264- 1121

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

DEC 20 2013

Jamin Huang, Ph. D.
Bayer CropScience
P.O. Box 12014, 2 T.W. Alexander Drive
Research Triangle Park, NC 27709

Subject: Label amendment revise seed bag tag and update the container disposal statements
Product Name: Prosper EverGol
EPA Registration No. 264-1121
Submission Date: October 23, 2013
Decision Number: # 485392

Dear Dr. Huang,

The labeling referred to above, submitted under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable.

Should you wish to add a reference to the company's website on your label, please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, **regardless of whether a website is referenced on your product's label**, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance Assurance.

Submit two copies of your final printed labeling before you release the product for shipment. A stamped copy is enclosed for your records. If you have any questions, please contact me at (703) 347-0263 or rogala.jessica@epa.gov.

Sincerely,

Venus Eagle

Venus Eagle
Product Manager 01
Insecticide-Rodenticide Branch

Prosper EverGol

For use as a fungicide and insecticide seed dressing for protection against listed soilborne, seedborne, and post-emergence diseases and insect pests of listed crop plants.

ACTIVE INGREDIENTS:

Clothianidin	22.3%
Penflufen	0.82%
Trifloxystrobin	0.55%
Metalaxyl	0.55%
OTHER INGREDIENTS:	75.78%
TOTAL	100.00%

Contains: 2.42 lb clothianidin; 0.09 lb penflufen; 0.06 lb trifloxystrobin; 0.06 lb metalaxyl per gallon
Contains: 290 g clothianidin; 10.7 g penflufen; 7.15 g trifloxystrobin; 7.15 g metalaxyl per liter

EPA Reg. No. 264-1121 **EPA Est.**

KEEP OUT OF REACH OF CHILDREN

CAUTION

For MEDICAL and TRANSPORTATION Emergencies ONLY Call 24 Hours A Day 1-800-334-7577
For PRODUCT USE Information Call 1-866-99BAYER (1-866-992-2937)

FIRST AID

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 by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
IF ON SKIN	• 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.
In case of emergency call toll free the Bayer CropScience Emergency Response Telephone No. 1-800-334-7577. Have a product container or label with you when calling a poison control center or doctor, or going for treatment.	

ACCEPTED
DEC 20 2013
Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under
EPA Reg. No. 264-1121

PRECAUTIONARY STATEMENTS

CAUTION
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Harmful if swallowed. Harmful if absorbed through skin. Avoid contact with skin, eyes, or clothing.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, polyvinyl chloride, or viton. If you want more options, follow the instructions for category C on an EPA chemical-resistance category selection chart.

All mixers, loaders, applicators and other handlers must wear:

-long sleeved shirt and long pants,

-socks plus shoes,

-chemical resistant gloves, except when bagging or sewing bags of treated seeds,

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

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

This pesticide is highly toxic to bees exposed directly (contact) and is toxic to birds, 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 high water mark. Runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Do not contaminate water when disposing of equipment washwater or rinsate. Treated seed exposed on soil surface may be hazardous to wildlife. Cover or collect seed spilled during loading.

This product has properties and characteristics associated with chemicals detected in ground water. This chemical may leach into ground water if used in areas where soils are permeable, particularly where the water table is shallow. Therefore contain any product spills or equipment leaks and dispose of wastes according to the disposal instructions on this label.

DIRECTIONS FOR USE

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

For use only in commercial seed treatment equipment. Not for use in hopper box, planter box, slurry box, or other on-farm seed treatment applications.

COMMERCIAL SEED TREATMENT

CROP	DISEASE/PEST	APPLICATION RATE	DIRECTIONS
Canola (including *Brassica napus* and *Brassica rapa*), Rapeseed and Mustard (oilseed and condiment)	For control of listed insect pests and for control of seed rot, damping off, seedling blight and early season root rot caused by *Pythium, Rhizoctonia, Fusarium* and *Alternaria*. Also controls seedborne Blackleg. The insecticide component, clothianidin, controls flea beetles on seeds and seedlings of canola (including *Brassica napus* and *Brassica rapa*), mustard (oilseed and condiment) and rapeseed. For protection of seeds and emerging seedlings only.	Apply 21.5 fl oz of Prosper EverGol to 100 lbs of seed (1.4 liters of product per 100 kgs of seed) (200.8 g ai per 100 lb seed, based on an average of 100,000 seeds per lb) Maximum number of application per year is 3.	Apply using commercial slurry or mist-type seed treatment equipment. Mix thoroughly before use. Use high quality, properly cleaned seed. Pre-test all tank mixes to determine the physical compatibility between formulations. Follow all cautions and most restrictive limitations on labeling for all products used in mixtures. Prior to and during application, Prosper EverGol must be thoroughly agitated to ensure uniform mixing.

