

69834-8

11-21-2006

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticide Programs
Biopesticides and Pollution Prevention Division (7511P)
1200 Pennsylvania Avenue NW
Washington, DC 20460

NOTICE OF PESTICIDE REGISTRATION

☒ Registration
☐ Reregistration

(under FIFRA, as amended)

EPA Reg
Number
69834- 8

Date of Issuance
NOV 21 2006

Term of
Issuance

Unconditional

Name of Pesticide Product

EBC- 354 Seed Treatment

Name and Address of Registrant (include ZIP Code):

EDEN Bioscience Corp.
111 Cathedral St. #301
Annapolis MD 21401-2703

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Biopesticides and Pollution Prevention 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 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 registration does not eliminate the need for continual reassessment of the pesticide. If EPA determines at any time, that additional data are required to maintain in effect an existing registration, the Agency will require submission of such data under section 3(c)(2)(B) of FIFRA.

This product is registered in accordance with FIFRA section 3(c)(5) and is subject to the following terms and conditions

Submit/cite all data required for registration of your product under FIFRA § 3(c)(5) when the Agency requires all registrants of similar products to submit such data.

2. Submit two (2) copies of the revised final printed labeling before you release the product for shipment. Refer to attached Type Size Requirements for final printed labeling.

A stamped copy of the label is enclosed for your records.

Signature of Approving Official

Date

NOV 21 2006

Janet L. Andersen, Ph.D., Director

CONCURRENCES

SYMBOL ▶ Biopesticides and Pollution Prevention Division
(7511P)

SURNAME

DATE

EPA Form 8570-8

EPA Form 1820-1A (1-90)

Printed on Recycled Paper

OFFICIAL FILE COPY

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EBC-354 Seed Treatment Master Label Index
Section A.....Pre-plant Seed Treatment
Section B.....Non-Agricultural Use Seed Treatment

EBC-354

Pre-plant Seed Treatment

[OPTIONAL TAG LINES – For use individually or in combination on labels : A biochemical pesticide seed treatment: Improves stand establishment; suppresses nematode egg production; enhances crop growth, quality and yield; Increases Root Mass; Activates plant growth and defense systems; Plant Health Regulator; Improves standability; Decreases lodging; Increases plant stamina and vigor; Aids in management of post-harvest diseases; Enhances plant health; Facilitates Integrated Pest Management Programs; Harp-N-Tek™ inside [LOGO]; Harp-N-Tek is Eden's trademark for its proprietary harpin protein technology]

Dry Powder

ACTIVE INGREDIENT:

Harpin® Protein:0.25%

OTHER INGREDIENTS:99.75%

Total:100%

EPA Reg. No. 69834-

EPA Est. No. 69834-WA-001

KEEP OUT OF REACH OF CHILDREN

**CAUTION
PRECAUCION**

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you.)

Net Weight:

EDEN BIO-TECH, INC., 11310 North Creek Parkway North, Eden Prairie, MN 55347
1-800-368-6333

Read the entire label before using this product.

Read "LIMIT OF WARRANTY AND LIABILITY" before buying or using.
If terms are not acceptable, return at once unopened.

PRECAUTIONARY STATEMENTS

HAZARD TO HUMANS & DOMESTIC ANIMALS

CAUTION

Harmful if inhaled. Avoid breathing dust. Remove and wash contaminated clothing before reuse.

FIRST AID

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 center or doctor for further treatment advice.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants.
- Shoes and socks.
- Particulate dust mask, when mixing.

USER SAFETY RECOMMENDATIONS

Users should wash hands before eating, drinking, chewing gum, using tobacco, or using toilet.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, or 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 wash waters.

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 requirement specific to your State or Tribe, consult the agency responsible for pesticide regulation.

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), notification to workers, and restricted entry interval. The requirements in this box 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 restricted entry interval (REI) of 4 hours. Exception: If the treated seed is soil-injected or soil-incorporated, the Worker Protection Standard, under some circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated.

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 plant, soil, or water is:

- Coveralls;
- Waterproof gloves; and
- Shoes and socks.

PRODUCT INFORMATION

EBC-354 Seed Treatment stimulates the plant's natural growth and defense systems, enhancing overall plant health. Healthier plants exhibit increased plant stamina and vigor, leading to one or more of the following benefits: improved stand and root establishment, suppressed nematode egg production increased marketable yield, and enhanced quality. EBC-354 Seed Treatment works best when used in conjunction with good crop management practices.

