

42519-35

6/13/2013

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
CHEMICAL SAFETY AND
POLLUTION PREVENTION

Luxembourg-Pamol, Inc.
c/o Fred Smith
SciReg, Inc.
12733 Director's Loop
Woodbridge, VA 22192

JUN 13 2013

Product Name: ProSoy
EPA Reg. No.: 42519-35
Subject: Label amendment to change the PBN to ProSoy; add me-too uses for grasses grown for seed, onion, peanut, and watermelon; and revised Basic CSF dated 5/17/2013
EPA Decision Number: 475654

Dear Mr. Smith,

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended, is acceptable. A stamped copy of your label is enclosed for your records. This label supersedes all previously accepted labels.

The Basic Confidential Statement of Formula (CSF) dated 5/17/2013 referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act as amended is acceptable. The Basic CSF dated 5/17/2013 has been added to the subject product's regulatory file and will supersede all previously accepted CSFs.

You must submit one (1) copy of the final printed label before you release the product for shipment. Products released for shipment after eighteen (18) months from the date of this letter must bear the new revised label. If there conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA §6(e). Your release for shipment of the product constitutes acceptance of these conditions.

If you have any questions, please contact Erin Malone at (703) 347-0253 or via email at malone.erin@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Hope Johnson".

Hope Johnson
Acting Product Manager 21
Fungicide Branch
Registration Division (7504P)

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ProSoy

A systemic fungicide for the control of barley, grasses grown for seed, onion, peanut, pecan, soybean, watermelon, and wheat diseases

ACTIVE INGREDIENTS:

Potassium Phosphite¹ 49.0%

Tebuconazole: α -[2-(4-chlorophenyl)ethyl]- α -(1,1-dimethylethyl)-1H-1,2,4-triazole-1-ethanol² 3.3%

OTHER INGREDIENTS: 47.7%

TOTAL: 100.0%

¹ 30.4% (3.66 lbs/gal) phosphorous acid equivalent

² 0.42 lbs/gal tebuconazole

KEEP OUT OF REACH OF CHILDREN

CAUTION

FIRST AID	
If swallowed	<ul style="list-style-type: none"> • Call 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 in eyes	<ul style="list-style-type: none"> • 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 on skin or clothing	<ul style="list-style-type: none"> • 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:	<ul style="list-style-type: none"> • 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 further treatment advice.
HOT LINE NUMBER Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-424-9300 for emergency medical information.	
NOTE TO PHYSICIAN No specific antidote. Treat symptomatically. For additional information, call: 1-800-424-9300.	

See side panel for additional precautionary statements.

[SHAKE WELL BEFORE USING.]

[SHAKE WELL BEFORE USE.]

EPA Reg. No.: 42519-35

EPA Est. No.: 42519-ISR-002

Manufactured for:

LUXEMBOURG – PAMOL, INC.

3647 Willowbend Blvd., Suite 810

Houston, Texas 77054, U.S.A.

Customer Service (713) 661-8800

Batch No. XXXX-XX

Net Contents: 1, 2.5, or 250 Gallons

FOR CHEMICAL SPILL, LEAK,

FIRE OR EXPOSURE CALL

TOLL FREE: 1-800-424-9300

AGRICULTURAL CHEMICAL

DO NOT SHIP OR STORE WITH FOODS,

FEEDS, DRUGS OR CLOTHING

ACCEPTED

JUN 13 2013

Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg No. 42519-35

PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals:

CAUTION. Harmful if swallowed or if absorbed through skin. Causes eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.

PERSONAL PROTECTIVE EQUIPMENT (PPE): Natural rubber and polyvinyl chloride are chemical-resistant to this product. If you want more options, follow the instructions for Category A on an EPA chemical resistance category selection chart.

Applicators and other handlers must wear:

- long-sleeved shirt and long pants
- chemical-resistant gloves (such as nitrile, butyl, neoprene, and/or barrier laminate)
- shoes plus socks

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, 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. 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: Tebuconazole is toxic to mammals, fish, and aquatic invertebrates. Do not apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean highwater mark. Drift and runoff may be hazardous to aquatic organisms in neighboring areas.

Ground Water Advisory: Tebuconazole is known to leach through soil into groundwater under certain conditions as a result of label use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

Surface Water Advisory: Tebuconazole may contaminate water through drift of spray in wind. It has a high potential for runoff for several months or more after application. Poorly draining soils and soils with shallow water tables are more prone to runoff that contains this product. A level, well-maintained vegetative buffer strip between areas to which this product is applied and surface water features such as ponds, streams, and springs will reduce the potential for contamination of water from rainfall-runoff. Runoff of this product will be reduced by avoiding applications when rainfall is forecasted within 48 hours.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. For any requirements specific to your State or Tribe, consult the State or tribal agency responsible for pesticide regulation. 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.