SEED BAG TAG

The Federal Seed Act requires that the container of seed treated with Prosper EverGol must be labeled with the following statements:

- This seed has been treated with Prosper EverGol which contains metalaxyl, clothianidin, trifloxystrobin, and penflufen.
- Do not use treated seed for food, feed, or oil production. Excess treated seed may be used for ethanol production only if (1) by-products are not used for livestock feed and (2) no measurable residues of pesticide remain in ethanol by-products that are used in agronomic practice.
- User is responsible for ensuring that the seed bag meets all the requirements under the Federal Seed Act.

In addition, the US Environmental Protection Agency requires the following statements on the container of seed treated with Prosper EverGol:

- Store away from feeds and foodstuffs.
- Wear long sleeved shirt, long pants, shoes, socks, and chemical resistant gloves when handling treated seed
- Areas planted with treated seed may be replanted immediately with canola, cotton, corn (field, pop and sweet), cereal grains except rice, mustard, rapeseed, sorghum, soybean, and potatoes (tuberous and corm subgroup 1C). These areas may also be replanted no less than 30 days after planting treated seeds with grasses, non-grass livestock feeds, dried beans, fruiting vegetables (including cucurbits), leafy vegetables (including brassica vegetables) and sugar beets. Do not plant any other crop in the treated area for at least twelve months after treated seeds are planted.
- After the seeds have been planted, do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 24 hours. Exception: Once the seeds are planted in soil or other planting media, the Worker Protection Standard allows worker to enter the treated area without restriction if there will be no worker contact with the treated seeds in the soil or planting media.
- Dispose of all excess treated seed. Left over treated seed may be double sown around the headland or buried away from water sources in accordance with local requirements. Do not contaminate water bodies when disposing of planting equipment washwaters.
- This contains metalaxyl that is known to leach through soil into ground water under certain conditions as result of agricultural use. Use of this product in areas where soils are permeable, particularly where the water table is shallow, may result in ground water contamination.
- Dispose of seed packaging in accordance with local requirements.
- Use planting equipment that will plant treated seed into the soil to a minimum depth of 0.5 inch.
- This compound is toxic to birds and mammals. Treated seed exposed on soil surface may be hazardous to birds and mammals. Cover or collect seeds spilled during loading.

- This compound may be highly toxic to bees exposed directly (contact). Ensure that planting equipment is functioning properly in accordance with manufacturing recommendations to minimize seed coat abrasion during planting to reduce dust which can drift to blooming corps or weeds.
- Regardless of type of application, do not apply more than 0.2 lbs of the active ingredient clothianidin per acre per season.
- For Canola (including Brassica napus and Brassica rapa), rapeseed and Mustard (based on canola, rapeseed or mustard seeding rate): Do not exceed 0.00123 lb. penflufen/A (0.6 g ai/A) per crop season. The maximum number of applications per year is 3.
- Runoff may be hazardous to aquatic organisms in water adjacent to treated areas.
- This pesticide is toxic to fish. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark.

INFORMATION

Prosper EverGol is a insecticide and fungicide seed treatment for use on canola (including *Brassica napus* and *Brassica rapa*), mustard (oilseed and condiment) and rapeseed for control of listed insect pests and for control of seed rot, damping off, seedling blight and early season root rot caused by *Pythium, Rhizoctonia, Fusarium* and *Alternaria*. Also controls seedborne Blackleg. The insecticide component, clothianidin, controls flea beetles on seeds and seedlings of canola (including *Brassica napus* and *Brassica rapa*), mustard (oilseed and condiment) and rapeseed. For protection of seeds and emerging seedlings only.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE

Store in original container away from feed and food. Store in cool, dry area. Do not store in direct sunlight. Do not allow prolonged storage in temperatures that exceed 105°F (40°C) or in temperatures that fall below 14°F (-10°C).

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 facility or pesticide disposal program (often such programs are run by state or local governments or by industry).