GENERAL INSTRUCTIONS

GROWTH ENHANCEMENT AND MARKETABLE YIELD

Use EBC-354 Seed Treatment to increase plant health and vigor, to assist in the management of certain diseases, to suppress nematode egg production, to improve stand and root establishment, and to enhance crop quality and marketable production.

SITES

EBC-354 Seed Treatment may be used for greenhouse, shadehouse, nursery, outdoor home and garden, and field production on all crops listed on this label.

USE ADVISORIES

USE PROMPTLY

Use product promptly to minimize absorption of water. Reseal opened packets to minimize exposure to air and moisture. Use opened packets within 3 weeks.

MIXING

EBC-354 Seed Treatment may be used in addition to other commercial seed treatments and in conjunction with other dry hopper box treatments. EBC-354 Seed Treatment should only be applied to dry seed. Do not mix EBC-354 Seed Treatment with water.

Check with your local EDEN BIOSCIENCE field representative or EDEN BIOSCIENCE Customer Service for specific compatibility information for EBC-354 Seed Treatment and other labeled products

APPLICATION INSTRUCTIONS

Apply EBC-354 Seed Treatment as a dry pre-plant seed treatment. Product may be applied to dry seed using standard seed treatment equipment or applied directly to the hopper box. When applying directly to the hopper box, fill half the hopper box with seed and sprinkle the appropriate half rate of EBC-354 Seed Treatment over seed. Finish filling the hopper box with seed and sprinkle the remaining EBC-354 Seed Treatment over the new seed. EBC-354 Seed Treatment may be used in addition to commercial seed treatments and in conjunction with other dry hopper box treatments.

CROPS AND APPLICATION RATES

Vegetable, Cucurbit, Cole, and Other Crops

Crop	Rate
FRUITING VEGETABLES	0.1-5 oz per 100 lbs. seed
LEAFY AND COLE CROPS	
CUCURBITS	
ONION	
GARLIC	
SCALLION	
SWEET CORN	

Field Crops

Crop	Rate
LEGUME VEGETABLES	0.1-5 oz per 100 lbs. seed
LEGUME FRESH AND WET PROCESSING VEGETABLES	
COTTON	
TUBER CROPS	
FORAGE CROPS	
CORN (grain, silage, seed, or popcorn)	
OIL AND SEED CROPS	
ROOT CROPS	
RICE	
SMALL GRAINS	
SORGHUM	
SUGARCANE	

Tobacco

Crop	Rate
TOBACCO	0.1-5 oz per 100 lbs. seed
All types	

Berries and Small Fruit

Crop	Rate
BERRIES AND SMALL FRUIT	0.1-5 oz per 100 lbs. seed

Trees and Vines

Crop	Rate
AVOCADO	0.1-5 oz per 100 lbs. seed
CITRUS	
NUT TREES	
POME FRUIT	
Apple, Pear	
STONE FRUIT	
VINE CROPS	
TREES	
Conifer	
Broadleaf	

Turf and Ornamentals

Crop	Rate
TJRF GRASS	0.1-5 oz per 100 lbs. seed
ORNAMENTALS (Bulbs, seeds, or tubers)	
All Types	

Specialty Crops

Crop	Rate
ALOE	0.1-5 oz per 100 lbs. seed
BANANA	
COFFEE	
FIGS	
HERBS	
MANGO	
PAPAYA	
PINEAPPLE	
TARO ROOT	

Grasses Grown For Seed

Crop	Rate
TURF GRASSES	0.1-5 oz per 100 lbs. seed
FORAGE GRASSES	

STORAGE AND DISPOSAL

GENERAL

Do not contaminate water, food, or feed by storage and disposal. Keep product away from exposure to air, sunlight, moisture, or heat. Use product within 3 weeks of opening

STORAGE

Store dry and out of direct sunlight. Do not store in temperatures over 110 F for more than seven days.

