

66330-291

10-30-2006

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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OCT 30 2006

Mr. Bill Washburn
Arysta LifeScience North America Corporation
530 Oak Court Drive, Suite 100
Memphis, TN 38117

**Subject: EPA Registration No. 66330-291, PGR-IV/BP Foliar
Label Amendment with New Use Sites and Revised Confidential
Statement of Formula (CSF)**

Dear Mr. Washburn-

The Agency has evaluated your label amendment and confidential statement of Formula referred to above that was resubmitted by email on October 27, 2006.

The labeling and CSF referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable. A stamped copy of the label is enclosed for your records.

You are required to submit two copies of the final printed labeling prior to releasing the product for shipment. A stamped copy of the label is enclosed for your records. If you have questions concerning the content of this letter, please contact Susanne Cerrelli at 703-308-8077.

Regards,

Sheryl Reilly, Chief
Microbial Pesticides Branch
Biopesticides and Pollution
Prevention Division (7511 P)

Enclosure		CONCURRENCES					
SYMBOL	7511P	7511P					
SURNAME	Cerrelli	Reilly					
DATE	10/30/06	10/30/06					

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**PGR-IV®/BP01 Foliar
Plant Growth Regulator**

For Use On Row Crops (Cotton, Field Corn, Milo, Soybeans, Winter Wheat, Oats, Barley, Rye, Peanuts, Rice), Vegetable Crops (Peppers, Beans [green, lima, pinto, black-eyed, mung, etc.], Cabbage, Broccoli, Cauliflower, Brussels Sprouts, Cucumbers, Squash, Sweet Corn, Tomatoes, Cantaloupes, Watermelon, and Honeydew

ACTIVE INGREDIENTS:

* <i>Bacillus cereus</i> , Strain BP01.....	0.100%
Gibberellic Acid (GA3)	0.225%
OTHER INGREDIENTS:	<u>99.675%</u>
TOTAL	100.000%

*Contains a minimum of 1.84 X 10⁸ colony forming units per gram.

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

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 the 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.

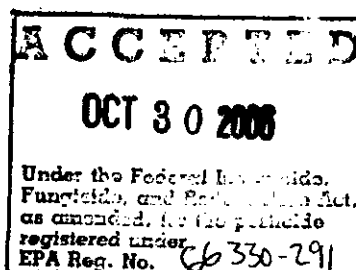
IF INHALED:

Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice

See Additional Precautionary Statements on rear panel.

EPA Reg. No. 66330-291
EPA Est. No. 51036-GA-001
AD xxxxxx
NET CONTENTS: _____

Manufactured For:
Arysta LifeScience North America Corporation
15401 Weston Parkway, Suite 150
Cary, NC 27513



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PRECAUTIONARY STATEMENTS

Hazards to Humans and Domestic Animals

CAUTION

Harmful if swallowed or absorbed through the skin. Causes eye irritation. Harmful if inhaled. Do not breathe dust. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling.

EMERGENCY TELEPHONE NUMBERS:

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

FOR 24-HOUR EMERGENCY MEDICAL ASSISTANCE CALL: 1-866-303-6952

FOR CHEMICAL EMERGENCY: Spill, leak, fire, exposure, or accident call CHEMTREC 1-800-424-9300

PERSONAL PROTECTIVE EQUIPMENT

Applicators and other handlers must wear:

1. Long-sleeved shirt and long pants
2. Waterproof gloves
3. Shoes plus socks
4. NIOSH approved facepiece respirator rated N-95 or higher

Follow manufacturer's instructions for cleaning and 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.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when cleaning equipment or disposing of equipment washwater or rinsate.

CHEMIGATION PROHIBITION

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

DIRECTIONS FOR USE

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

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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. When exposed to potentially high concentrations of living microbial products such as this, all mixer/loaders and other handlers must wear a NIOSH accepted filtering face piece respirator N-95 or higher.

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 and restricted-entry intervals. 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:

1. Long-sleeved shirt and pants.
2. Waterproof gloves
3. Shoes plus socks

STORAGE AND DISPOSAL

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

STORAGE: Store in locked area in original container only, with lid tightly closed. Store separately from other pesticides and fertilizers, food and feed to prevent contamination. Use care to avoid puncturing container during storage or transit.

