



Illinois
Department of
Agriculture

Bureau of Environmental Programs

State Fairgrounds · P.O. Box 19281 · Springfield, IL 62794-9281 · 217/785-2427 (voice) · Fax 217/524-4882
Pesticide Misuse Hotline 1-800-641-3934 (voice) · TDD/TYY 866/287-2999

WARNING LETTER
Illinois Pesticide Act

January 11, 2022

Case#13691

Ryan Anseeuw
Hendrickson Flying Service
215 32 Quitno Rd.
Rochelle, IL 61068

Dear Mr. Anseeuw:

This letter is a formal warning that you have violated Section 14 (1)(D) of the Illinois Pesticide Act (415 ILCS 60/14 (1)(C)) in that the pesticide Silencer was applied in a faulty, careless and negligent manner.

On August 12, 2021, a representative of the Illinois Department of Agriculture conducted an investigation near Wasco, Illinois concerning the possible misuse of a pesticide. The Department's investigation has revealed that the pesticide Silencer was applied in a faulty, careless, and negligent manner. The applicator applied pesticides to a field adjacent to a bike path. Complainant Mr. Smith was on a bike riding on the path and was directly affected by the application and sought medical attention.

This warning letter will remain on file with the Department for three years and will be utilized in the assessing of points for any future violations of the Illinois Pesticide Act (415 ILCS 60/1 *et seq.*). If future violations are found, appropriate action will be taken as authorized by the aforementioned Act. Pursuant to the Department's Administrative Rules (8 Ill. Admin. Code 1.200 *et seq.*), you have the right to appeal the issuance of this Warning Letter by filing a petition with the Director of the Illinois Department of Agriculture within 30 days of receipt of this letter.

If you have any questions concerning this matter, feel free to contact Suzanne Moss or me at 217-785-2427.

Sincerely,

Brad A. Beaver, Acting Chief
Bureau of Environmental Programs

cc: 089-35-21-13691
Kris Smrekar
Scott Schimmer



Bureau of Environmental Programs

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January 11, 2021

Frank J. Smith

[REDACTED]
Wasco, IL 60183

Dear Mr. Smith:

The Department has completed its investigation into your complaint concerning the possible misuse of a pesticide. During an inspection, the Department's representative did ascertain that a violation of the Illinois Pesticide Act occurred during the application of a pesticide. Since there was a violation, as a result of a pesticide application, an enforcement action was pursued by the Department under the Illinois Pesticide Act. This resulted in a Warning Letter being issued to:

- Ryan Anseeuw/Hendrickson Flying Service, 215 32 Quitno Rd., Rochelle, IL 61068

If you would like to receive a complete copy of your case file you may send an email to AGR.FOIA@illinois.gov and request the case through the FOIA officer. Please ask for case #13691 in your email.

I appreciate your concern about the Illinois environment and the proper use of pesticides. It is our goal to both ensure the proper use of pesticide products as well as protect the environment we all depend upon. Thank you for your concern, assistance, and attention in this matter.

Sincerely,

[REDACTED]
Brad A. Beaver, Acting Chief
Bureau of Environmental Programs

cc: 089-35-21-13691
Kris Smrekar
Scott Schirmer

Pesticide Misuse Complaint Enforcement Evaluation Form -- Illinois Department of Agriculture -- Bureau of Environmental Programs

Complaint date: 8/10/21 Complainant: Frank J. Smith File #: 089-35-21-13691

Inspection date: 8/12/21 Respondent: _____ Applicator: Ryan Anseeuw Operator: _____

Violation - Pesticide Act Section: 14(I)(C) - Applied pesticides in a faulty, careless, or negligent manner.

Use and Violation Criteria	Points	Supporting Evidence / Reasoning		
I. HARM OR LOSS INCURRED				
a. Exposure to plants, animals or humans with no symptoms or damage, or Fraudulent sales practices or representations with no apparent monetary losses ----- 1 point	4	Complainant was directly exposed to spray from applicator while riding a bike on trail next to field.		
b. Exposure to plants showing signs of damage, or Garden produce or an agricultural crop not being harvested on schedule, or Fraudulent sales practices or representations resulting in losses under \$500 ----- 2 points				
c. Exposure to humans resulting in headaches, nausea, eye irritation, etc for less than 3 days, or Plant or property damage resulting in a loss less than \$1000, or Animals exhibiting symptoms of pesticide poisoning, or Death to less than 5 animals, or Fraudulent sales practices or representations resulting in losses from \$500 to \$2000 ----- 4 points				
d. Exposure to humans resulting in headaches, nausea, eye irritation, etc for 3 or more days, or Plant or property damage resulting in a loss of \$1000 more, or Death to 5 or more animals, or Fraudulent sales practices or representations resulting in losses over \$2000 ----- 6 points				
II. SIGNAL WORD				
Caution ----- 1 point	2	Silence		
Warning ----- 2 points				
Danger/Poison ----- 4 points				
III. DEGREE OF RESPONSIBILITY				
Accidental ----- 2 points	24			
Negligence ----- 4 points				
Knowingly ----- 10 points				
IV. VIOLATOR'S HISTORY FOR THE PREVIOUS THREE YEARS				
Advisory letter ----- 2 points	-	None		
Warning letter ----- 3 points				
Previous criminal conviction of this Act or administrative violation resulting in a monetary penalty ----- 5 points				
Certification, license or registration currently suspended or revoked ----- 7 points				
V. VIOLATION TYPE				
Application Oriented: Inadequate records ----- 1 point	3	The applicator applied pesticides to a field that was adjacent to a bike path. Complainant Mr. Smith was on his bike riding on the path and was directly affected by the application and sought medical attention.		
Lack of supervision ----- 2 points				
Faulty equipment ----- 2 points				
Use contrary to label directions: resulting in exposure to the applicator or operator ----- 2 points				
resulting in exposure to other persons or the environment ----- 3 points				
precautionary statements, sites, rates, restricted use requirements ----- 3 points				
Water contamination ----- 3 points				
Storage or disposal contrary to label directions ----- 3 points				
Pesticide drift ----- 3 points				
Direct application to a non-target site ----- 4 points				
Falsification of records ----- 6 points				
Failure to secure a permit or violation of permit or special order ----- 6 points				
Product Oriented: Pesticide not registered ----- 6 points				
Product label claims differ from approved label ----- 4 points				
Product composition (active ingredients differs from that of approved label) ----- 4 points				
Product not colored as required ----- 4 points				
Misbranding as set forth in Section 5 of the Act (4 points per count) ----- 4 points				
Total Use and Violation Criteria Points and Penalties:	Total	Proposed Enforcement Action	Initials:	
6 or less --- advisory letter	20 to 21 --- \$ 2,500	Warning Letter	Sm	
7 to 13 --- warning letter	22 to 25 --- \$ 5,000			9/15/21
14 to 16 --- \$ 750	26 to 29 --- \$ 7,500			7/5/21
17 to 19 --- \$1,000	30 and above --- \$10,000			
	13		PAB	

SPECIAL ASSIGNMENT REPORT

RECEIVED

2021 SEP -9 AM 9:45

ILLINOIS DEPT OF AGRICULTURE

From:	Kris Smrekar
Case Number:	#037-35-21-13691
Date:	8-12-21
Subject Name:	Frank Smith
Address:	[REDACTED]
	Wasco, Illinois 60183
Phone Number:	[REDACTED]

Details:

On Thursday August 12, 2021 I met with Frank Smith at [REDACTED] in Wasco IL. 60183 to discuss a complaint. I presented my Illinois Department of Agriculture credentials and Mr. Smith signed the Illinois Department of Agriculture Notice of Inspection form. We then discussed the ariel applications that were applied to the corn fields where he was riding his bicycle on August 4 2021 overhead low flying of applicators and smell of pesticides in the air . Mr. Smith explained while riding his bike on the Great Western Trail west of route 47 just north of route 64 an ariel applicator started spraying from west to east right on the south edge of the corn field then the ariel applicator proceeded to to turn around spraying east to west again right on the field south edge. The applicator then made a third pass from west to east again just slightly off the fields south edge. The Great Western bike trail in this area is wide open very few trees and Mr. Smith said he was wearing a bright red jacket. The path is located approximately 10-13 yards off of the field being sprayed. Mr. Smith said he could see the chemical as well as smell and feel the spray landing on him. Mr. Smith said he started experience dizziness and shortness of breath within minutes so he immediately call 911. The Maple Park Fire Department on the scene treated Mr. Smith. Mr. Smith said he refused to go to the hospital thinking the emergency rooms would be filled with covid patients and said he'd go home shower and wash his clothes. Mr. Smith said he was upset when the police called the ariel applicators service and they said it was harmless what they sprayed even though its a fungicide and insecticide that have safety warnings noted in the labels. Mr. Smith report from the police are included in this report as well as maps of area being sprayed. I then explained the process of the investigation and I would meet with the applicator and see what was applied and if the applicator was licensed. I then thanked Mr. Smith for his time and left.