DISPOSAL OF PRODUCT

Wastes resulting from use of this product may be disposed of on site or at an approved waste disposal facility

DISPOSAL OF CONTAINER

Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

LIMIT OF WARRANTY AND LIABILITY

CONDITIONS OF SALE AND EXCLUSIVE WARRANTY

The Directions for Use of this product reflect the opinion of experts based on field use and tests. The directions are believed to be reliable and should be followed carefully. However, it is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness of the product, or other unintended consequences may result because of such factors as horticultural practices, use with other products (unless otherwise expressly provided in the Directions for Use of this product), presence of other materials, the manner of use or application, and various environmental conditions, including but not limited to weather conditions and moisture conditions. All of the aforementioned risks are beyond the control of EDEN BIOSCIENCE Corporation and to the extent allowed by law the Buyer shall assume all such risks

EXCLUSIVE WARRANTIES

EDEN BIOSCIENCE Corporation warrants that at the time of first sale of this product it conforms to the chemical description on the label and under normal conditions is reasonable fit for the purposes referred to in the Directions for Use, subject to inherent risks referred to above. If this product does not perform as warranted above, customer's sole remedy for breach of that warranty shall be replacement of the product or refund of the purchase price paid, at the option of EDEN BIOSCIENCE Corporation. TO THE EXTENT ALLOWED BY LAW, THE FOREGOING WARRANTIES AND REMEDIES ARE EXCLUSIVE AND ARE IN LIEU OF ALL OTHER WARRANTIES, TERMS, OR CONDITIONS EXPRESSED OR IMPLIED, EITHER IN FACT OR BY OPERATION OF LAW, STATUTORY OR OTHERWISE, INCLUDING BUT NOT LIMITED TO WARRANTIES, TERMS, OR CONDITIONS OF MERCHANTABILITY, FITNESS FOR PARTICULAR PURPOSE, AND SATISFACTORY QUALITY.

LIMITATION OF LIABILITY

To the full extent allowed by law, EDEN BIOSCIENCE Corporation excludes for itself and its suppliers any liability, whether based in contract or tort (including negligence), for incidental, consequential, indirect, special, or punitive damages of any kind, or for loss of revenue or profits, loss of business, or crop injury arising out of or in connection with the sale, use, injury, performance, or failure of this product, even if EDEN BIOSCIENCE Corporation or its authorized reseller has been advised of the possibility of such damages, and limits its liability to replacement of the product or a refund of the purchase price paid, at the option of EDEN BIOSCIENCE Corporation. This disclaimer of liability for damages will not be affected if any remedy provided herein fails of its essential purpose

ASSUMPTION OF RISK

Buyer and Users of this product assume the risk of any use contrary to the Directions for Use and/or all of the risks inherent in the use of this product as set forth above. EDEN BIOSCIENCE Corporation offers this product, and the Buyer and User accept it, subject to the foregoing Conditions of Sale and Exclusive Warranty, which may be varied only by agreement in writing signed by a duly authorized representative of EDEN BIOSCIENCE Corporation.

PROMPT NOTICE OF CLAIM

EDEN BIOSCIENCE Corporation must have prompt notice as soon as Buyer or User has reason to believe they may have a claim (not to exceed twentyone days from the date of application) so that an inspection of the affected property and growing crops may be made. Unless Buyer and Users shall promptly notify EDEN BIOSCIENCE of any claims, they shall be barred, to the extent allowed by law, from obtaining any remedy.

MIXES

Mixing or use of this product with any other product which is not specifically and expressly authorized by the label shall be the exclusive risk of User, Applicator, and/or Application Advisor. Read and follow the entire label of each product to be used in a mix with this product

LIMITED USE LICENSE AND PATENTS

The contents of this package and/or the use of the contents are covered by U.S. Patent Nos. 5,849,868, 5,859,324, 5,776,889, 5,977,060, and 6,277,814 as well as pending patent applications. The purchase of this package grants the Buyer a license, under these patents and patent applications, to use its contents only for treating plants, plant seeds, and other plant parts as described herein

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Section B Non-Agricultural Use - General Information

EBC-354

Pre-plant Seed Treatment

[OPTIONAL TAG LINES – For use individually or in combination on labels and/or accompanying materials:

Seed Treatment for strong, healthy, plants; Home, Yard & Garden; A Biochemical Plant Activator For Healthier Plants; Promotes Plant Growth; Helps Manage Disease; For Home and Garden Use; For Healthier Plants; Healthier Plants Better Blooms; Plant Health Regulator; Growth Stimulator; Larger Harvests; Easy to Use; Broad Spectrum; Promotes Plant Growth for Superior Gardens; Breakthrough Technology; Revolutionary; Effective; Economical; Improves the health of every plant you grow! Improves the health of every plant in your garden! Improves the health of every plant you grow in your Garden! Fruits • Garden Flowers & Shrubs • House Plants • Vegetables • Grass Seed; Boost overall growth and production; Improve plant stamina & vigor; Strengthen a plant's resistance to disease; Harp-N-Tek is Eden's trademark for its proprietary harpin protein technology; Delivering stronger and healthier plants; with Harp-N-Tek™, Harp-N-Tek is Eden's trademark for its proprietary harpin protein technology.]