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: 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.

AERIAL SPRAY DRIFT MANAGEMENT

Avoid spray drift. Requirements below do not apply to forestry applications and mosquito control uses.

The distance of the outer most nozzles on the boom must not exceed 3/4 of the wingspan.

Nozzles must always discharge backward parallel with the air stream.

Never discharge spray downwards more than 45 degrees on fixed wing aircraft or forward of the prevailing air flow on rotary winged aircraft.

filename: EPR-IV EPC1 Foliar (68-10-291) new uses 10-40C

AERIAL SPRAY DRIFT PREVENTION MEASURES

LARGE DROPLETS

The best spray drift management strategy is to apply large droplets and limit or eliminate small droplets to reduce drift potential. However, this will not prevent drift if applications are made improperly or under unfavorable environmental conditions. (see prevention measures below).

CONTROLLING DROPLET SIZE

Number of Nozzles - Using the minimum number of nozzles that provide uniform coverage can reduce spray drift.

Nozzle Orientation - Nozzles that discharge parallel to the airstream produce large droplets. The greater the nozzle angle from the horizontal axis of the aircraft in flight, the smaller the droplet size which increases drift potential.

Nozzle Type - Using the correct nozzle type that is designed for the intended application reduces the potential of drift. With most nozzle types, narrower spray angles produce larger droplets. Properly designed solid stream nozzles generally produce the lowest drift potential. Selection of nozzles, which do not have a wide discharge profile, is best.

Pressure - Within any given nozzle type, using higher pressure will form smaller droplets, and using lower pressure will produce larger droplets reducing drift potential.

CALIBRATION

Calibrating equipment regularly according to the manufacturers specifications helps to identify equipment problems that contribute to drift.

APPLICATION HEIGHT AND BOOM CONTROL

An application height within 8 to 15 feet above the top of the target plants (taking into account aircraft safety) will limit drift potential. Operating the boom during transition from, or to, level flight increases drift potential.

SWATH ADJUSTMENT

Adjusting the swath path to compensate for swath displacement in a crosswind can reduce the drift potential. If swath adjustment distance is increased in proportion to the factors of higher drift potential (high winds, small droplet size, etc.), then the potential for drift is reduced.

WIND

High wind speeds contribute to drift. Drift can be minimized through:

Attention to local wind patterns

Real time monitoring of wind speed and direction prior to and during application

Rapid response to fluctuations in wind speed and direction

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If necessary, stopping the application

TEMPERATURE AND HUMIDITY

Low humidity and high temperature increase evaporation rate and therefore increase spray drift potential. Increasing the sizes in the released droplet spectrum can help compensate for expected evaporation effects.

TEMPERATURE INVERSIONS

Very low wind speeds indicate a potential for temperature inversion. Applications where droplets are released into or may reach a temperature inversion layer have a high drift potential. The release of simple smoke tracers or accurate local measurements of temperature gradients and wind speed can help determine if strongly stable or inversion conditions exist. Local sources of weather information may help identify the presence of temperature inversions.

SENSITIVE AREAS

Exercising reasonable care will minimize the potential for drift damage to sensitive areas. Sensitive areas include, but are not limited to places where people or nontarget plants and/or animals may be present. (i.e. housing areas, schools, parks, churches, business districts, zoos, etc.), bodies of water, known habitat for threatened or endangered species.

RAIN WASH-OFF PRECAUTION

Thorough coverage of foliage is required for **PGR-IV®/BP01** to be effective. The use of a high quality surfactant will enhance coverage and the uptake of **PGR-IV®/BP01** into the plant. It will allow applications to be made as little as 4 hours prior to rainfall to be effective. Without a surfactant, the product should be used at least 8 hours prior to expected rainfall.

