

85004-12

3/27/2013

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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, D.C. 20460

EPA
Registration
Number:
85004-12

Date of Issuance:
MAR 27 2013

NOTICE OF PESTICIDE:

X Registration
Reregistration
(under FIFRA, as amended)

Term of
Issuance: Unconditional

Name of Pesticide Product:
SOYACYST WP Plus™

Name and Address of Registrant (include ZIP Code):

Pasteuria Bioscience, Incorporated
12085 Research Drive, Suite 185
Alachua, FL 32615

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 (FIFRA or the Act). Registration is in no way to be construed as an endorsement or recommendation of this product by the U.S. Environmental Protection Agency (EPA or the Agency). In order to protect health and the environment, the Administrator, on his or her 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 unconditionally registered in accordance with FIFRA section 3(c)(5) and is subject to the following terms:

- 1. On the final printed labeling, revise the EPA Registration Number to read as follows: "EPA Registration Number: 85004-12."
2. Submit two (2) copies of the final printed labeling before you release the product for shipment. Refer to the A-79 enclosure for further description of final printed labeling.

Signature of Approving Official:

[Handwritten Signature]

Keith A. Matthews, Director
Biopesticides and Pollution Prevention Division

Date:

27 March 2013

CONCURRENCES

Table with columns for initials, name, and date. Includes handwritten entries for KAUSCH, Bourgo, Chem, and Matthews with dates 3/26/13 and 27 Mar-13.

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Pasteuria Bioscience, Inc.  
EPA Reg. No. 85004-12

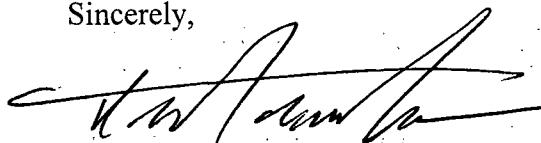
3. Submit the following data on SOYACYST WP Plus™ by the due dates specified below. These data must be determined by EPA to be acceptable.

Study Type	Required Data	Due Date <sup>1</sup>
Analysis of Samples (Guideline No. 885.1400)	Please submit three (3) additional batch analyses to allow EPA to confirm that the current SOYACYST WP Plus™ production facilities are following the approved manufacturing process and are meeting the specifications, as described in MRID No. 489002-03, for acceptable commercial product.	September 30, 2014
Storage Stability (Guideline No. 830.6317)	In MRID No. 489002-06, you provided a protocol for a storage stability study that was to be conducted between July 30, 2012 and July 30, 2013. Please provide the results of this one-year storage stability study.	September 30, 2013
Corrosion Characteristics (Guideline No. 830.6320)	In MRID No. 489002-06, you provided a protocol for a corrosion characteristics study that was to be conducted between July 2, 2012 and August 30, 2013. Please provide the results of this one-year corrosion characteristics study.	October 31, 2013

The Office of Pesticide Programs' Document Processing Desk must receive (i.e., pin punch) the required data prior to or on the specified due date.

The February 13, 2013 and March 18, 2013 EPA Memoranda and a stamped copy of the label are enclosed for your records.

Sincerely,



Keith A. Matthews, Director  
Biopesticides and Pollution  
Prevention Division (7511P)

Enclosures (4):

- SOYACYST WP Plus™ Accepted Label
- A-79 Enclosure
- February 13, 2013 EPA Memorandum
- March 18, 2013 EPA Memorandum

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### SOYACYST WP Plus™

Biological control for use on soybean seed against soybean cyst nematode

CAN BE USED  FOR ORGANIC PRODUCTION

Active Ingredient:	<i>Pasteuria nishizawae</i> – Pn1*	100.0%
Other Ingredients:		0.0%
Total:		100.0%

\* Contains at least 1 x 10<sup>11</sup> spores per gram or 4.5 x 10<sup>12</sup> spores per pound.

**KEEP OUT OF REACH OF CHILDREN  
CAUTION**

See additional precautionary and first aid statements on the back panel

Net Weight: 10, 25 or 50 Lbs

EPA Registration Number: 85004-RE

EPA Est. Number: 70051-CA-001 or 88913-CHK-001 or 85004-FL-001

Manufactured [by] [for]:



12085 Research Dr.  
Alachua, FL 32615

(386) 462-0008  
www.pasteuriabio.com

™ Soyacyst is a trademark of Pasteuria Bioscience, Inc.

**ACCEPTED**  
MAR 27 2013

Batch Code:

Under the Federal Insecticide, Fungicide,  
and Rodenticide Act, as amended, for  
the pesticide registered under  
EPA Reg. No. 85004-12

**PRECAUTIONARY STATEMENTS**

**HAZARDS TO HUMANS AND DOMESTIC ANIMALS  
CAUTION**

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

<b>FIRST AID</b>	
<b>If inhaled:</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>HOT LINE NUMBER</b>	
<p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For emergency information concerning this product, call the National Pesticide Information Center (NPIC) at 1-800-858-7378 seven days a week, 6:30 am to 4:30 pm Pacific Time. During other times, call your poison control center at 1-800-222-1222.</p>	

**PERSONAL PROTECTIVE EQUIPMENT (PPE)**

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Shoes plus socks

Mixers/loaders and applicators must wear a dust/mist filtering respirator meeting NIOSH standards of at least N-95, R-95, or P-95. Repeated exposure to high concentrations of microbial proteins can cause allergic sensitization.

Follow the manufacturer's instructions for cleaning/maintaining PPE. If no such instructions are available, use detergent and hot water for washables. Keep and wash PPE separately from other laundry.

