Note To Physician:** No specific antidote. Treat symptomatically.

In case of poisoning, it is also requested that Bayer Corporation, Kansas City, Missouri, be notified. Telephone - 800-414-0244.

### PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

**WARNING:** Causes substantial but temporary eye injury. Harmful if swallowed, inhaled or absorbed through the skin. Prolonged or frequently repeated skin contact may cause allergic skin reactions in some individuals. Do not get in eyes or on clothing. Avoid contact with skin. Avoid breathing dust or spray mist.

### Personal Protective Equipment:

**Applicators and other handlers must wear:**

- Long-sleeved shirt and long pants
- Water-proof gloves
- Shoes plus socks
- Protective eyewear

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.

**Engineering controls statements:** When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in The Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

<p><b>User Safety Recommendations:</b> Users should:</p> <ul style="list-style-type: none"> <li>• Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.</li> <li>• Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.</li> </ul>
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### ENVIRONMENTAL HAZARDS

This pesticide is toxic to estuarine and marine invertebrates. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high-water mark. Drift and runoff may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment washwater or rinsate.

### 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 regulation.

ACCEPTED  
with COMMENTS  
In EPA Letter Dated  
FEB 24 2009  
Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
as amended, for the pesticide  
registered under EPA Reg. No.  
3125-388

**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), restricted-entry interval and notification to workers. 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.

PPE required for early entry 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:

- Long-sleeved shirt and long pants
- Waterproof gloves
- Shoes plus socks
- Protective eyewear

**IMPORTANT:** Read these entire Directions and Conditions of Sale before using ELITE 45 DF Foliar Fungicide.

**CONDITIONS OF SALE:** THE DIRECTIONS ON THIS LABEL WERE DETERMINED THROUGH RESEARCH TO BE THE DIRECTIONS FOR CORRECT USE OF THIS PRODUCT. THIS PRODUCT HAS BEEN TESTED FOR A RANGE OF WEATHER CONDITIONS SIMILAR TO THOSE WEATHER CONDITIONS THAT ARE ORDINARY AND CUSTOMARY IN THE GEOGRAPHIC AREA WHERE THE PRODUCT IS USED. INSUFFICIENT CONTROL OF PESTS AND/OR INJURY TO THE CROP TO WHICH THE PRODUCT IS APPLIED MAY RESULT FROM THE OCCURRENCE OF EXTRAORDINARY OR UNUSUAL WEATHER, OR FROM FAILURE TO FOLLOW LABEL DIRECTIONS. IN ADDITION, FAILURE TO FOLLOW LABEL DIRECTIONS MAY CAUSE INJURY TO OTHER CROPS, ANIMALS, MAN, OR THE ENVIRONMENT. BAYER OFFERS, AND THE BUYER ACCEPTS AND USES, THIS PRODUCT SUBJECT TO THE CONDITIONS THAT EXTRAORDINARY OR UNUSUAL WEATHER, OR FAILURE TO FOLLOW LABEL DIRECTIONS ARE BEYOND THE CONTROL OF BAYER AND ARE, THEREFORE, THE RESPONSIBILITY OF THE BUYER.

**Chemigation:** Do not apply this product through any type of irrigation system.

**RECOMMENDED APPLICATIONS**

CROP	DISEASE	RATE OF ELITE 45 DF	
Cherry Peach Nectarine	Brown rot (blossom blight, fruit rot)	2 oz/ 100 gal*	4 to 8 oz/acre**
Cherry	Leaf Spot Powdery mildew		
Peach	Rust	2 oz/ 100 gal	5 to 8 oz/acre

**Blossom blight:** Begin application at white bud on cherry or pink bud on peach and nectarine. Apply again at 50% bloom and at petal fall if conditions continue to be favorable for disease development.

**Fruit rot:** Begin application at two to three weeks before harvest and continue at 7-day intervals through the day of harvest. The blossom and fruit stages must be protected for optimum control of brown rot. If ELITE 45 DF is applied during only one of these stages, another registered fungicide should be applied to the other stage to provide optimum protection. Additional cover sprays during the early postbloom period are also important for preventing quiescent fruit infections in sweet cherry and peach.

**Leaf spot:** Begin application at petal fall or when first leaves unfold and continue applications at 7- to 14-day intervals. Applications should be made at 7-day intervals early in the growing season when terminal growth is rapid and/or under severe disease conditions. A postharvest application may be made to maintain control and reduce overwintering inoculum.

**Powdery mildew:** Follow leaf spot schedule until terminal growth ceases.

**Rust:** Begin applications after canker emergence and continue applications at 14-day intervals under severe disease conditions.