COMPATIBILITY

PGR-IV®/BP01 **PGR-IV®/BP01** is compatible with most insecticides, fungicides and miticides. If compatibility is in doubt, perform a standard jar test (mix all ingredients in a clear glass jar in approximate ratios intended for field application) to check for compatibility. **PGR-IV®/BP01 Foliar** can be used with foliar fertilizers if your prior experience shows the combination is compatible and will not injure cotton under your conditions. Care should be used when applying with foliar fertilizers under conditions of extreme heat or crop stress. NOTE: Tank mixes with 2,4-D-B or other hormone type herbicides may result in unwanted additional herbicidal activity.

RESTRICTIONS AND LIMITATIONS

Do not exceed a total of 1 ¼ oz. of **PGR-IV®/BP01 Foliar** per acre per season.

Do not apply **PGR-IV®/BP01 Foliar** within 30 days of harvest.

SPRAY MIX VOLUMES

Refer to COMPATIBILITY section for tank mixing with other products.

Use the enclosed **PGR-IV®/BP01** measuring cone to measure out the appropriate amount of **PGR-IV®/BP01** to be added to each tank.

The following table gives the minimum and maximum amounts of diluent to be used to apply the amount of **PGR-IV®/BP01 Foliar** per acre specified in the use rate tables. Applicators should use a dilution rate that achieves thorough coverage of available plant foliage up to the point of runoff.

DILUENT	MINIMUM PER ACRE	MAXIMUM PER ACRE	COMMENTS
WATER	2 gallons (aerial)	10 gallons (aerial)	Use minimum of 5 gallons in California for aerial.
	5 gallons (ground)	60 gallons (ground)	
OIL, vegetable Cotton Only, Aerial Application	2 pints	4 pints	Application in oil is permitted only in AL, AR, FL, GA, LA, MO, MS, NC, OK, SC, TN and TX. If using an oil carrier, PGR-IV/BP 01 Foliar MUST BE PRE-DISSOLVED in water prior to adding to the mix tank or applicator. Only highly refined vegetable oils may be used with this product and must contain sufficient amounts of emulsifier to insure adequate mixing. Mix under constant agitation. Pour 1/2 of the required volume of vegetable oil into the spray tank, and then pour PGR-IV®/BP01 Foliar pre-dissolved in water into the tank before the remainder of the oil is added. Constant agitation is required during mixing and application.

ROW CROPS

University trials and on farm results have shown the use of **PGR-IV®/BP01 Foliar** can result in increased root mass, earlier fruit initiation, increased fruit retention, increased nutrient utilization, and higher yields.

COTTON:

PGR-IV®/BP01 applications are designed to promote root growth, square retention fruit retention and boll fill.

WITH RATE SINGLE OR SPLIT APPLICATIONS
use these instructions as the preferred method for application.

APPLICATION	RATE PER ACRE	COMMENTS
POST	¾ - 1 oz.	Apply lower rate between match-head square and early bloom when planning a sequential application in 18-24 days. Apply 1 oz. rate when only a single application is planned
COND	½ - 1 oz.	Use lower rate if the early bloom application was made. Apply 1 oz. rate when making a single application.

SOY CORN:

Apply 1 oz. **PGR-IV®/BP01 Foliar** /acre (set nozzles to assure even distribution) at 7-8 leaf stage (or 1 oz. **PGR-IV®/BP01 Foliar** broadcast through 2nd whorl stage). May be mixed with fungicides and insecticides.

SOY:

Apply 1 oz. **PGR-IV®/BP01 Foliar** /acre (set nozzles to assure even coverage) at 7 leaf stage (or 1 oz. **PGR-IV®/BP01 Foliar** broadcast through the 1st whorl stage). May be mixed with fungicides and insecticides.

SOY BEANS:

Apply 1 oz. **PGR-IV®/BP01 Foliar** /acre at early bloom (R1 – R3). May be mixed with fungicides and insecticides.

WHEAT, OATS, BARLEY, RYE:

Apply 1 oz. **PGR-IV®/BP01 Foliar** /acre at early tillering. May be mixed with fungicides and insecticides.

PEANUTS:

Apply 1 oz. **PGR-IV®/BP01 Foliar** /acre at initial pegging and follow with ¾ oz. **PGR-IV®/BP01 Foliar** /acre during early nut fill. May be mixed with fungicides and insecticides.