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 intervals (REI). 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 requirement 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 (such as nitrile, butyl, neoprene, natural rubber, and/or barrier laminate)
- shoes plus socks

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

Requirements for ground applications:

For ground applications, adjust nozzle height and droplet size with wind speed according to the following table:

Wind speed	Nozzle height	Droplet size for standard nozzles (ASAE standard 572)
Less than 10 mph	Up to 2 feet	medium or coarser
	2-4 feet	coarse or coarser
	4-6 feet	very coarse or coarser
10 to 15 mph	0-2 feet	coarse or coarser
	2-4 feet	very coarse or coarser
	4-6 feet	extremely coarse

Do not apply when the wind speed exceeds 15 mph. Do not apply at a nozzle height of greater than 6 feet above the ground or crop canopy. Apply as a medium or coarser spray (ASAE standard 572).

Requirements for aerial applications:

For aerial applications, apply only when the wind speed is less than or equal to 15 mph using a release height of no more than 10 feet above the ground or crop canopy. If the wind speed is less than 10 mph, apply as a medium or coarser spray (ASAE standard 572). If the wind speed is between 10 mph and 15 mph, apply as a coarse or coarser spray (ASAE standard 572). The boom length must not exceed 75% of the wingspan or 90% of the rotor blade diameter. Do not make aerial applications into temperature inversions. When aerial applications are made with a cross-wind, the swath will be displaced downwind. The applicator must compensate for this displacement at the downwind edge of the application area by adjusting the path of the aircraft upwind.

Spray Drift Management:

Aerial applications: Mount the spray boom on the aircraft so as to minimize drift caused by wing tip vortices. Use the minimum practical boom length, which must not exceed 75 percent of the wingspan or rotor diameter. Use the largest droplet size consistent with pest control. 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. Apply in a minimum of 5 gallons of spray solution per acre by aircraft spray equipment. Release spray at the lowest possible height consistent with good pest control and flight safety. Do not apply more than 10 feet above the crop canopy. Make aerial and ground applications when wind velocity favors on-target product deposition (approximately 3 to 10 mph). Do not apply when wind velocity exceeds 15 mph (miles per hour). Avoid applications when wind gusts approach 15 mph. Risk of exposure to sensitive aquatic areas can be reduced by avoiding applications when wind direction is toward the aquatic area. Low humidity and high temperatures increase the evaporation rate of spray droplets and therefore the likelihood of spray drift to aquatic areas. Do not spray during conditions of low humidity and/or high temperature. Do not make aerial or ground applications during temperature inversions. Inversions are characterized by stable air and increasing temperatures with height above the ground. Mist or fog may indicate the presence of an inversion in humid areas. The applicator may detect the presence of an inversion by producing smoke and observing a smoke layer near the ground surface.

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

Apply only during alternate years in fields adjacent to aquatic areas listed above.

Do not apply by ground or air within 100 feet of aquatic areas listed above.

Do not cultivate within 10 feet of an aquatic area to allow growth of a vegetative filter strip.

Rotational Crop Restrictions:

Treated areas may be replanted with peanuts, soybeans, sunflowers, wheat, and barley as soon as practical after last application. Any other crop may be planted into treated areas 120 days after last application.

Product Information:

ProSoy is a systemic product. When used in conjunction with good cultural management practices and as part of a complete disease control program, ProSoy will control/suppress specified diseases associated with barley, grasses grown for seed, onions, peanuts, pecans, soybeans, watermelons, and wheat. In order to achieve maximum results in

controlling/suppressing the diseases, carry out spraying before the appearance of the diseases or when diseases are first observed. Initiate applications when environmental conditions are favorable for disease development.

MIXING AND APPLICATION INSTRUCTIONS

Apply ProSoy in a minimum of 10 gallons of water per acre by ground sprayer or in a minimum of 5 gallons of spray solution per acre by aircraft for barley, corn, soybeans and wheat. For fruit and vegetable crops, ProSoy is best applied in 100 gallons of water per acre by ground sprayer or in a minimum of 5 gallons or more of water per acre by aircraft.

Check equipment calibration frequently. Complete coverage and uniform application are essential for the most effective results, especially when lower spray volumes are applied. If necessary, increase the volume of water in the spray tank for complete crop coverage. Do not apply more ProSoy than is specified in the application instructions. Fill spray tank halfway with clean water. Add the required amount of ProSoy to the tank, as indicated in the application instructions. While agitating, add the remaining amount of water. Apply solution directly to the foliage. For optimum control, thorough coverage is required. ProSoy spray must have a minimum of 2 hours of drying time on plant foliage for the active ingredients to move into the plant tissue before rain or irrigation occurs.