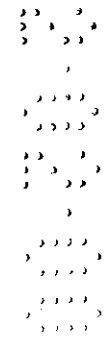
**GENERAL USE DIRECTIONS:**

ELITE 45 DF may be applied up to and including the day of harvest (0-day PHI). Do not apply more than 3 lb of product per acre per crop season.

ELITE 45 DF is a sterol demethylation inhibitor (DMI) fungicide. It may be applied in tank mix or alternated (every other spray application) with a non-DMI (protectant) fungicide as a resistance management strategy. Do not mix ELITE 45 DF with other DMI fungicides.

\* When using the 2 oz/100 gal rate, use at least 4 oz of ELITE 45 DF per acre.

\*\* The amount of ELITE 45 DF required per acre will depend on tree size and volume of foliage present. The rate per acre is based on a standard of 400 gallons of dilute spray solution per acre for large trees. For smaller trees, multiply 2 oz times the number of 100 gallons of spray solution required to thoroughly wet, to the point of runoff, one acre of the trees being treated. For concentrate sprays, apply the same amount of product per acre as would be applied in a dilute spray based on tree size and foliage volume, but not less than 4 ounces of Elite 45 DF per acre. Apply 6 to 8 ounces per acre of ELITE 45 DF when severe disease conditions exist.



RECOMMENDED APPLICATIONS		
CROP	DISEASE	RATE OF ELITE 45 DF
Grape	Black rot Powdery mildew	4 ounces per acre
<p><b>Powdery Mildew</b> Apply in a preventive spray schedule. Make the first application of ELITE before bloom and continue applications at 14-day intervals. Begin applications at 2 to 8 inches of new shoot growth and apply at 10-day intervals on highly susceptible varieties and/or under severe disease conditions. During berry sizing, apply at 7- to 10-day intervals to protect new growth.</p> <p><b>Black Rot</b> Preventive Schedule: Make the first application at 1- to 3- inches of new shoot growth and continue at 7- to 14-day intervals through 5<sup>th</sup> Brix stage or until veraison (berry coloring) is complete. Apply at 1-inch new shoot growth and at 7- to 10-day intervals on highly susceptible varieties or under severe disease conditions. Post-infection Schedule: A post-infection schedule may be followed from 1-inch new shoot growth through 3<sup>rd</sup> Brix stage. Apply within 72 hours after the beginning of an infection period. ELITE applications should not be closer than 7 days apart. Continue ELITE applications using the preventive schedule if the post-infection schedule is discontinued.</p> <p><b>General Directions</b> ELITE 45 DF, applied in a powdery mildew spray schedule, will enhance the activity of registered fungicides used for control of Botrytis bunch rot. ELITE 45 DF may be applied up 14 days before harvest. A maximum of 2 pounds of ELITE 45 DF may be applied per acre per crop season. By ground application only in the state of New York. Apply product in sufficient water for thorough coverage of vines and fruit. Increase spray volume as vine growth increases. ELITE 45 DF is a sterol demethylation inhibitor (DMI) fungicide. It may be applied in a tank-mix or alternated (every other spray application) with a non-DMI fungicide as a resistance management strategy. Tank-mixing ELITE 45 DF with other DMI fungicides is not recommended.</p>		

RECOMMENDED APPLICATIONS		
CROP	DISEASE	RATE OF ELITE 45 DF
Banana Plantain	Black Leaf Streak Yellow Sigatoka	3.2 oz per acre
<p>Apply specified dosage as a foliar spray in a minimum of 20 gallons or more of water per acre to assure thorough coverage of the plants. A spray oil recommended for use on banana or plantain should be utilized at 4.3 pints per acre in tank-mix with ELITE 45 DF. Thoroughly mix ELITE 45 DF in the spray solution prior to the addition of a spray oil. Make the first application before disease becomes established and repeat applications at 14-day intervals if necessary to maintain disease control.</p> <p>Do not apply ELITE 45 DF to non-bagged bananas. A maximum of 16 oz of ELITE 45 DF may be applied per acre per harvest cycle. ELITE 45 DF may be applied up to the day of harvest.</p>		

**Spray Volume:** ELITE 45 DF may be applied in 50 gallons or more of spray solution per acre by ground spray equipment or in 15 gallons or more per acre by aircraft equipment except as noted under "REMARKS" for each crop. Increase spray volume as crop growth increases to ensure thorough coverage of the foliage and fruit. Check equipment calibration frequently. Complete coverage and uniform application are essential for the most effective results, especially when lower spray volumes are applied.

No aerial application is allowed on Long Island, New York.

**Mixing:** Add recommended amount of ELITE 45 DF into the spray tank while filling with water to the desired level. Operate the agitator while mixing. If other materials are added to the spray tank, the ELITE 45 DF should be thoroughly dispersed prior to the addition of other materials.