On August 20, 2021, I had a telephone call Hendrickson Flying Services and talked with Jake Smith. applicator at 21532 Quitno Rd. Rochelle IL. 61068. I explained I work for the Illinois Department of Agriculture and I was investigating a misuse complaint. Since I talked with Mr. Jake Smith over the phone he did not sign a Illinois Department of Agriculture Notice of Inspection. We then discuss the ariel applications made on August 4, 2021 his fields around Virgil north of route 64 and the Great Western bike trail. The application was made by Ryan Anseeuw (CA94969) an ariel applicator to a field Northeast of virgil and west of Lily Lake which I included in my report on a map. Mr. Anseeuw applied Delaro fungicide and Silencer insecticide to corn field noted on map.

In conclusion Mr. Anseeuw ariel applicator was license and the field being sprayed was about 10-13 yards north of the Great Western Trail. Weather data show 1-2 mph norhtwest wind in that area and average temperatures. Included in report is maps, product applied, SDSs, dates, time, and weather report for that day.

Google Maps



Imagery ©2021 Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2021

200 ft

Google

LAT: 41.948307
 LONG: -88.504106
 PATH COMPLAINANT RIDING ON
 DISTANCE OF PATH TO FIELD BORDERS

Aerial App (Liquid Spray - Flat)

Scheduled

Files
 Satic Grouped: 528.job
 Shp-G: T1D915528.shp
 Polygon: 11, 37

Work Order
 915528-2632928
 Area 137.57 ac
 Field HomeEast

Ref # 11

Dealer Information		Customer Information		Field Information		Latitude : Longitude	
Conserv FS - Marengo	hartman frank	Field	home east	Lat	41 56 57	Lon	-88 29 54
20515 Harmony Rd		Field	HomeEast	Lat	41 56 956	Lon	-88 29 908
Marengo, IL 60152		Zone	N/A	Crop Info			
Contact Joe		County	Kane	Start	2021-07-26	Win	5
Office		Township	Virgil	Rel	2021-07-26	Sch	2021-08-02
Cell		PLSS	40N 6E	Dates			
All		Section	13	Start	2021-07-26	Rel	2021-07-26
		Field ID	2251662	FE:		Sch	2021-08-02
Supplier	Product Name	EPA #	REI	PPE	Pest	Rate	Amount
Conserv FS - Marengo	Delaro	264-1055	No	No	8 fl oz/ac	8.60 gal	4.19 gal
Conserv FS - Marengo	Silencer	66222-104	24	Yes	3.9 fl oz/ac	0.64 fl oz/ac	0.69 gal
Conserv FS - Marengo	Talys	EXEMPT	No	No	1.90 gal/ac	261.38 gal	

Total Load
 274.86 gal @ 2 gal/ac

Applicator Information
 Applicator Ryan A Isaac
 Date 8-4
 Time Start 9:00
 Time End 9:45
 Wind Corn
 Temp 70
 Cycles
 Tach Start
 Tach Stop
 File Name
 GPS Model
 Order Notes:
 Field Notes:





Kane County Forest Preserve

CASE REPORT
1996 S Kirk Rd #320
Geneva, IL 60134

CASE# 2021-00000769

NARRATIVE

I went to the area of Rt 64 and Sunset to assist the ambulance. A cyclist on the Great Western Trail had inadvertently been sprayed by a crop dusting plane. He was experiencing dizziness and shortness of breath. Maple park FD was on scene treating him, on my arrival. After a period of time, the man; now known to me as Frank J. Smith [REDACTED] refused transport and got out of the ambulance. As he told me what happened the plane in question did fly by in the area. Comp. stated he was concerned about what he was sprayed with. After my interview, I gave him my info and how to obtain a copy of this report.

Using information from Sgt. Glisson, I contacted the Hendricksson Flying Service out of Rochelle, Il. They had rented the plane which was doing the crop dusting. I spoke with the General Manager, Jacob Smith [REDACTED]. I explained the incident and why I was calling. He was very apologetic and answered all my questions. He stated the chemicals being sprayed were a mixture of the following: Delaro (fungicide), Silencer (insecticide), and Talyx (cohesive). He stated there is no lasting harm to humans. He stated a shower and change of clothes (if needed) would take care of the issue. I gave him my info and how to get a copy of my report.

I called back my complainant and gave him all of the information I had gotten. Nothing further.

REPORTING OFFICER	DATE	REVIEWED BY	
8141 Konecki	08/04/2021	Glisson, Bill	08/05/2021 09:59



Kane County Forest Preserve

CASE REPORT
1996 S Kirk Rd #320
Geneva, IL 60134

CASE# **2021-00000769**

EVENT	REPORTED DATE/TIME 08/04/2021 09:24	OCCURRED INCIDENT TYPE Assist Ambulance	CASE STATUS AT TIME OF REPORT ACTIVITY COMPLETED
	OCCURRED FROM DATE/TIME 08/04/2021 09:24	OCCURRED THRU DATE/TIME 08/04/2021 09:24	LOCATION OF OCCURRENCE 47W000 Rt 64 Maple Park V, IL

OFFENSES	STATUTE/DESCRIPTION	COUNTS	ATTEMPT/COMMIT	

SUBJECT	JACKET/SUBJECT TYPE Adult Complainant	NAME (LAST, FRST, MIDDLE SUFFIX) Smith, Frank J					
	DOB [REDACTED]	AGE or AGE RANGE [REDACTED]	ADDRESS (STREET, CITY, STATE, ZIP) Wasco, IL 60175				
	RACE [REDACTED]	SEX [REDACTED]	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE	
	DL NUMBER/STATE	PRIMARY PHONE [REDACTED]	PHONE #2	LEADS #			

SUBJECT	JACKET/SUBJECT TYPE Adult Other Person	NAME (LAST, FRST, MIDDLE SUFFIX) Smith, Jacob					
	DOB [REDACTED]	AGE or AGE RANGE [REDACTED]	ADDRESS (STREET, CITY, STATE, ZIP) 21532 Quinto Rochelle, IL 61068				
	RACE [REDACTED]	SEX [REDACTED]	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE	
	DL NUMBER/STATE	PRIMARY PHONE (815)384-5151	PHONE #2	LEADS #			

SUBJECT	JACKET/SUBJECT TYPE	NAME (LAST, FRST, MIDDLE SUFFIX)					
	DOB	AGE or AGE RANGE	ADDRESS (STREET, CITY, STATE, ZIP)				
	RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE	
	DL NUMBER/STATE	PRIMARY PHONE	PHONE #2	LEADS #			

REPORTING OFFICER 8141 Konecki	DATE 08/04/2021	REVIEWED BY Glisson, Bill	08/05/2021 09:59
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THERE IS NO ASSOCIATED WEBCAM
WITH THIS STATION

Weather History for KILSTCHA61

Daily Mode

August

4

2021

Next

Previous

View

Summary

August 4, 2021

	High	Low	Average
Temperature	84.7 °F	57.2 °F	70.8 °F
Dew Point	67.5 °F	56.5 °F	62.5 °F
Humidity	99 %	49 %	78 %
Precipitation	0.00 in	--	--

	High	Low	Average
Wind Speed	7.0 mph	0.0 mph	1.2 mph
Wind Gust	7.0 mph	--	1.8 mph
Wind Direction	--	--	WNW
Pressure	30.21 in	30.14 in	--

Graph

Table

August 4, 2021

Time	Temperature	Dew Point	Humidity	Wind	Speed	Gust	Pressure	Precip. Rate.	Precip. Accum.
12:04 AM									



ILLINOIS DEPARTMENT OF AGRICULTURE
BUREAU OF ENVIRONMENTAL PROGRAMS
SPRINGFIELD, IL 62794

NOTICE OF INSPECTION

SIGNATURE 	DATE 8-12-21	HOUR 11:00	<input checked="" type="radio"/> A.M. <input type="radio"/> P.M.
NAME OF INDIVIDUAL FRANK J. SMITH	TITLE RESIDENT		
FIRM NAME	FIRM ADDRESS (Number, Street, City, State and Zip Code) WASCO, IL 60183		
SIGNATURE 	COUNTY KANE		

NOTICE OF INSPECTION IS HEREBY GIVEN PURSUANT TO THE ILLINOIS PESTICIDE ACT, 415 ICLS 60/1 ET. SEQ. OF THE ILLINOIS REVISED STATUTES.

VIOLATIONS SUSPECTED:

" ALLEGED MISUSE OF A PESTICIDE "

CASE # 089-35-21-13691

Misuse Report

Case Number: _____

#089-35-21-13691

1. Misuse Complaint
2. Use Investigation Report
3. Complainant Interview
 - A. Special Assignment Report
 - B. Notice of Inspection
4. Applicator Interview
 - A. Special Assignment Report
 - B. Notice of Inspection
5. Copy of label, spray/load ticket and other information.
6. Map(s)
7. Weather Data
8. Collection reports
9. Receipts for sample(s)
10. Phone Log
11. Other Information:

Misuse Investigation Phone Log

Case Number:	#037-35-21-13691
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Date: 8-11-21

Individual Called: Frank Smith Phone Number: [REDACTED]

Purpose of call: Set up interview with complaintiff

Date: 8-20-21

Individual Called: Jake Smith Phone Number: 815-384-5151

Purpose of call: Set up interview and records check

Date: _____

Individual Called: _____ Phone Number: _____

Purpose of call: _____

Date: _____

Individual Called: _____ Phone Number: _____

Purpose of call: _____

Date: _____

Individual Called: _____ Phone Number: _____

Purpose of call: _____

Date: _____

Individual Called: _____ Phone Number: _____

Purpose of call: _____

Complainant Information: - Mailing

Today's Date: 8/10/21

Name: Frank J. Smith

Address: [Redacted]

City, State, Zip: Wasco, Illinois 60183

County: Kane

Home Telephone Number: [Redacted] Work: _____

Cellular Telephone Number: [Redacted] Email: Mile marker 47W000 along Kane County Great Western Trail

Thursday
11 AM

Complaint Information:

Location of Damage - address/county: Mile marker 47W000 along Kane County Great Western Trail

Date of Incident: 08/04/2021 Time: 9:15 A.M. Date Noticed Damage: _____ Time: _____

Applicator type involved (check one): Commercial Company; Farmer; Homeowner; Other

Name of applicator (if known): _____

Company Name (if known): Hendrickson Flying Service

Address: 21532 Quitno Road
Rochelle, IL 61068

Telephone Number: (815) 384-5151

County: _____

Method of application (please check): Ground or Aerial; Liquid spray or Granular

Weather information: Clear, sunny, low 80s F temp.

Chemical involved (if known): Delaro, Silencer, Talyx

Specific nature of the complaint:

Complainant, wearing bright red t-shirt, was riding his bike Westbound on the Great Western Trail. Trail was completely uncovered and open to the sky. Hendrickson crop duster plane flew directly overhead complainant, turned @ 90 degrees and began crop dusting/spraying corn field on North side of Trail approx 50 feet above and 25-30 feet North of complainant. Complainant immediately was covered with fine airborne overspray from plane. Plane made two more spray passes of field also covering complainant with overspray. Total elapsed time was approx. 5 minutes.
Complainant continued riding West to try and get out from under plane overspray. After approx 5 more minutes complainant rode beyond field being sprayed and out of overspray zone. Approx 5 minutes after that complainant began to become short of breath and very dizzy. By the time complainant stopped riding and got off his bike he could not breathe. Complainant called 911 and requested assistance. Complainant collapsed on side of Great Western Trail. Maple Park Fire/Rescue arrived approx 10 minutes later and attended to complainant. After approx 30 more minutes complainant fully regained awareness of what had happened and refused EMT request to be transported to hospital. Subsequently Kane County Forest Preserve police arrived, interviewed complainant and wrote up report.

(If more space is needed, attach a separate sheet to this form.)

Signature: [Redacted]

Date: 8/10/21

Witness Information (other than complainant):

Name: _____ Telephone number: _____

Address: _____

RESTRICTED USE PESTICIDE

DUE TO TOXICITY TO FISH AND AQUATIC ORGANISMS

FOR RETAIL SALE TO AND USE ONLY BY CERTIFIED APPLICATORS OR PERSONS UNDER THEIR DIRECT SUPERVISION AND ONLY FOR THOSE USES COVERED BY THE CERTIFIED APPLICATOR'S CERTIFICATION.

NOTIFICATION

66222-104

The applicant has certified that no changes, other than those reported to the Agency have been made to the labeling. The Agency acknowledges this notification by letter dated:

07/15/2020

LAMBDA-CYHALOTHRIN

GROUP

Insecticide

SILENCER®

ACTIVE INGREDIENT:	% BY WT.
Lambda-cyhalothrin; [1 α (S*),3 α (Z)]-(\pm)-cyano-(3-phenoxyphenyl)methyl-3-(2-chloro-3,3,3-trifluoro-1-propenyl)-2,2-dimethylcyclopropanecarboxylate	12.7%
OTHER INGREDIENTS:	87.3%
TOTAL:	100.0%

Contains 1 pound of active ingredient per gallon
Contains petroleum distillate

SHAKE WELL BEFORE USING

KEEP OUT OF REACH OF CHILDREN

WARNING/AVISO

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

Manufactured for:
Makhteshim Agan of North America, Inc. (d/b/a ADAMA)
3120 Highwoods Blvd, Suite 100
Raleigh, NC 27604

EPA Reg. No. 66222-104

EPA Est. No. [REDACTED]

NET CONTENTS: ___ GALLON(S)

How can we help? 1-866-406-6262

FIRST AID

IF SWALLOWED:	<ul style="list-style-type: none">• Call a poison control center or doctor immediately for treatment advice.• Do not give any liquid to the person.• 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.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact **PROSAR-at** 1-877-250-9291 for emergency medical treatment information.

NOTE TO PHYSICIAN: Contains Petroleum Distillate. Vomiting may cause aspiration pneumonia.

FOR 24-HOUR EMERGENCY ASSISTANCE (SPILL, LEAK, OR FIRE), CALL INFOTRAC AT 1-800-535-5053.

[For additional Precautionary Statements, First Aid, and Directions for Use, see inside of this booklet.]

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS WARNING

May be fatal if swallowed. Causes substantial but temporary eye injury. Harmful if absorbed through the skin or inhaled. Avoid breathing vapor or spray mist. Do not get in eyes, on skin, or on clothing. Wear appropriate protective clothing and eyewear as specified in the Personal Protective Equipment (PPE) section of this label. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Skin exposure may also result in a sensation described as a tingling, itching, burning, or prickly feeling. Onset may occur immediately to 4 hours after exposure and may last 2-30 hours, without damage. Wash exposed areas once with soap and water. Relief from the skin sensation may be obtained by applying an oil-based cream.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category **G** 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 barrier laminate or Viton \geq 14 mils
- Shoes plus socks
- Protective eyewear

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. 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.

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

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.
- 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 extremely toxic to fish and aquatic organisms and toxic to wildlife. 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 apply when weather conditions favor drift from treated areas. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment wash water.

This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area.

PHYSICAL AND CHEMICAL HAZARDS

Combustible. Do not use or store near heat or open flame.

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 requirements 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) and restricted-entry interval. 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 24 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:

- Coveralls
- Chemical-resistant gloves of barrier laminate or Viton \geq 14 mils
- Shoes plus socks
- Protective eyewear

GENERAL INFORMATION

Apply in sufficient water for thorough coverage of listed crops unless otherwise specifically noted. Rate of application should be based upon pest pressure, timing of sprays, and field scouting. Use higher rates under heavy pest pressure and lower rates under low to moderate pest pressure. Timing and frequency of applications should be based upon insect populations reaching locally determined economic thresholds and other locally recommended methods. For ground and air applications, unless otherwise noted, the following spray volumes are recommended:

Row Crops: By ground, apply in a minimum of 10 gallons of finished spray per acre. By air, apply in a minimum of 2 gallons of finished spray per acre.

Orchard and Vine Crops: By ground, apply in a minimum of 50 gallons of finished spray per acre. By air, apply in a minimum of 10 gallons of finished spray per acre.

For cutworm control, Silencer[®] may be applied before, during, or after planting. For soil incorporated applications, use higher rates for improved control.

RESISTANCE MANAGEMENT

For resistance-management, Silencer contains a Group 3 insecticide. Any insect population may contain individuals naturally resistant to Silencer and any other Group 3 insecticide. The resistant individuals may dominate the insect population if these groups of insecticides are used repeatedly in the same fields. Appropriate resistance-management strategies should be followed.

To delay insecticide resistance, take the following steps:

- Rotate the use of Silencer or other Group 3 insecticide within a growing season, or among growing seasons, with different groups that control the same pests. Avoid application of more than the maximum seasonal use rate or the total number of consecutive sprays of Silencer or other insecticides in the same group in a season.
- Use tank mixtures with insecticides from a different group that are equally effective on the target pest when such use is permitted. Do not rely on the same mixture repeatedly for the same pest population. Consider any known cross-resistance issues (for the targeted pests) between the individual components of a mixture. In addition, consider the following recommendations provided by the Insecticide Resistance Action Committee (IRAC):

- o Individual insecticides selected for use in mixtures should be highly effective and be applied at the rates at which they are individually registered for use against the target species.

- o Mixtures with components having the same IRAC mode of action classification are not recommended for insect resistance management.

- o When using mixtures, consider any known cross-resistance issues between the individual components for the targeted pest(s).

o Mixtures become less effective if resistance is already developing to one or both active ingredients, but they may still provide pest management benefits.

o The insect resistance management benefits of an insecticide mixture are greatest if the two components have similar periods of residual insecticidal activity. Mixtures of insecticides with unequal periods of residual insecticide activity may offer an insect resistance management benefit only for the period where both insecticides are active.

- Adopt an integrated pest management program for insecticide/acaricides use that includes scouting, uses historical information related to pesticide use, crop rotation, record keeping, and which considers cultural, biological and other chemical control practices.
- Monitor after application for unexpected target pest survival. If the level of survival suggests the presence of resistance, consult with your local university specialist or certified pest control advisor.
- Contact your local extension specialist or certified crop advisors for any additional pesticide resistance management and/or IPM recommendations for the specific site and pest problems in your area.
- For further information or to report suspected resistance contact ADAMA representatives at 866.406.6262.

RESISTANCE

Some insects tend to develop resistance to products used repeatedly for control. Because the development of resistance cannot be predicted, the use of this product should conform to resistance management strategies established for the use area. Consult your local or state agricultural authorities for details.