Compatibility:

Conduct a tank spray compatibility test when you plan to mix this product with other products. To determine the physical compatibility of this product with other products, use a jar test. Using a quart jar, add the proportionate amounts of the products to approximately one quart of water with agitation. Add dry formulations first, then flowables, and then emulsifiable concentrates last. After thorough mixing, allow this mixture to stand for 5 minutes. If the combination remains mixed or can be readily remixed, it is physically compatible. Once compatibility has been proven, use the same procedure for adding products to the spray tank. Follow the more restrictive labeling requirements of any tank mix partner. Do not tank mix with products whose label prohibits tank mixing.

Phytotoxicity indications:

The components of this product have been evaluated for phytotoxicity on a large variety of crops under various normal field conditions. However, testing all plant varieties, in all mixtures and combinations is not feasible. Test a small portion of the area to be treated for phytotoxicity, before treating the entire area. Test tank-mix combinations on a small number of plants before treating large areas, as crop sensitivity to these mixtures may vary. Do not apply to plants under stress.

DISEASE CONTROL AND APPLICATION INSTRUCTIONS

ProSoy is for use on the following crops, all of which have an REI of 12 hours.

<u>CROP</u>	<u>DISEASE</u>	<u>RATE</u>	<u>REMARKS</u>
BARLEY	Rusts Head blight suppression	2 pints/acre	<p>Make a single application per season by air or ground at the earliest sign of rust (<i>Puccinia</i> spp.).</p> <p>Straw cut after harvest may be fed or used for bedding. Grazing or feeding forage to livestock is permitted 6 days after the last application. Optimal timing for Fusarium head blight suppression is when heads are fully emerged on 50% of the plants (growth stage 10.5). Do not apply within 30 days of harvest.</p>
GRASSES GROWN FOR SEED	Rust (<i>Puccinia</i> spp.) Powdery Mildew	2-4 pints/acre	<p>Apply when weather conditions favor disease development. Repeat on a 14-day interval. Apply the higher rate under heavier disease pressure. Thorough coverage is important for disease control. A maximum of 8 pints/acre may be applied per season. The PHI is 4 days. Chaff, screenings and straw from treated areas may be used for feed purposes; do not forage, cut green crop, or use seed for feed purposes. Regrowth may be grazed starting at 17 days after the last application.</p>

<p>ONIONS Green onions Dry bulb onions</p> <p>Green onions include: leek, spring onion, scallion, Japanese bunching onions, green shallots, green eschalots</p> <p>Dry bulb onions include: garlic, elephant garlic, Welsh onion, shallot</p>	<p>Rust(<i>Puccinia spp.</i>) Purple blotch (<i>Alternaria porii</i>) Downy Mildew (<i>Peronospora destructor</i>)</p>	<p>2-3 pints/acre</p>	<p>Use ProSoy as a preventative treatment. Repeat applications on a 10-14 day interval. Do not apply more than 6 pints per acre per season. The PHI is 7 days.</p>
<p>PEANUTS</p>	<p>Soil-borne: White mold, southern blight (<i>Sclerotium rolfsii</i>) Rhizoctonia limb rot Pythium pod rot</p> <p>Foliar: Early and Late Leaf spot Leaf rust Web blotch</p>	<p>3-3.5 pints/acre</p>	<p>Apply in a seven application program in sprays 3, 4, 5, and 6 on a preventative 14-day schedule. Make applications of chlorothalonil prior to and following ProSoy (sprays 1, 2, and 7) to control foliar diseases. Use a maximum of 14 pints per year. Irrigate to carry the spray into the root and pod zone for soil-borne diseases. Use ProSoy in conjunction with IPM practices to reduce severity of soil-borne diseases. The PHI is 14 days.</p>

PECANS	Anthracnose Brown leaf spot Downy spot Liver spot Scab/Vein spot Zonate leaf spot	Early Season: 2 pints/acre	Apply in 100 gallons of water by ground or 5 gallons or more diluent by air in a preventative spray schedule beginning at budbreak and continue on a 10-14 day spray schedule through the pollination period.
	Scab Vein spot Zonate leaf spot	Post pollination: 2-2.5 pints/acre	Alone or combination with labeled rates of Super Tin 80WP or Elast 400F. Do not add a surfactant when tank mixing. Apply the higher rate to scab-susceptible varieties or when weather conditions favor severe scab disease. Do not apply after shucks split. Do not apply more than 16.5 pints of ProSoy per acre per year. Do not feed or graze cover crops in treated areas to livestock.
SOYBEAN	Soybean rust (<i>Phakopsora pachyrizi</i>), Downy mildew (<i>Peronospora manshurica</i>), Powdery mildew (<i>Microsphaera diffusa</i>) Frogeye leafspot (<i>Cercospora soja</i>)	For FL, GA, AL, MS, LA, and TX: 2 pints/acre For all other states: 2 pints/acre.	Start applications at R1 to R5 (flowering through visible seed in the pod in upper four nodes of plant). Make a second application at least 21 days later. Make a single application between R3 and R5 (soybean pod is approximately 3/16 inch long in the upper four nodes of plant through visible seed in the pod of the upper four nodes of plant) prior to the disease incidence reaching 5%. For all soybean applications: Do not apply more than 0.225 pounds of the active ingredient tebuconazole (i.e., 4.3 pints of ProSoy) per acre per year.