CONTAINER HANDLING

[Dilutable Seed Treatment Products in Non-Refillable Plastic Containers]

Rigid Non-refillable containers that are too large to shake (i.e., with capacities greater than 5 gallons or 50 lbs)
Non-refillable container. Do not reuse or refill this container. After emptying product from container, either return container to Bayer CropScience per instructions from Bayer CropScience Customer Service Center (1-800-527-4781), or rinse and either recycle or dispose of the container as follows:

Bottom Discharge IBC (e.g. – Schuetz Caged IBC or Snyder Square Stackable)

Pressure rinsing the container before final disposal is the responsibility of the person disposing of the container. To pressure rinse the container before final disposal, empty the remaining contents from the IBC into application equipment or mix tank. Raise the bottom of the IBC by 1.5 inches on the side which is opposite of the bottom discharge valve to promote more complete product removal. Completely remove the top lid of the IBC. Use water pressurized to at least 40 PSI to rinse all interior portions. Continuously pump or drain rinsate into application equipment or rinsate collection system while pressure rinsing. Continue pressure rinsing for 2 minutes or until rinsate becomes clear. Replace the lid and close bottom valve.

Top Discharge IBC, Drums, Kegs (e.g.– Snyder 120 Next Gen, Bonar B120, Drums, and Kegs)

Triple rinsing the container before final disposal is the responsibility of the person disposing of the container. To triple rinse the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container at least 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Rinse all interior surfaces. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this procedure two more times.

Once container is rinsed, offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration.

[Dilutable Seed Treatment Products in Non-Refillable Metal Containers]

Nonrefillable container. Do not reuse or refill this container. After emptying product from container, either return container to Bayer CropScience per instructions from Bayer CropScience Customer Service Center (1-800-527-4781), or rinse and either recycle or dispose of the container as follows:

Liquid dilutables in containers small enough to shake (5 gallons or less)
Triple Rinse as follows: Empty the remaining contents into 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.

Solid dilutables in containers small enough to shake (5 gallons or 50 pounds or less)
Triple Rinse as follows: Empty the remaining contents into application equipmentor a mix tank. 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

Any dilutable pesticides in containers too large to shake (larger than 5 gallons or 50 pounds)
Triple Rinse as follows: Empty remaining contents into 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. Turn the container over onto its other 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.

Once container is rinsed, offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration.

[Non-Dilutable Seed-Treatment Products in Non-Refillable Containers]

Seed-Treatment Products in Non-Refillable Fiber Drums with Liners
Non-refillable container. Do not reuse or refill this container. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment, then offer for recycling if available or dispose of in a sanitary landfill or by incineration. If drum is contaminated and cannot be reused, dispose of it in the manner required for its liner.

Seed-Treatment Products in Non-rigid, Non-Refillable Containers
Nonrefillable container. Do not reuse or refill this container. Completely empty container into application equipment. Then offer for recycling if available or dispose of in a sanitary landfill or by other procedures approved by state and local authorities.

[Seed Treatment Products in Refillable Containers]

Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. After emptying product from container, either return container to Bayer CropScience per instructions from Bayer CropScience Customer Service Center (1-800-527-4781) or rinse and either recycle or dispose of the container as follows:

Bottom Discharge IBC (e.g. – Schuetz Caged IBC or Snyder Square Stackable)
Pressure rinsing the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To pressure rinse the container before final disposal, empty the remaining contents from the IBC into application equipment or mix tank. Raise the bottom of the IBC by 1.5 inches on the side which is opposite of the bottom discharge valve to promote more complete product removal. Completely remove the top lid of the IBC. Use water pressurized to at least 40 PSI to rinse all interior portions. Continuously pump or drain rinsate into application equipment or rinsate collection system while pressure rinsing. Continue pressure rinsing for 2 minutes or until rinsate becomes clear. Replace the lid and close bottom valve.

Top Discharge IBC, Drums, Kegs (e.g. – Snyder 120 Next Gen, Bonar B120, Drums, and Kegs)
Triple rinsing the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To triple rinse the containers before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container at least 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Rinse all interior surfaces. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this procedure two more times.

Once container is rinsed, offer for recycling if available or puncture and dispose of in a sanitary landfill or by incineration.

End users are authorized to remove tamper evident cables as required to remove the product from the container unless the container is equipped with one way valves and refilling or returning is planned. If this is the case, end users are not authorized to remove tamper evident cables, one way valves or clean container.

IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

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 Bayer CropScience, no claims are made to guarantee germination of carry-over seed.

CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Bayer CropScience. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE MAKES NO WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Bayer CropScience is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE DISCLAIMS ANY LIABILITY WHATSOEVER FOR SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

LIMITATIONS OF LIABILITY: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT BAYER CROPSCIENCE'S ELECTION, THE REPLACEMENT OF PRODUCT.

NET CONTENTS:

PRODUCED FOR

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PROSPER EVERGOL (PENDING) 10/21/2013