If resistance to this product develops in your area, this product or other products with a similar mode of action, may not provide adequate control. If poor performance cannot be attributed to improper application or extreme weather conditions, a resistant strain of insect may be present. If you experience difficulty with control and resistance is a reasonable cause, immediately consult your local company representative or agricultural advisor for the best alternative method of control for your area.

SPRAY DRIFT PRECAUTIONS

BUFFER ZONES

Vegetative Buffer Strip

Construct and maintain a minimum 10-foot-wide vegetative filter strip of grass or other permanent vegetation between the field edge and down gradient aquatic habitat (such as, but not limited to, lakes; reservoirs; rivers; permanent streams; marshes or natural ponds; estuaries; and commercial fish farm ponds).

Only apply products containing lambda-cyhalothrin onto fields where a maintained vegetative buffer strip of at least 10 feet exists between the field and down gradient aquatic habitat.

For guidance, refer to the following publication for information on constructing and maintaining effective buffers: *Conservation Buffers to Reduce Pesticide Losses*. Natural Resources Conservation Services. USDA, NRCS. 2000. Fort Worth, Texas. 21 pp. <http://www.in.nrcs.usda.gov/technical/agronomy/newconbuf.pdf>

Buffer Zone for Ground Application (groundboom, overhead chemigation, or airblast)

Do not apply within 25 feet of aquatic habitats (such as, but not limited to, lakes, reservoirs, rivers, streams, marshes, ponds, estuaries, and commercial fish ponds).

Buffer Zone for ULV Aerial Application

Do not apply within 450 feet of aquatic habitats (such as, but not limited to, lakes, reservoirs, rivers, streams, marshes, ponds, estuaries, and commercial fish ponds).

Buffer Zone for Non-ULV Aerial Application

Do not apply within 150 feet of aquatic habitats (such as, but not limited to, lakes, reservoirs, rivers, streams, marshes, ponds, estuaries, and commercial fish ponds).

In the state of New York, a 25-foot vegetated, non-cropped buffer strip untraversed by drainage tiles must be maintained between a treated field and a coastal salt marsh or stream that drains into a coastal salt marsh, for both aerial or ground application. For aerial applications, the 25-foot vegetated non-cropped buffer strip for runoff protection would be part of the larger 150-foot buffer strip (or 450-foot buffer strip for ULV application) required for spray drift.

SPRAY DRIFT REQUIREMENTS

Wind Direction and Speed

Only apply this product if the wind direction favors on-target deposition.

Do not apply when the wind velocity exceeds 15 mph.

Temperature Inversion

Do not make aerial or ground applications into 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.

Droplet Size

Use only medium or coarser spray nozzles (for ground and non-ULV aerial application) according to ASAE (S572) definition for standard nozzles. In conditions of low humidity and high temperatures, applicators should use a coarser droplet size.

Additional Requirements for Ground Applications

Wind speed must be measured adjacent to the application site on the upwind side, immediately prior to application.

For ground boom applications, apply using a nozzle height of no more than 4 feet above the ground or crop canopy.

For airblast applications, turn off outward pointing nozzles at row ends and when spraying the outer two rows. To minimize spray loss over the top in orchard applications, spray must be directed into the canopy.

Additional Requirements for Aerial Applications

The spray boom should be mounted on the aircraft as to minimize drift caused by wingtip or rotor vortices. The minimum practical boom length should be used and must not exceed 75% of the wing span or 80% rotor diameter.

Flight speed and nozzle orientation must be considered in determining droplet size.

Spray must be released at the lowest height consistent with pest control and flight safety. Do not release spray at a height greater than 10 feet above the crop canopy unless a greater height is required for aircraft safety.

When 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.

TANK MIX APPLICATION

Fill the spray tank at least one-third full of clean water or diluent. With the pump and agitator running continuously, add the recommended amount of each product in the tank mix to the spray tank and allow to fully disperse, adding Silencer last. Add the remainder of water or diluent to the spray tank. Follow the precautions and limitations of the most restricted product in the tank mixture.

Compatibility testing for tank mixing partners: Test compatibility of the intended tank mixture by adding proportionate amounts of each ingredient to a pint or quart jar, cap, shake, and let set 15 minutes. Formation of precipitates that do not readily redisperse indicates an incompatible mixture that should not be used.

Non-emulsifiable oils are not recommended for use in combination with Silencer. If adjuvants are used, use only:

- Nonionic Surfactant (NIS) containing at least 75% surface agent, or
- Non-phytotoxic Crop Oil Concentrate (COC) including once refined Vegetable Oil concentrate (VOC), or
- Methylated Seed Oils (MSO) containing a minimum of 17% emulsifier.

Adjuvants other than NIS or COC may be used providing the product;

1. Contains only EPA exempt ingredients.
2. Is non-phytotoxic to the target crop.
3. Is compatible in mixture (may be established through a jar test).
4. Is supported locally for use with Silencer on the target crop through proven field trials and through university and extension recommendations.

The following may be used as diluents:

Crop Oil Concentrate
Methylated Seed Oils
Urea-Ammonium Nitrate

The following should not be used in combination with Silencer as diluents or adjuvants:

MATERIAL SAFETY DATA SHEET

Silencer™

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1. IDENTIFICATION

Product name: **Silencer**
 Chemical name of active ingredient(s): **Lambda Cyhalothrin: [1α(S*),3α(Z)]-(±)-cyano-(3-phenyloxyphenyl)methyl-3-(2-chloro-3,3,3-trifluoro-1-propenyl)-2,2-dimethylcyclopropanecarboxylate**
 Manufacturer: **Makhteshim-Agan of North America**
 551 Fifth Avenue, Suite 1100
 New York, NY 10176
 Phone: 212-661-9800
 Phone: 1-800-535-5053
 For fire, spill, and/or leak emergencies, contact Infotrac: Phone: 1-877-250-9291
 For medical emergencies and health and safety inquiries, contact Prosar:

2. COMPOSITION/INFORMATION ON INGREDIENTS

COMMON NAME	%	OSHA PEL	ACIGH TLV	NTP/IARC/OSHA Carcinogen
Lambda-cyhalothrin (CAS# 91465-08-6)	11.4	NE	NE	NA
Aromatic solvent (CAS# 64742-94-5)	80.3	NE	NE	NA

NE=None established

NA=Not applicable

3. HAZARDS IDENTIFICATIONS

EMERGENCY OVERVIEW

DANGER. Corrosive. Causes skin burns. May be fatal if swallowed or inhaled. Causes substantial but temporary eye injury. Harmful if absorbed through skin. Do not breathe spray mist. Do not get in eyes, on skin, or on clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wear protective clothing, gloves, eyewear, and respirator as indicated in Section 8 – Exposure Controls/Personal Protection. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove contaminated clothing and wash clothing before reuse.

PHYSICAL PROPERTIES

Appearance: Lightly yellow transparent liquid

Odor: Aromatic of solvent

SYMPTOMS OF ACUTE EXPOSURE

May cause eye and skin irritation. Harmful if swallowed. Allergic skin reactions are possible. Exposure to high vapor levels may cause headache, dizziness, numbness, nausea, incoordination, or other central nervous system effects. Skin exposure may also result in a sensation described as a tingling, itching, burning, or prickly feeling. Onset may occur immediately to 4 hours after exposure and may last 2-30 hours, without damage. Wash exposed areas once with soap and water. Relief from the skin sensation may be obtained by applying an oil-based cream.

HAZARDOUS PRODUCTS OF COMBUSTION

Product can decompose at high temperatures forming toxic gases.

4.FIRST AID MEASURES

FIRST AID

- IF SWALLOWED:**
- Call a poison control center or doctor immediately for treatment advice.
 - Do not give any liquid to the person.
 - 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 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.

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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 and give artificial respiration, preferably mouth-to-mouth, if possible.
- Call a poison control center or doctor for further treatment advice.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact PROSAR at 1-887-250-9291 for emergency medical treatment information.

Note to Physician: Contains petroleum distillate-vomiting may cause aspiration pneumonia.

5. FIRE FIGHTING MEASURES

FLASH POINT: 62° C (144° F)

FLAMMABLE LIMITS

LFL: Not applicable

UFL: Not applicable

AUTOIGNITION TEMPERATURE: Not available

FLAMMABILITY: Not applicable

EXTINGUISHING MEDIA: Dry chemical, foam or CO₂ extinguishing media.

UNUSUAL FIRE, EXPLOSION, AND REACTIVITY HAZARDS

During a fire, irritating and possibly toxic gases may be generated by thermal decomposition or combustion.

HAZARDOUS DECOMPOSITION PRODUCTS

Product can decompose at high temperatures forming toxic gases.

FIRE-FIGHTING PROCEDURES

Wear full protective clothing and self-contained breathing apparatus. Evacuate nonessential personnel from the area to prevent human exposure to fire, smoke, fumes or products of combustion. Prevent use of contaminated buildings, area and equipment until decontaminated. Water runoff can cause environmental damage.

6. ACCIDENTAL RELEASE MEASURES

ACTION TO TAKE FOR SPILLS/LEAKS: Control the spill at its source. Contain the spill to prevent from spreading or contaminating soil or from entering sewage and drainage systems or any body of water. Clean up spills immediately, observing precautions outline in Section 8 – Exposure Control/Personal Protection. Cover entire spill with absorbing material and place into compatible disposal container. Scrub area with hard water detergent (e.g., commercial products such as Tide®, Joy®, Spin and Span®). Pick up wash liquid with additional absorbent and place into compatible disposal container. Once all material is cleaned up and placed in a disposal container, seal container and arrange for disposition.

7. HANDLING AND STORAGE

HANDLING: Prevent eating, drinking, tobacco usage and cosmetic application in areas where there is a potential for exposure to the material. Wash hands thoroughly with soap and water after handling this product.

STORAGE: Do not use or store near heat or open flame. Store in original containers only. Keep container closed when not in use. Do not store near food or feed. In case of spill or leak on floor or paved surfaces, soak up with sand, earth, or synthetic absorbent. Remove to chemical waste area. Store material in a well-ventilated, secure area out of reach of children and domestic animals. Do not store food, beverages or tobacco products in the storage area.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

MATERIAL SAFETY DATA SHEET

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FOLLOWING RECOMMENDATIONS FOR EXPOSURE CONTROLS/PERSONAL PROTECTION ARE INTENDED FOR THE MANUFACTURER, FORMULATION, PACKAGING AND USE OF THIS PRODUCT:

- Ingestion:** Prevent eating, drinking or tobacco usage and cosmetic application in areas where there is a potential for exposure to the material. Wash thoroughly with soap and water after handling.
- Eye contact:** Where eye contact is likely, use chemical splash goggles.
- Skin contact:** Where contact is likely, wear chemical-resistant (such as nitrile or butyl) gloves, coveralls, socks and chemical-resistant footwear. For overhead exposure, wear chemical-resistant headgear. Stringent housekeeping measures are necessary to prevent translocation of the material from contaminated work surfaces to uncontaminated surfaces (railings, doors, etc.). Unprotected contact with such translocated material can result in paresthesia effects (see Section 11 – Toxicological Information).
- Inhalation:** A combination particulate/organic vapor respirator may be necessary until effective engineering controls are installed to comply with occupational exposure limits. Use a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with an R, P, or HE pre-filter. Use a self-contained breathing apparatus in cases of emergency spills, when exposure levels are unknown, or under any circumstances where air-purifying respirators may not provide adequate protection.

APPLICATORS AND OTHER HANDLERS MUST WEAR:

- Coveralls over long sleeved shirt and long pants
- Chemical resistant gloves, such as barrier laminate, nitrile rubber, neoprene rubber, or Viton ≥ 14 mils
- Shoes plus socks
- Protective eyewear

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. 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.

9. PHYSICAL AND CHEMICAL PROPERTIES

APPEARANCE: Lightly yellow transparent liquid

ODOR: Aromatic of solvent

FLASH POINT: 62° C (144° F)

pH: 6.5-7.5

DENSITY: 0.925-0.935 kg/L

SOLUBILITY IN WATER (LAMBDA-CYHALTHRIN TECHNICAL): 0.004 mg/l

VAPOR PRESSURE (LAMBDA-CYHALTHRIN TECHNICAL): 1.5×10^{-9} mmHg @ 68° F (20° C)

10. STABILITY AND REACTIVITY

STABILITY: This product is stable under normal use and storage.

CONDITIONS TO AVOID: Do not use or store near heat or open flame.

MATERIALS TO AVOID: None known.

HAZARDOUS POLYMERIZATION: Not known to occur.

HAZARDOUS DECOMPOSITION PRODUCTS: Can decompose at high temperatures forming toxic gases.

11. TOXICOLOGICAL INFORMATION

ACUTE TOXICITY/IRRITATION STUDIES

- Acute Oral LD₅₀ (Rat): 351 mg/kg
Acute Dermal LD₅₀ (Rat): >2,000 mg/kg
Acute Inhalation LC₅₀ (Rat): >2.5 mg/L air (4-hours)
Eye Irritation (Rabbit): Mildly irritating
Dermal Irritation (Rabbit): Slightly irritating

Revised: 02-24-2005

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Silencer™

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Dermal Sensitization: Not available

REPRODUCTIVE/DEVELOPMENTAL EFFECTS:

Lambda-cyhalothrin technical: Not a developmental or reproductive toxicant.

CHRONIC/SUBCHRONIC TOXICITY STUDIES:

Lambda-cyhalothrin technical: Reversible paresthesia (abnormal skin sensation). Reversible clinical signs of neurotoxicity in mammals.

CARCINOGENICITY:

Lambda-cyhalothrin technical: No treatment-related tumors in rats or mice.

OTHER TOXICITY INFORMATION: In humans, contact with exposed skin may result in temporary itching, tingling, burning or numbness, called paresthesia. The effect may result from splash, aerosol, or hot vapor contact, or transfer to the face from contaminated gloves and hands. The symptoms normally disappear within 24 hours. Face and genital areas are especially susceptible to this effect. Paresthesia involving the face is also known as "subjective facial sensation" or SFS.

TOXICITY OF OTHER COMPONENTS:

Naphthalene (<.1%): Exposure to naphthalene can cause cataracts, liver damage, kidney failure, respiratory failure, hematuria, anemia, damage to red blood cells, leukocytosis, or coma.
NTP: Anticipated carcinogen
IARC: Group 2B – Possible human carcinogen

TARGET ORGANS:

Lambda-cyhalothrin technical: Liver, nervous system
Naphthalene (<.1%): Eye, liver, kidney, respiratory tract, blood, CNS

12. ECOLOGICAL INFORMATION

SUMMARY OF EFFECTS:

Slightly toxic to birds. Highly toxic to fish, invertebrates and bees. 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 apply when weather conditions favor drift from treated areas. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment wash water. This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area.

ECO-ACUTE TOXICITY:

(Lambda-cyhalothrin technical)
Bees LC50/EC50: 0.038 ug/bee
Invertebrates (water flea) LC50/EC50: 0.00036 ppm
Fish (trout) LC50/EC50: 0.00024 ppm
Fish (bluegill) LC50/EC50: 0.00021 ppm
Bird (Bobwhite quail) 8-day dietary LC50/EC50: >5300 ppm
Bird (Mallard duck) 8-day dietary LC50/EC50: >3948 ppm

ENVIRONMENTAL FATE:

Lambda-cyhalothrin technical: Not persistent in soil or water, Immobile in soil. Sinks in water after 24 hours.

13. DISPOSAL CONSIDERATIONS

PESTICIDE DISPOSAL: Do not contaminate water, food, or feed by storage and disposal. Pesticide wastes are acutely hazardous. Improper disposal of excess pesticides, spray mixture, or rinsate is a violation of federal law. If these wastes cannot be disposed of by use according to label instructions,

MATERIAL SAFETY DATA SHEET

Silencer™
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contact your state pesticide or Environmental Control Agency, or the Hazardous Waste Representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: Triple rinse (or equivalent), then offer for recycling or reconditioning, or puncture and 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. CONTAINERS ARE NOT SAFE FOR FOOD, FEED, OR DRINKING WATER!

14. TRANSPORT INFORMATION

DOT CLASSIFICATION:

Non-bulk: UN 3352, Pyrethroid pesticides, liquid, toxic, 6.1, PGIII

Bulk or vessel: UN 3352, Pyrethroid pesticides, liquid, toxic (contains Lambda-cyhalothrin 11.4%), 6.1, PGIII, Marine Pollutant

B/L: Freight Classification: Item: 45617 [Fungicides, Herbicides, Insecticides, or Rodenticides] Class 77.5

INTERNATIONAL TRANSPORTATION:

IMO (vessel): UN 3352, Pyrethroid pesticides, liquid, toxic (contains Lambda-cyhalothrin 11.4%), 6.1, PGIII, Marine Pollutant

IATA (air): UN 3352, Pyrethroid pesticides, liquid, toxic, 6.1, PGIII

15. REGULATORY INFORMATION

SARA TITLE III CLASSIFICATION:

- Section 302: Not applicable
- Section 311/312: Acute health hazard (immediate)
Chronic health hazard (delayed)
- Section 313: Naphthalene (0.0803%) CAS: 91-20-3

- CA PROPOSITION 65: Naphthalene
- CERCLA RQ: 133 gallons product (100 lbs Naphthalene)
- RCRA CLASSIFICATION: Not applicable
- TSCA STATUS: Not applicable

16. OTHER INFORMATION

NFPA HAZARD RATINGS			0 MINIMAL
HEALTH:	2		1 SLIGHT
FLAMMABILITY:	1		2 MODERATE
REACTIVITY:	0		3 HIGH
			4 SEVERE

MSDS revised: 3-10-05, supercedes version dated 2-24-05.

The information herein is given in good faith, but no warrant, express or implied, is made. Consult Makhteshim-Agan of North America, Inc. for further information.

PROTHIOCONAZOLE	GROUP	3	FUNGICIDE
TRIFLOXYSTROBIN	GROUP	11	FUNGICIDE

USF 0728 325 SC Fungicide

ABN: Delaro[®] 325 SC Fungicide

For: control of certain diseases and plant health in Barley, Corn, Cotton, Dried Shelled Pea and Bean - Except Soybean (Subgroup 6C), Flax, Peanut, Soybean, Sugar beets, Sweet corn and Wheat.

ACTIVE INGREDIENTS:

Prothioconazole, 2-[2-(1-Chlorocyclopropyl)-3-(2-chlorophenyl)-2-hydroxypropyl]-1,2-dihydro-3H-1,2,4-triazole-3-thione:	16.00%
Trifloxystrobin, (E,E)-alpha-(methoxyimino)-2-[[[1-[3-(trifluoromethyl)phenyl] ethylidene]amino]oxy]methyl]-, methylester.....	13.70%
OTHER INGREDIENTS:	70.30%
TOTAL:	100.00%

Contains 1.49 pounds Prothioconazole and 1.27 pounds Trifloxystrobin per U.S. gallon

EPA Reg. No. 264-1055

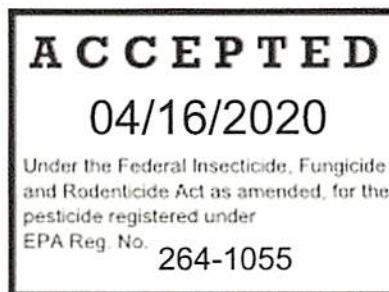
EPA Est. _____

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)

Please refer to [back panel] [booklet] for additional precautionary statements and directions for use. [Note to reviewer: Location of additional precautionary statements and directions for use will vary between those listed, depending on container type/size.]

Net Contents:



PRODUCED FOR



Bayer CropScience LP
800 N. Lindbergh Blvd.
St. Louis, MO 63167
1-866-99BAYER (1-866-992-2937)

FIRST AID

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 Swallowed:	<ul style="list-style-type: none">• 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 a poison control center or doctor.• Do not give anything by mouth to an unconscious person.
If on Skin:	<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.
In case of emergency, call the toll-free Bayer CropScience Emergency Response telephone number: 1-800-334-7577. Have a product container or label with you when calling a poison control center or doctor, or going for treatment.	
Note to Physician: No specific antidote. Treat Symptomatically.	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

- Causes moderate eye irritation.
- Harmful if swallowed, inhaled or absorbed through skin.
- Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.
- Avoid contact with skin, eyes, and clothing. Wear protective eyewear. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Avoid breathing vapor or spray mist.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Shoes plus socks
- Chemical resistant gloves made of any waterproof material made of barrier laminate, butyl rubber \geq 14 mil, nitrile rubber \geq 14 mil, or neoprene rubber \geq 14 mil, natural rubber \geq 14 mil, polyethylene, polyvinyl chloride \geq 14 mil, or Viton \geq 14 mil.

USER SAFETY REQUIREMENTS

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.
- Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Users should 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.

ENGINEERING CONTROLS

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic invertebrates. Applying this product when rain is not predicted for the next 24 hours will help reduce potential risk to aquatic invertebrates by reducing pesticide runoff from the treatment area into water bodies. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Do not apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean high-water mark.

Surface Water Advisory

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 washwater or rinsate.

This product is toxic to estuarine/marine invertebrates, and freshwater/estuarine/marine aquatic plants. 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 washwater or rinsate.

Ground Water Advisory

Prothioconazole-desthio (a degradate of prothioconazole) is known to leach through soil into ground water 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 ground-water contamination.

Run Off Management

Drift and runoff are hazardous to aquatic organisms in water adjacent to treated areas. This product 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 produce 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 to occur within 48 hours.

CONDITIONS OF SALE AND LIMITATIONS OF WARRANTY AND LIABILITY

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.

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. To the extent consistent with applicable law, 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 OTHER 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.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.
Read the entire label before using this product.

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.

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, 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 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:

- Coveralls
- Chemical-resistant gloves made of waterproof material
- Shoes plus socks

PRODUCT INFORMATION

USF 0728 325 SC Fungicide:

- is a broad spectrum fungicide for the control of certain diseases of Barley, Corn, Cotton, Dried Shelled Pea and Bean - Except Soybean (Subgroup 6C), Flax, Peanut, Soybean, Sugar beets, Sweet corn and Wheat;
- works by interfering with both energy and cell membrane production by plant pathogenic fungi. Equipment must be properly calibrated before use.

APPLICATION INSTRUCTIONS

- USF 0728 325 SC Fungicide may be applied by ground, air (except in New York), or chemigation.
- Use of an adjuvant may enhance the performance of USF 0728 325 SC Fungicide.

Aerial Application

Avoid application under conditions when uniform coverage cannot be obtained or when excessive spray drift may occur. Do not apply directly to humans or animals. Not registered for aerial application in New York State. Refer to specific crop sections for water carrier volume recommendations.

Ground Application

Applications using sufficient water volume to provide thorough and uniform coverage generally provide the most effective disease control. Refer to specific crop sections for water carrier volume recommendations.

Ground Application (Broadcast)

Equip sprayers with nozzles that provide accurate and uniform application. Nozzle selection, spraying pressures, carrier volume and application speeds are critical for maximum efficacy. Select nozzles that deliver Fine to Medium droplets and operate them within the pressures specified by the manufacturer. Adjust application speeds to allow for canopy penetration and coverage of the leaf surface. Be certain that nozzles are the same size and uniformly spaced across the boom. Calibrate the sprayer before use and replace worn or damaged nozzles.

Use a pump with sufficient agitation capacity in the tank to keep the mixture in suspension. This requires recirculation of 10% of the tank volume per minute. Use jet agitators or a liquid spurge tube for vigorous agitation.

Use screens to protect the pump and to prevent nozzles from clogging. Check nozzle manufacturer's recommendations.

For information on spray equipment and calibration, consult sprayer manufacturer's and/or state recommendations.
For specific local directions and spray schedules, consult the current state agricultural experiment station recommendations.

USE RESTRICTIONS

- Under certain conditions conducive to extended infection periods, additional fungicide applications beyond the number allowed by this label may be needed. Under these conditions, use another fungicide registered for the crop/disease.
- Do not apply more than 2 sequential applications of USF 0728 325 SC Fungicide or any other QoI Group 11 fungicide without alternation with a fungicide from another group.
- Not registered for aerial application in New York State.

Refer to the specific use directions and restrictions in each Crop table.

FUNGICIDE RESISTANCE MANAGEMENT (FRAC) RECOMMENDATIONS

For resistance management, please note that USF 0728 325 SC Fungicide contains both a Group 3 (prothioconazole) and Group 11 (trifloxystrobin) fungicide. Any fungal population may contain individuals naturally resistant to USF 0728 325 SC Fungicide and other Group 3 or Group 11 fungicides. A gradual or total loss of pest control may occur over time if these fungicides are used repeatedly in the same fields. Appropriate resistance-management strategies should be followed.

To delay fungicide resistance, take one or more of the following steps:

- Rotate the use of USF 0728 325 SC Fungicide or other Group 3 or Group 11 fungicides within a growing season sequence with different groups that control the same pathogens.
- Use tank mixtures with fungicide from a different group that are equally effective on the target pest when such use is permitted. Use at least the minimum application rate as labeled by the manufacturer.
- Adopt an integrated disease management program for fungicide use that includes scouting, uses historical information related to pesticide use, and crop rotation, and which considers host plant resistance, impact of environmental conditions on disease development, disease thresholds, as well as cultural, biological and other chemical control practices.
- Where possible, make use of predictive disease models to effectively time fungicide applications. Note that using predictive models alone is not sufficient to manage resistance.
- Monitor treated fungal/bacterial populations for resistance development.
- Contact your local extension specialist or certified crop advisor for any additional pesticide resistance-management and/or IPM recommendations for specific crops and pathogens.
- For further information or to report suspected resistance contact Bayer CropScience at 1-866-99BAYER (1-866-992-2937). You can also contact your pesticide distributor or university extension specialist to report resistance.

CHEMIGATION

USF 0728 325 SC Fungicide alone or in combination with other pesticides which are registered for application through irrigation systems, may be applied through irrigation systems. Apply this product only through center pivot, solid set, hand move, or moving wheel irrigation systems. Do not apply this product through any other type of irrigation system. Illegal pesticide residues in the crop can result from non-uniform distribution of treated water. If you have questions about calibration, you should contact State Extension Service specialists, equipment manufacturers, or other experts. Do not connect an irrigation system (including greenhouse systems) used for pesticide application to a public water system, unless the pesticide label-prescribed safety devices for public water systems are in place. A person knowledgeable of the chemigation system and responsible for its operation, or under the supervision of the responsible person, shall shut the system down and make necessary adjustments should the need arise.

Operating Instructions

1. The system must contain a functional check-valve, vacuum relief valve, and low pressure drain appropriately located on the irrigation pipeline to prevent water-source contamination from backflow.
2. The pesticide injection pipeline must contain a functional, automatic, quick-closing check-valve to prevent the flow of fluid back toward the injection pump.
3. The pesticide injection pipeline must also contain a functional, normally closed, solenoid-operated valve located on the intake side of the injection pump and connected to the system interlock to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down.
4. The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops.
5. The irrigation line or water pump must include a functional pressure switch which will stop the water pump motor when the water pressure decreases to the point where pesticide distribution is adversely affected.
6. Systems must use a metering pump, such as a positive displacement injection pump (e.g., diaphragm pump), effectively designed and constructed of materials that are compatible with pesticides and capable of being fitted with a system interlock.
7. Do not apply when wind speed favors drift beyond the area intended.

Center Pivot Irrigation Equipment

Notes: (1) Use only with drive systems which provide uniform water distribution. (2) Do not use end guns when chemigating USF 0728 325 SC Fungicide through center pivot systems because of non-uniform application.

Determine the size of the area to be treated. Determine the time required to apply 1/8-1/2 inch of water over the area to be treated when the system and injection equipment are operated at normal pressures as recommended by the equipment manufacturer. When applying

USF 0728 325 SC Fungicide through irrigation equipment use the lowest obtainable water volume while maintaining uniform distribution. Run the system at 80-95% of the manufacturer's rated capacity. Using water, determine the injection pump output when operated at normal line pressure. Determine the amount of USF 0728 325 SC Fungicide required to treat the area covered by the irrigation system. Add the required amount of USF 0728 325 SC Fungicide and sufficient water to meet the injection time requirements to the solution tank. Make sure the system is fully charged with water before starting injection of the USF 0728 325 SC Fungicide solution. Time the injection to last at least as long as it takes to bring the system to full pressure. Maintain constant solution tank agitation during the injection period. Continue to operate the system until the USF 0728 325 SC Fungicide solution has cleared the sprinkler head.

Solid Set, Hand Move, and Moving Wheel Irrigation Equipment

When applying USF 0728 325 SC Fungicide through irrigation equipment use the lowest obtainable water volume while maintaining uniform distribution. Determine the amount of USF 0728 325 SC Fungicide required to treat the area covered by the irrigation system. Add the required amount of USF 0728 325 SC Fungicide into the same quantity of water used to calibrate the injection period. Operate the system at the same pressure and time interval established during the calibration. Stop injection equipment after treatment is completed. Continue to operate the system until the USF 0728 325 SC Fungicide solution has cleared the last sprinkler head.

SPRAY DRIFT

Aerial Applications

- For aerial applications, do not apply when wind speeds exceed 15 mph at the application site. If the wind speed is greater than 10 mph, the boom length must be 65% or less of the wingspan for fixed wing aircraft and 75% or less of the rotor diameter for helicopters. Otherwise, the boom length must be 75% or less of the wingspan for fixed-wing aircraft and 90% or less of the rotor diameter for helicopters.
- Do not release spray at a height greater than 10 ft above the ground or vegetative canopy, unless a greater application height is necessary for pilot safety.
- Applicators must use ½ swath displacement upwind at the downwind edge of the field.
- Do not apply during temperature inversions.

Ground Boom Applications

- Apply with the nozzle height recommended by the manufacturer, but no more than 4 feet above the ground or crop canopy.
- Applicators are required to use a medium or coarser droplet size (ASABE S572. I).
- Do not apply when wind speeds exceed 15 miles per hour at the application site.
- Do not apply during temperature inversions.

SPRAY DRIFT ADVISORIES

THE APPLICATOR IS RESPONSIBLE FOR A VOIDING OFF-SITE SPRAY DRIFT
BE AWARE OF NEARBY NON-TARGET SITES AND ENVIRONMENTAL CONDITIONS.

IMPORTANCE OF DROPLET SIZE

An effective way to reduce spray drift is to apply large droplets. Use the largest droplets that provide target pest control. While applying larger droplets will reduce spray drift, the potential for drift will be greater if applications are made improperly or under unfavorable environmental conditions.

Controlling Droplet Size -Ground Boom

- Volume - Increasing the spray volume so that larger droplets are produced will reduce spray drift. Use the highest practical spray volume for the application. If a greater spray volume is needed, consider using a nozzle with a higher flow rate.
- Pressure - Use the lowest spray pressure recommended for the nozzle to produce the target spray volume and droplet size.
- Spray Nozzle - Use a spray nozzle that is designed for the intended application. Consider using nozzles designed to reduce drift.

Controlling Droplet Size -Aircraft

- Adjust Nozzles -Follow nozzle manufacturers recommendations for setting up nozzles. Generally, to reduce fine droplets, nozzles should be oriented parallel with the airflow in flight.

BOOM HEIGHT-Ground Boom

For ground equipment, the boom should remain level with the crop and have minimal bounce.

RELEASE HEIGHT - Aircraft

Higher release heights increase the potential for spray drift.

SHIELDED SPRAYERS

Shielding the boom or individual nozzles can reduce spray drift. Consider using shielded sprayers. Verify that the shields are not interfering with the uniform deposition of the spray on the target area.

TEMPERATURE AND HUMIDITY

When making applications in hot and dry conditions, use larger droplets to reduce effects of evaporation.

TEMPERATURE INVERSIONS

Drift potential is high during a temperature inversion. Temperature inversions are characterized by increasing temperature with altitude and are common on nights with limited cloud cover and light to no wind. The presence of an inversion can be indicated by ground fog or by the movement of smoke from a ground source or an aircraft smoke generator. Smoke that layers and moves laterally in a concentrated cloud (under low wind conditions) indicates an inversion, while smoke that moves upward and rapidly dissipates indicates good vertical air mixing. Avoid applications during temperature inversions.

WIND

Drift potential generally increases with wind speed. **AVOID APPLICATIONS DURING GUSTY WIND CONDITIONS.** Applicators need to be familiar with local wind patterns and terrain that could affect spray drift.

HANDHELD TECHNOLOGY APPLICATIONS

-Take precautions to minimize spray drift.

COMPATIBILITY TESTING AND TANK MIX PARTNERS

It is the pesticide user's responsibility to ensure that all products are registered for the intended use. Read and follow the applicable restrictions and limitations and directions for use on all product labels involved in tank mixing. Users must follow the most restrictive directions for use and precautionary statements of each product in the tank mixture.

When using USF 0728 325 SC Fungicide in tank mixtures, all products in water-soluble packaging should be added to the tank before any other tank-mix partner, including USF 0728 325 SC Fungicide. Allow the water-soluble packaging to completely dissolve and the product(s) to completely disperse before adding any other tank-mix partner to the tank. If using USF 0728 325 SC Fungicide in a tank mixture, observe all directions for use, crop/sites, use rates, dilution ratios, precautions, and limitations which appear on the tank-mix partner product label. No label dosage rate should be exceeded, and the most restrictive label precautions and limitations should be followed. This product must not be mixed with any product which prohibits such mixing. Tank mixtures or other applications of products referenced on this label are permitted only in those states in which the referenced products are registered.

Compatibility

USF 0728 325 SC Fungicide is compatible with most insecticide, fungicide, and foliar nutrient products. However, the physical compatibility of USF 0728 325 SC Fungicide with tank-mix partners should be tested before use. To determine the physical compatibility of USF 0728 325 SC Fungicide with other products, use a jar test, as described below.

Using a quart jar, add the proportionate amounts of the products to 1 qt. of water. Add wettable powders and water-dispersible granular products first, then liquid flowables, and emulsifiable concentrates last. After thoroughly mixing, let stand for at least 5 minutes. If the combination remains mixed or can be remixed readily, it is physically compatible. Once compatibility has been proven, use the same procedure for adding required ingredients to the spray tank.

The crop safety of all potential tank mixes including additives and other pesticides on all crops has not been tested. Before applying any tank mixture not specifically recommended on this label, the safety to the target crop should be confirmed. To test for crop safety, apply USF 0728 325 SC Fungicide to the target crop in a small area and in accordance with label instructions for the target crop.

Order of Mixing

Prepare no more spray mixture than is needed for the immediate operation. Thoroughly clean spray equipment before using this product. Vigorous agitation is necessary for proper dispersal of the product. Maintain maximum agitation throughout the spraying operation. Do not let the spray mixture stand overnight in the spray tank. Flush the spray equipment thoroughly following each use and apply the rinsate to a previously treated area.

USF 0728 325 SC Fungicide Alone: Add approximately 1/2 of the required amount of water to the mix tank. With the agitator running, add the USF 0728 325 SC Fungicide to the tank. Continue agitation while adding the remainder of the water. Begin application of the solution after the USF 0728 325 SC Fungicide has completely and uniformly dispersed into the mix water. Maintain agitation until all of the mixture has been applied.

USF 0728 325 SC Fungicide + Tank Mix Partners: Add approximately 1/2 of the required amount of water to the mix tank. Start the agitator running before adding any tank-mix partners. In general, tank-mix partners should be added in this order:

1. Products packaged in watersoluble packaging
2. Wettable powders, wettable granules (dry flowables)
3. USF 0728 325 SC Fungicide
4. Other liquid flowables

MATERIAL DATA SAFETY SHEET
PRECISION LABORATORIES, INC.



Updated: November 6, 2008
Page 1 of 3

Product Name: FS TALYX™ - Activator Adjuvant for Fungicides

1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: **FS TALYX™ - Activator Adjuvant for Fungicides**
Manufactured by: **PRECISION LABORATORIES, INC.**
1429 S. SHIELDS DRIVE
WAUKEGAN, IL 60085

Emergency telephone number: **(Chemtrec Information 24 hours) 1-800-424-9300**
For MSDS, Product Safety, or **(Technical Support on Product) 1-800-323-6280**
Regulatory inquiries, call:

2. COMPOSITION / INFORMATION ON INGREDIENTS

<u>Component</u>	<u>CAS#</u>	<u>OSHA PEL</u>	<u>ACGIH TLV</u>	<u>% By Wt.</u>
Proprietary surfactant 1	Proprietary	NE	NE	45-55
Proprietary surfactant 2	Proprietary	NE	NE	40-50
Organic acid	Proprietary	NE	NE	2-5

3. HAZARDS IDENTIFICATION

EMERGENCY OVERVIEW:

WARNING!