			Do not apply within 30 days of harvest. Do not feed treated soybean forage or hay to livestock.
WATERMELON	Powdery Mildew Gummy stem blight (<i>Didymella bryoniae</i>) suppression Downy mildew	2-3 pints/acre 4 pints/acre 4 pints/acre	Apply the specific dose in a protective spray schedule to foliage and fruit. Repeat on a 10-14 day interval. Do not apply more than 12 pints/acre per season. The PHI is 7 days.
WHEAT	Rust (leaf, stem, and stripe) (<i>Puccinia spp.</i>) Head blight suppression	2 pints/acre	Scout fields for symptoms. Apply at earliest sign of disease. For head blight, application is typically best made at growth stage 10.5. Grazing or feeding forage to livestock is permitted 6 days after the last application. Do not apply within 30 days of harvest. Straw may be used for bedding.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in a dry, secure, cool place.

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

Container Handling: {1 and 2.5 gallons} Nonrefillable container. Do not reuse or refill this container. Triple rinse (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into the 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. Then offer for recycling, if available, or puncture or dispose of in a sanitary landfill, or by incineration. Do not burn unless allowed by state and local ordinances. If burned, stay out of smoke.

Container Handling: {250 gallons} Nonrefillable container. Do not reuse or refill this container. Triple rinse (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into the application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Then offer for recycling, if available, or puncture or dispose of in a sanitary landfill, or by incineration. Do not burn unless allowed by state and local ordinances. If burned, stay out of smoke.

Warranty Limitations and Disclaimer

To the extent consistent with applicable law, Luxembourg warrants that at the product will conform to its chemical description on the label, that it will pass without objection in the trade under the contract description, that seller will convey good title thereto, and that such product will be delivered free from any lawful security interest, lien or encumbrance.

To the extent consistent with applicable law, this is the only warranty made on this product. Luxembourg EXPRESSLY DISCLAIMS ANY IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE AND, EXCEPT AS SET FORTH IN THE ABOVE PARAGRAPH, ANY OTHER EXPRESS OR IMPLIED WARRANTIES. To the extent consistent with applicable law, buyer assumes all risk of use of this material when such use is contrary to label instructions. Read and follow the label directions carefully.

[CONDITIONS OF SALE - LIMITED WARRANTY AND LIMITATIONS OF LIABILITY AND REMEDIES

Read the Conditions of Sale - Warranty and Limitations of Liability and Remedies before using this product. If the terms are not acceptable, return the product, unopened, and the full purchase price will be refunded.

The directions on this label are believed to be reliable and must be followed carefully. 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 conditions or the failure to follow the label directions or good application practices, all of which are beyond the control of {company} (the "Company") or seller. In addition, failure to follow label directions may cause injury to crops, animals, man or the environment. The Company warrants that this product conforms to the chemical description on the label and is reasonably fit for the purpose referred to in the directions for use subject to the factors noted above which are beyond the control of the Company. To the extent consistent with applicable law, The Company makes no other warranties or representations of any kind, express or implied, concerning the product, including no implied warranty of merchantability or fitness for any particular purpose, and no such warranty shall be implied by law.

To the extent consistent with applicable law, the exclusive remedy against the Company for any cause of action relating to the handling or use of this product shall be limited to, at {company's} election, one of the following:

1. Refund of the purchase price paid by buyer or user for product bought, or
2. Replacement of the product used

To the extent consistent with applicable law, the Company shall not be liable and any and all claims against the Company are waived for special, indirect, incidental, or consequential damages or expense of any nature, including, but not limited to, loss of profits or income. The Company and the seller offer this product and the buyer and user accept it, subject to the foregoing conditions of sale and limitation of warranty, liability and remedies.]

Super Tin (triphenyltin hydroxide) is a registered trademark of United Phosphorus Ltd.
Elast (dodine) is a registered trademark of Aceto Agricultural Corp.