<b>USER SAFETY RECOMMENDATIONS</b>	
<b>Users should:</b>	<ul style="list-style-type: none"> <li>• Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.</li> <li>• Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.</li> <li>• Remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing.</li> </ul>

## ENVIRONMENTAL HAZARDS

[Environmental hazards statements for the following container sizes: 10 and 25 pounds]

For terrestrial uses: 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 disposing of equipment wash water or rinsate.

[Environmental hazard statements for the following container size: 50 pounds]

For terrestrial uses: 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 disposing of equipment wash water or rinsate.

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of EPA.

## DIRECTIONS FOR USE

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

Do not use this product until you have read the entire label. 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 State or Tribal 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) and restricted-entry interval. The requirements in this box apply only to the 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.

**EXCEPTION:** If the product is soil injected or soil incorporated, the Worker Protection Standard, under certain 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 plants, soil or water) is:

- Water proof gloves
- Coveralls
- Shoes plus socks

### NON - AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries or greenhouses.

Keep unprotected persons out of treatment areas until seeds have dried or been packaged.

## PRODUCT INFORMATION

This product is a biological nematicide for the control of specific plant-parasitic nematodes. The product is to be applied as a seed treatment prior to planting. The degree of control and nematode suppression depends upon the timing, rate, nematode species and soil type. Mobility of this product in the soil is influenced by the amount of rainfall/irrigation and the soil type. It will only control those nematodes that come into contact with the bacterium. This product is for the control of the following nematode:

**Soybean Cyst Nematode**

*Heterodera glycines*

### FOR USE AS A SEED TREATMENT

Treatment of highly mechanically scarred or damaged seed, or seed known to be of low vigor and poor quality, except for the purpose of curative control of existing disease pests, may result in reduced germination and/or reduction of seed and seedling vigor. Treat a small quantity of seed using equipment similar to that planned for treating the total seed lot. Conduct germination tests on a small portion of seed before committing the total seed lot to a selected seed treatment. Due to seed quality, crop or variety sensitivity, and seed storage conditions beyond the control of manufacturer, no claims are made to guarantee the germination of carry-over seed or propagating material for all crop seed.

### FOR USE AS A PRE-PLANT ON FARM SEED TREATMENT

Do not use treated seed for food or feed purposes or process for oil. Treat only those seeds needed for immediate use, minimizing the interval between treatment and planting. Do not store excess treated seed beyond planting time.

To achieve improved application coverage to the seed, dilute SOYACYST WP Plus with water and apply directly to dry seed or mix with inoculants and/or other registered seed treatment coatings (e.g., colorants, polymers, etc.), insecticides and fungicides. Do not mix SOYACYST WP Plus with any product containing a label prohibition against such mixing. When tank-mixing with any other registered seed treatment insecticide and/or fungicide, always read and follow all use directions, restrictions, and precautions of both SOYACYST WP Plus and the tank mix partner(s). The resulting tank mix must be in accordance with the more restrictive label limitations and precautions. Do not exceed label dosage rates.

### SOYBEAN

For control of soybean cyst nematode, apply 0.09 to 3.5 oz. of SOYACYST WP Plus per 100 Lbs (2.5 to 100 grams per 45.4 kg) of soybean seed.

## FOR USE AS A COMMERCIAL SEED TREATMENT

To achieve improved application coverage to the seed, dilute SOYACYST WP Plus with water and apply directly to dry seed or mix with inoculants and/or other registered seed treatment coatings (e.g., colorants, polymers, etc.), insecticides and fungicides. Do not mix SOYACYST WP Plus with any product containing a label prohibition against such mixing. When tank-mixing with any other registered seed treatment insecticide and/or fungicide, always read and follow all use directions, restrictions, and precautions of both SOYACYST WP Plus and the tank mix partner(s). The resulting tank mix must be in accordance with the more restrictive label limitations and precautions. Do not exceed label dosage rates.

NOTE: This product does not contain dye. All seed treated commercially with this product must be colored with an EPA-approved dye or colorant of a suitable color to prevent accidental use as food for humans or feed for animals.

The Federal Seed Act requires that bags containing seed treated with this product shall be labeled with the following information: "This seed has been treated with *Pasteuria nishizawae* - PnI. Do not use for food, feed or oil purposes."

### SOYBEAN

For control of soybean cyst nematode, apply 0.09 to 3.5 oz. of SOYACYST WP Plus per 100 Lbs (2.5 to 100 grams per 45.4 kg) of soybean seed.

### STORAGE AND DISPOSAL

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

#### PESTICIDE STORAGE

Store between a range of 32°F and 100°F. Reclose container of unused portions of SOYACYST WP Plus.

#### PESTICIDE DISPOSAL

To avoid wastes, use all material in this container by application according to label directions. If wastes cannot be avoided, offer remaining product to a waste disposal facility or pesticide disposal program (often such programs are run by state or local governments or by industry).

#### CONTAINER HANDLING

Nonrefillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Then offer for recycling if available or dispose of empty bag in a sanitary landfill, or by incineration. Do not burn, unless allowed by state and local ordinances. If burned, stay out of smoke.



### LIMIT OF WARRANTY AND LIABILITY

This product conforms to the description on this label and is reasonably fit for the purpose set forth on this label when used according to the label directions and under the specified label conditions. To the extent consistent with applicable law, the manufacturer disclaims any and all other express or implied warranties of merchantability and fitness for particular purpose. Buyer and all users assume all risks and responsibility for loss or damage if this product is used, stored, handled or applied under any condition not reasonably foreseeable or beyond the manufacturer's control, or not as explicitly set forth in this label. To the extent consistent with applicable law, THE LIMIT OF THE MANUFACTURER'S LIABILITY SHALL BE THE PURCHASE PRICE FOR THE QUANTITY INVOLVED. To the extent consistent with applicable law, IN NO EVENT SHALL THE MANUFACTURER BE LIABLE FOR SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES.