

7501-180

6/22/2001

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U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Registration Division (H7535C)
401 "M" St., S.W.
Washington, D.C. 20460

EPA Reg.
Number:

7501-180

Date of Issuance:

JUN 22 2001

NOTICE OF PESTICIDE:

☒ Registration
Reregistration

(under FIFRA, as amended)

Term of Issuance:

Conditional

Name of Pesticide Product:

PROTÉGÉ™ 70WP
Fungicide

Name and Address of Registrant (include ZIP Code):

Gustafson LLC
1400 Preston Road, Suite 400
Plano, Texas 75093

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/reregistered 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 registered in accordance with FIFRA sec. 3(c)(7)(A) provided that you comply with the following requirements.

1. Submit/cite all data required for the registration of your product when the Agency requires all registrants of similar products to submit data.
2. Satisfy the data requirement Corrosion Characteristics (requirement 830.6320) by October 31, 2001.
3. Make the change that is listed below before you release the product for shipment:
 - Revise the EPA Registration Number to read, "EPA Reg. No. 7501-180".
4. Submit one copy of your final printed labels 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 constitutes acceptance of these conditions.

Signature of Approving Official:

/s/

Date:

JUN 22 2001

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

Sincerely yours,

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

Attachments: Product label stamped "ACCEPTED with COMMENTS"

PROTÉGÉ™ 70WP

Fungicide

Broad spectrum fungicide for control of plant diseases

ACTIVE INGREDIENT:

Azoxystrobin: methyl (E)-2-[2-[6-(2-cyanophenoxy)
pyrimidin-4-yloxy]phenyl]-3-methoxyacrylate*70%
INERT INGREDIENTS:30%
TOTAL100%

*IUPAC

EPA REG. No. 7501- EPA Est. No.
NET CONTENTS:

KEEP OUT OF REACH OF CHILDREN CAUTION

SEE INSIDE FOR STATEMENT OF PRACTICAL
TREATMENT AND PRECAUTIONARY STATEMENT

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Harmful if inhaled or absorbed through the skin. Avoid contact with eyes, skin, or clothing. Wash thoroughly with soap and water after handling.

PERSONAL PROTECTIVE EQUIPMENT(PPE):

Applicators and other handlers must wear: long-sleeved shirt and long pants, chemical resistant gloves made of any waterproof material, and shoes plus socks.

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. Remove clothing 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.

FIRST AID

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

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 further treatment advice.

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 an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.

-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 to an unconscious person.

ENVIRONMENTAL HAZARDS

The active ingredient in this product, Azoxystrobin, can be persistent for several months or longer. Azoxystrobin has degradation products which have properties similar to chemicals which are known to leach through soil to ground water under certain conditions as a result of agricultural use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in ground water contamination.

This pesticide is toxic to freshwater and estuarine/marine fish and aquatic invertebrates. Drift and runoff may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment washwater or rinsate.

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DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Use of PROTÉGÉ 70 WP Fungicide is prohibited in Nassau and Suffolk counties in New York State. In the remainder of the state, read and follow all applicable directions, restrictions and precautions on the EPA-registered PROTÉGÉ 70 WP product label.

FAILURE TO FOLLOW THE USE DIRECTIONS AND PRECAUTIONS ON THIS LABEL MAY RESULT IN PLANT INJURY OR POOR DISEASE CONTROL.

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 for pesticide regulation.

AGRICULTURAL USES

For all agricultural uses, PROTÉGÉ 70WP Fungicide use is prohibited in Nassau and Suffolk counties in New York State.

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 4 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: coveralls, chemical resistant gloves made of any waterproof material and shoes plus socks.

STORAGE AND DISPOSAL

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

STORAGE: Store in original container only. Keep container closed when not in use. Do not store near food or feed. In case of spill on floor or paved surfaces, mop and remove to chemical waste storage area until proper disposal can be made if product cannot be used according to the label.

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.

CONTAINER DISPOSAL: Completely empty container by shaking and, tapping sides and bottom to loosen clinging particles. Empty container into application equipment. Then dispose of container in sanitary landfill or by incineration if allowed by State and local authorities.

CONTAINER IS NOT SAFE FOR FOOD, FEED OR DRINKING WATER.

GENERAL INFORMATION

PROTÉGÉ 70 WP Fungicide is a broad spectrum, preventative fungicide with systemic and curative properties recommended for the control of many important plant diseases. PROTÉGÉ 70

WP may be applied as a seed treatment following the instructions listed below.

GENERAL USE PRECAUTIONS

Crops in this label may be planted immediately after last planting. Do not plant other crops within 45 days after last planting. Do not apply this product through any type of irrigation system.

APPLICATION:

Apply PROTÉGÉ 70 WP Fungicide at the recommended rate per 100 pounds of seed, using standard slurry or mist-type seed treatment equipment. Uniform application of seed is necessary to ensure seed safety and best disease protection. Seed should be sound and well cured prior to treatment. Product should be diluted with sufficient water to ensure complete seed coverage. Consult a seed treatment specialist regarding slurry rates recommended for the crop to be treated with PROTÉGÉ 70 WP Fungicide.

SEED LABELING: To meet U. S. Federal Seed Act requirements, all seed treated with PROTÉGÉ 70 WP should be labeled:

TREATED SEED DO NOT USE FOR FOOD, FEED OR OIL PURPOSES. Treated with methyl (E)-2-[6-(2-cyanophenoxy)pyrimidin-4-yloxy]phenyl]-3-methoxyacrylate (PROTÉGÉ).

USE PRECAUTION: When using formulations that do not contain dye, to comply with 40 CFR 153.155, all seed treated with an economic poison must be colored to distinguish and prevent subsequent inadvertent use as a food for man or feed for animals.

Canola:

For control of seedborne blackleg (*Phoma lingam*), seedling Rhizoctonia damping-off (*Rhizoctonia solani*) and Alternaria seedling blight (*Alternaria* spp.), apply PROTÉGÉ 70 WP at 0.25 oz. / cwt. It is recommended that PROTÉGÉ 70 WP be combined with a *Pythium*-active seed treatment product, such as ALLEGIANCE-FL, to offer broad spectrum protection against the seed and seedling disease complex (*Rhizoctonia* spp. and *Pythium* spp.)

Cotton:

For systemic seed and seedling protection against seedborne fungi causing seed decay and the soilborne pathogen, *Rhizoctonia solani* inciting *Rhizoctonia* damping-off, apply PROTÉGÉ 70 WP at 0.07 - 0.09 oz. / cwt. of seed. It is recommended that Protege 70WP be combined with a *Pythium*-active seed treatment product, such as ALLEGIANCE-FL Seed Treatment Fungicide to offer broad spectrum protection against the seed and seedling disease complex (*Pythium* spp. and *Rhizoctonia* spp.)

Peanut:

For suppression of seedborne disease and early season damping-off caused by *Rhizoctonia solani*, apply PROTÉGÉ 70 WP at 0.09 oz. / cwt. It is recommended that PROTÉGÉ 70 WP be combined with a *Pythium*-active seed treatment product, such as ALLEGIANCE-FL, to offer broad spectrum protection against the seed and seedling disease complex (*Rhizoctonia* spp. and *Pythium* spp.)

Potato seed-piece:

For suppression of black scurf and stem canker caused by *Rhizoctonia solani* and for protection against silver scurf caused by *Helminthosporium solani*, apply PROTÉGÉ 70 WP at 0.09 oz. / cwt.

Blend PROTÉGÉ 70 WP product in a liquid pre-mix tank with Gustafson LLC recommended co-fungicide products approved for potato seed-piece application. Co-fungicide use is recommended to prevent fungal disease resistance development. In addition, GENESIS™ Flowable Potato Seed-Piece Treatment Insecticide may be added to provide insect pest protection. Apply liquid mixture to potato seed-pieces using a shielded spray system situated over a roller table. A slurry volume of 0.4 - 0.8 fl. oz. / cwt. delivery is to be targeted over a single layer of cut potatoes rolling along the table. Mechanical agitation of the slurry solution is needed to maintain slurry suspension. Consult a

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Gustafson LLC representative for system application equipment guidance.

Immediately after application, apply an inert absorbent ingredient to sprayed seed-pieces. For fungicide resistance management, apply Mancozeb dry at label rate over Protege-treated potato seed-pieces. In addition, Mancozeb will enhance protection against Fusarium dry rot and help reduce the *spread of Phytophthora infestans (late blight) that may occur from surface infestation resulting from seed-piece to seed-piece contact during the handling, cutting and planting process. *Mancozeb is not efficacious against systematic seed-piece infections or airborne (secondary) inoculum.

Apply only in areas with adequate ventilation or in areas that are equipped to remove spray mist or dust.

Plant seed-pieces as soon as possible after cutting and treating in accordance with the recommendations of your local extension potato specialist.

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

JUN 22 2001

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

7501-180

**NOTICE - READ CAREFULLY
CONDITIONS OF SALE AND LIMITED
WARRANTY STATEMENT**

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 Gustafson LLC no claims are made to guarantee germination of carry-over seed.

As its sole express warranty, Gustafson LLC warrants that this product conforms to the chemical description on the label and is reasonably fit for purposes stated on the label only when used in accordance with directions and instructions specified on the label, subject to the inherent risks set forth above. ONLY AS PERMITTED BY APPLICABLE LAW, IN THE EVENT OF A BREACH OF THIS LIMITED WARRANTY, GUSTAFSON LLC SHALL NOT BE LIABLE FOR CONSEQUENTIAL DAMAGES. SUBJECT TO APPLICABLE LAW, GUSTAFSON LLC NEITHER MAKES NOR AUTHORIZES ANY OF ITS AGENTS OR REPRESENTATIVES TO MAKE ANY WARRANTY OF FITNESS OR MERCHANTABILITY, GUARANTY OR REPRESENTATION, EXPRESS OR IMPLIED, CONCERNING THIS MATERIAL. Buyer assumes the responsibility to handle, use and store this product in accordance with the safety instructions and use directions contained on the label.

Buyer/User purchases this product subject to the foregoing Conditions of Sale and Limited Warranty, which, subject to applicable law, may be varied only by a written agreement signed by a duly authorized representative of Gustafson LLC. If these terms are not acceptable, return all products to the place of purchase, unopened for a full refund.

A quality product manufactured for:
Gustafson LLC
1400 Preston Road, Suite 400
Plano, Texas 75093
Questions? (972) 985-8877

PROTÉGÉ is a Reg. TM of Zeneca Inc.
ALLEGIANCE and GENESIS are TM's of Gustafson LLC
Gustafson (logo) is a Reg. TM of Gustafson LLC

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