**Compatibility:** To determine the compatibility of ELITE 45 DF with other products, the following procedure should be followed:

Pour the recommended proportions of the products into a suitable container of water, mix thoroughly and allow to stand at least five (5) minutes. If the combination remains mixed or can be re-mixed readily, the mixture is considered physically compatible. For further information, contact your local Bayer representative.

**NEW YORK ONLY**

OBSERVE THE FOLLOWING PRECAUTIONS WHEN SPRAYING IN THE VICINITY OF AQUATIC AREAS SUCH AS LAKES; RESERVOIRS; RIVERS; PERMANENT STREAMS, MARSHES OR NATURAL PONDS; ESTUARIES AND COMMERCIAL FISH FARM PONDS.

**Spray Drift Management:** The interaction of many equipment and weather related factors determines the potential for spray drift. The applicator is responsible for considering all of these factors when making application decisions. Avoiding spray drift is the responsibility of the applicator.

**Buffer Zone Requirements:** For soil or foliar applications, do not apply by ground within 25 feet, or by air within 150 feet of lakes; reservoirs; rivers; permanent streams, marshes or natural ponds; estuaries and commercial fish farm ponds.

**Recommendations For Aerial Applications:** The spray boom should be mounted on the aircraft so as to minimize drift caused by wing tip vortices. The minimum practical boom length should be used, and must not exceed 75% of the wing span or rotor diameter.

**Importance of Droplet Size:** An important factor influencing drift is droplet size. Small droplets (<150 - 200 microns) drift to a greater extent than large droplets. Within typical equipment specifications, applications should be made to deliver the largest droplet spectrum that provides sufficient control and coverage. Formation of very small droplets may be minimized by appropriate nozzle selection, by orienting nozzles away from the air stream as much as possible and by avoiding excessive spray boom pressure.

Spray should be released at the lowest possible height consistent with good pest control and flight safety. Applications more than 10 feet above the crop canopy should be avoided.

**Wind Speed Restrictions:** Drift potential increases at wind speeds of less than 3 mph (due to inversion potential) or more than 10 mph. However, many factors, including droplet size, canopy and equipment specifications determine drift

potential at any given wind speed. Do not apply when winds are greater than 15 mph and avoid gusty and windless conditions. Risk of exposure to sensitive aquatic areas can be reduced by avoiding applications when wind direction is toward the aquatic area.

**Restrictions During Temperature Inversions:** Do not make aerial or ground applications during temperature inversions. Drift potential is high during temperature inversions.

Temperature inversions restrict vertical air mixing, which causes small suspended droplets to remain close to the ground and move laterally in a concentrated cloud.

Temperature inversions are characterized by increasing temperature with altitude and are common on nights with limited cloud cover and light to no wind. They begin to form as the sun sets and often continue into the morning. Their presence can be indicated by ground fog; however if fog is not present, inversions can also be identified by the movement of smoke from a ground source. Smoke that layers and moves laterally in a concentrated cloud (under low wind conditions) indicates an inversion, while smoke that moves upward and rapidly dissipates indicates good vertical mixing.

**Airblast (Air Assist) Specific Recommendations for Tree Crops and Vineyards:** Airblast sprayers carry droplets into the canopy of trees/vines via a radially, or laterally directed air stream. The following specific drift management practices should be followed:

- \* Adjust deflectors and aiming devices so that spray is only directed into the canopy;
- \* Block off upward pointed nozzles when there is no overhanging canopy;
- \* Use only enough air volume to penetrate the canopy and provide good coverage;
- \* Do not allow the spray to go beyond the edge of the cultivated area (i.e., turn off sprayer when turning at end rows);
- \* Only spray inward, toward the orchard or vineyard, for applications to the outside rows.

**Runoff Management:** Do not cultivate within 10 feet of the aquatic areas to allow growth of a vegetative filter strip. When used on erodible soils, best management practices for minimizing runoff should be employed. Consult your local Soil Conservation Service for recommendations in your use area.

**ROTATIONAL CROPS**

Any crop not specified on this label may be planted into treated areas 120 days after last application.

**STORAGE AND DISPOSAL**

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

**Pesticide Storage:** Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Store in original container and out of the reach of children, preferably in a locked storage area.

Handle and open container in a manner as to prevent spillage. If container is leaking or material is spilled for any reason or cause, carefully sweep material into a pile. Refer to Precautionary Statements on label for hazards associated with the handling of this material. Do not walk through spilled material. Dispose of pesticide as directed below. In spill or leak incidents, keep unauthorized people away. You may contact the Bayer Emergency Response Team for decontamination procedures or any other assistance that may be necessary. The Bayer Kansas City Emergency Response Telephone No. is 800-414-0244, or contact Chemtrec at 800-424-9300.

**Pesticide Disposal:** Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

**Container Disposal:** Completely empty container into application equipment. Then dispose of empty container in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

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