ACTIVE INGREDIENT:

Harpin α Protein:0.25%

INERT INGREDIENTS:99.75%

Total:100%

EPA Reg. No. 69834- EPA Est. No. 69834-WA-001
[ALTERNATE RE-PACKER'S EPA Est. No.: 75447-CA-001]

**KEEP OUT OF REACH OF CHILDREN
CAUTION**



Net Weight: _____

[OPTIONAL – Packed for:]

EDEN BIOSCIENCE Corporation • 11816 North Creek Parkway North,
Bothell, WA 98011-8201
1-888-879-2420 [And/Or] www.edenbio.com

[OPTIONAL] See Back Panel for additional precautionary statements

DIRECTIONS FOR USE

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

EBC-354 Seed Treatment is derived from naturally occurring proteins (harpins). EBC-354 Seed Treatment stimulates a plant's growth and defense mechanisms to improve the plant's ability to grow and protect itself from stresses caused by adverse environmental conditions. Use EBC-354 Seed Treatment to boost overall plant growth, vigor, and production, and to aid in the management of disease.

EBC-354 Seed Treatment may be used on all seeds, tubers, corms or bulbs planted indoors and outdoors, including Fruits, Flowers, Vegetables, Herbs and Turf.

Wash your hands after use.

Mixing and Application Instructions

For large quantities of seed:

Place seed in plastic or paper bag (or use container in which seed was packed). Add ¼ teaspoon of EBC-354 Seed Treatment for each pound of seed (each bottle contains 2 teaspoons of EBC-354 Seed Treatment). Shake vigorously to create a light uniform dust on seeds. Follow planting instructions on seed container. Close lid on bottle to minimize exposure to air and moisture. Use opened bottles within one planting season.

For small quantities of seed:

Treat seed in the seed packet or transfer seed to a small paper or plastic bag for treatment. For each teaspoon of seed to be treated, add 2-4 puffs of EBC-354 Seed Treatment to the seed packet or bag and shake vigorously to create a light, uniform dust on the seeds. Squeeze the bottle to produce a puff (each bottle contains about 225 puffs). Follow planting instructions on seed package. Close lid on bottle to minimize exposure to air and moisture. Use opened bottles within one planting season.

[ALTERNATE Mixing & Application Instructions for 2 oz. BOTTLE:

Place seed in a container (or use container in which seed was packed). Add 1 teaspoon of EBC-354 Seed Treatment for each 4 pounds of seed (each bottle contains enough EBC-354 Seed Treatment to treat 100 pounds of seed). Shake or stir vigorously to create a light uniform dust on seeds. Follow planting instructions on seed container. Close lid on bottle to minimize exposure to air and moisture. Use opened bottles within one planting season.]

STORAGE AND DISPOSAL

Store dry and out of direct sunlight. Do not store in temperatures over 110° F for more than 7 days. If Empty: Do not reuse this container. Place in trash or offer for recycling if available. If Partly Filled: Call your local solid waste agency or 1-800-CLEANUP for disposal instructions. Never place unused product down any indoor or outdoor drain.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS:

CAUTION: Harmful if inhaled. Avoid breathing dust. Remove and wash contaminated clothing before reuse.

FIRST AID

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 center or doctor for further treatment advice.

ENVIRONMENTAL HAZARDS: Do not apply directly to water. Do not contaminate water when cleaning equipment or disposing of equipment wash waters or rinsate.

NOTICE: Buyer assumes all responsibility for safety and use not in accordance with directions.

The contents of this package and/or the use of the contents are protected by U.S. Patent Nos. 5,849,868, 5,859,324, 5,776,889, 5,977,060, and 6,277,814. REFORMULATION OR REPACKAGING FOR SALE IS PROHIBITED. © 2004 EDEN BIOSCIENCE Corporation and EDEN BIOSCIENCE® are registered trademarks of EDEN BIOSCIENCE Corporation. Always read and follow label instructions before buying or using this product.

OPTIONAL LANGUAGE for labels and accompanying materials:

What does EBC-354 Seed Treatment do?

- Increases root mass and uniformity in germination
- Stimulates a plant's defense and growth mechanisms
- Boosts overall growth, vigor, and production
- Aids in the management of disease
- Improves the plant's ability to grow and protect itself from stresses caused by adverse environmental conditions

[BARCODE]

06.1116 US MASTER EBC-354 Seed Treat [0.25aβ]