BARLEY:

Apply 1 oz. **PGR-IV®/BP01 Foliar** /acre between tillering and panicle initiation. May be mixed with fungicides and insecticides.

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VEGETABLE and FRUIT CROPS

PEPPERS: BELL, JALAPENO, SERRANO, etc.

STEP 1 - Broadcast 1 oz. **PGR-IV®/BP01 Foliar** /acre at early bloom.

STEP 2 - Broadcast ¼ oz. **PGR-IV®/BP01 Foliar** /acre at 21 day intervals.

BEANS: GREEN, LIMA, PINTO, BLACK EYE, MUNG, ETC.

Broadcast 1 oz. **PGR-IV®/BP01 Foliar** /acre at first bloom.

CABBAGE/BROCCOLI/CAULIFLOWER/BRUSSEL SPROUTS

STEP 1 - Band (14") 1 oz. **PGR-IV®/BP01 Foliar** /acre 2 weeks post transplant.

STEP 2 - Reapply (14" band) ¼ oz. **PGR-IV®/BP01 Foliar** /acre at 21 days later.

CUCUMBERS/SQUASH

STEP 1 - Spray with 1 oz. **PGR-IV®/BP01 Foliar** /acre at early bloom - broadcast.

STEP 2 - Reapply with ¾ oz. **PGR-IV®/BP01 Foliar** /acre at 21 days later.

SWEET CORN, POPCORN

Band (16") 1 oz. **PGR-IV®/BP01 Foliar** /acre (set nozzles to assure even distribution) at 5 to 8 leaf stage (or 1 oz. **PGR-IV®/BP01 Foliar** broadcast through 2nd whorl stage).

TOMATOES: Machine Harvested or Hand Picked

STEP 1 - Spray ¼ oz. **PGR-IV®/BP01 Foliar** /acre (14" band) 3 weeks post transplant.

STEP 2 - Spray 1 oz. **PGR-IV®/BP01 Foliar** /acre (broadcast) at early bloom.

CANTALOUPE/WATERMELON/HONEYDEW

STEP 1 - Spray ¼ oz. **PGR-IV®/BP01 Foliar** /acre broadcast when plants show first signs of running.

STEP 2 - Reapply 1 oz. **PGR-IV®/BP01 Foliar** /acre broadcast 2 weeks later.

NOTICE: PGR-IV IS NOT A FERTILIZER. USE IN COMBINATION WITH A GOOD FERTILIZER PROGRAM WHERE INDICATED.

CONDITIONS OF SALE

1. Arysta LifeScience North America Corporation ("Arysta") warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label only when used in accordance with the directions under normal conditions of use.
2. This warranty does not extend to the use of this product contrary to label instructions, or under abnormal use conditions, or under conditions not reasonably foreseeable to Arysta. **ARYSTA DISCLAIMS ALL OTHER WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING ANY WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE OR MERCHANTABILITY. TO THE EXTENT PERMITTED BY LAW, SELLER SHALL NOT BE LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM OR**

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IN CONNECTION WITH THE MANUFACTURE, SALE, DELIVERY, USE, HANDLING OR STORAGE OF THIS PRODUCT. TO THE EXTENT PERMITTED BY LAW, SELLER'S LIABILITY SHALL BE LIMITED TO THE REFUND OF THE PURCHASE PRICE. ARYSTA DOES NOT AUTHORIZE ANY AGENT OR REPRESENTATIVE TO MAKE ANY OTHER WARRANTY, GUARANTEE OR REPRESENTATION CONCERNING THIS PRODUCT.

3. Critical and unforeseeable factors beyond the control of Arysta prevent Arysta from eliminating all risks in connection with the use of this product. Such risks include, but are not limited to, damage to plants and crops to which product is applied, lack of complete control, and damage caused by drift to other plants or crops. Such risks occur even though the product is reasonably fit for the use stated on the label and even though label directions are followed. Except as stated in 1 above, to the extent permitted by law, by purchasing, accepting and using this product, the buyer and user acknowledge and assume all risks and liabilities resulting from handling, storage, and use of this product.