VERY TOXIC TO AQUATIC ORGANISMS

MAY BE HARMFUL IF SWALLOWED

COMBUSTIBLE LIQUID AND VAPOR. VAPOR MAY CAUSE FIRE.

MAY BE HARMFUL TO THE ENVIRONMENT IF RELEASED IN LARGE QUANTITIES.

HMIS Hazard Rating:

- 2** Health Hazard Rating
- 2** Flammability Rating
- 0** Reactivity Rating
- A** Personal Protection

Primary Routes of Exposure:

Eyes: **Yes** Skin: **Yes** Oral: **Unlikely** Inhalation: **Unlikely**

Signs and Symptoms of Exposure:

- Eye contact: Prolonged and repeated contact of concentrated product will cause irritation and reddening.
- Skin contact: Prolonged or repeated skin contact can also result in irritation.
- Inhalation: May result in respiratory irritation.
- Ingestion: May result in nausea, abdominal discomfort, vomiting and mucosal irritation.

4. FIRST AID MEASURES

FIRST AID MEASURES FOR ACCIDENTAL EXPOSURE

Eye Exposure: Check for and remove contact lenses. Immediately flush eyes with water for at least 15 minutes. Cold water may be used. Get medical attention if irritation occurs.

Skin Exposure: Wash effected area with plenty of soap and water. Cold water may be used. Get medical attention if irritation develops.

Inhalation: Move person to fresh air. If person is having difficulty breathing, give oxygen. If not breathing, give artificial respiration. Get emergency medical help immediately.

Ingestion: **Do not induce vomiting unless directed to do so by medical personnel.** Never give fluids or force vomiting if the person is unconscious, is having convulsions or has no gag reflex. If large quantities are swallowed, get emergency medical help immediately.

Product Name: FS TALYX™ - Activator Adjuvant for Fungicides

5. FIRE-FIGHTING MEASURES

FIRE HAZARD DATA:

Flammability:	Combustible	LEL:		UEL:	
Auto-ignition temperature:	The lowest known value is >150°C (302°F) for Proprietary Surfactant 1				
Flash Point:	CLOSED CUP 93°C (199.4°F) Pensky-Martens				
Extinguishing Media:	Small fires: use DRY chemical powder. Large fires: use water spray, foam, or fog.				
Special Fire Fighting Procedures:	Wear full protective clothing including self-contained breathing apparatus to protect against possible toxic fumes from products and surrounding fire.				
Additional Fire and Explosive Data:	None.				

6. ACCIDENTAL RELEASE MEASURES

Small Spill and Leak: Dilute with water and mop up, or absorb with an inert dry material and place in an appropriate waste disposal container. Finish cleaning by spreading water on the contaminated surface and dispose of according to local and regional authority requirements.

Large Spill and Leak: Keep away from heat. Keep away from ignition sources. Stop leak if without risk. Finish cleaning by spreading water on the contaminated surface and evacuate through sanitary system.

7. HANDLING, STORAGE & SPILLAGE OR LEAK PROCEDURES

Precautions to be Taken in Handling: Keep away from heat, sparks and flame. Keep container closed. Use only with adequate ventilation. To avoid fire minimize ignition sources.

Precautions to be Taken in Storage: Keep containers in a cool, well ventilated area. Keep container tightly closed and sealed until ready for use. Avoid all possible sources of ignition (spark or flame).

8. EXPOSURE CONTROLS / PERSONAL PROTECTION

Note: When selecting personal protective equipment and clothing, follow all of the manufacturer specifications and recommendations that apply to your specific operation and processing conditions. Take into consideration all working conditions and all chemicals to be handled or processed.

Eye Protection: Wear splash-proof chemical safety goggles. Contact lenses should not be worn when working with chemicals.

Skin Protection: Wear coveralls and boots to minimize skin contact. As precautions, wash hands and face with mild soap and water before eating, drinking, smoking or using restroom. After each shift, clean all protective equipment, wash work clothes, and shower.

Inhalation Protection: Not required under normal use conditions with good ventilation. Protect against spray mists.

Other Protection: Eye wash fountains and drench showers should be located within 100 feet or a 10 second walk or the work area per ANSI Z358.1-1990.

9. PHYSICAL AND CHEMICAL PROPERTIES

Physical Appearance & Odor:	Amber liquid with bland odor.
Boiling Point:	>100°C (212°F).
pH:	1% solution in water is neutral.
Solubility in Water:	Soluble.

10. STABILITY AND REACTIVITY

Chemical Stability:	Stable.
Incompatibility:	Reactive with oxidizing agents and acids.
Hazardous Decomposition Products:	Burning may produce oxides of carbon and other substances.
Hazardous Polymerization:	Will not occur.
Conditions to Avoid:	Excessive heat.

11. TOXICOLOGICAL INFORMATION

No toxicological data is available for this product.

12. ECOLOGICAL INFORMATION

No ecological data is available for this product.

Product Name: FS TALYX™ - Activator Adjuvant for Fungicides

13. DISPOSAL CONSIDERATIONS

Disposal Methods: Recycle or rework material if at all possible. Incinerate material at an approved facility. Treat at an acceptable waste treatment facility, or municipal waste treatment plant after proper testing and approval waste samples in compliance with applicable federal, state and local environmental regulations.

Container Reuse: An empty container can contain product residue, and should not be reused. If not professionally cleaned and reconditioned, crushing or other means is recommended to prevent unauthorized reuse.

14. TRANSPORT INFORMATION

DOT Status (Highway and rail): Not regulated.

IATA Status (Air): Not regulated.

15. REGULATORY INFORMATION

AICS (Australia): Components listed.

DSL (Canada): Components listed.

EINECS (Europe): Components listed.

TSCA: Components listed.

<p>WHILE INFORMATION AND RECOMMENDATIONS SET FORTH HEREIN ARE BELIEVED TO BE ACCURATE AS OF THE DATE HEREON, PRECISION LABORATORIES, INC., MAKES NO WARRANTY WITH RESPECT THERETO AND DISCLAIMS ALL LIABILITY FROM RELIANCE THEREON.</p>

N/R—Not Rated

N/D—Not Determined

N/A—Not Applicable

N/E—Not Established

SAFETY DATA SHEET



DELARO® 325 SC FUNGICIDE

Version 3.0 / USA
102000010777

1/12
Revision Date: 06/24/2020
Print Date: 07/02/2020

SECTION 1: IDENTIFICATION OF THE SUBSTANCE/MIXTURE AND OF THE COMPANY/UNDERTAKING

Product identifier

Trade name DELARO® 325 SC FUNGICIDE
Product code (UVP) 05907454, 81684685
SDS Number 102000010777
EPA Registration No. 264-1055

Relevant identified uses of the substance or mixture and uses advised against

Use Fungicide
Restrictions on use See product label for restrictions.

Information on supplier

Supplier Bayer CropScience LP
800 North Lindbergh Blvd.
St. Louis, MO 63167
USA
Responsible Department Email: SDSINFO.BCS-NA@bayer.com
Emergency telephone no.
Emergency Telephone Number (24hr/ 7 days) 1-800-334-7577
Product Information Telephone Number 1-866-99BAYER (1-866-992-2937)

SECTION 2: HAZARDS IDENTIFICATION

Classification in accordance with regulation HCS 29CFR §1910.1200

Skin sensitisation: Category 1
Reproductive toxicity: Effects on or via lactation

Labelling in accordance with regulation HCS 29CFR §1910.1200



Signal word: Warning

Hazard statements

May cause an allergic skin reaction.
May cause harm to breast-fed children.

SAFETY DATA SHEET



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Precautionary statements

Do not breathe mist or vapours.
Contaminated work clothing should not be allowed out of the workplace.
Wear protective gloves.
Obtain special instructions before use.
Avoid contact during pregnancy/ while nursing.
Wash thoroughly after handling.
Do not eat, drink or smoke when using this product.
IF ON SKIN: Wash with plenty of water/ soap.
If skin irritation or rash occurs: Get medical advice/ attention.
Specific treatment (see supplemental first aid instructions on this label).
Wash contaminated clothing before reuse.
Dispose of contents/container in accordance with local regulation.

Hazards Not Otherwise Classified (HNOC)

No physical hazards not otherwise classified.
No health hazards not otherwise classified.

SECTION 3: COMPOSITION/INFORMATION ON INGREDIENTS

Hazardous Component Name	CAS-No.	Concentration % by weight
Trifloxystrobin	141517-21-7	13.7
Prothioconazole	178928-70-6	16.0
Fatty alcohol polyglycol ether	61791-13-7	7.5

SECTION 4: FIRST AID MEASURES

Description of first aid measures

General advice When possible, have the product container or label with you when calling a poison control center or doctor or going for treatment.

Inhalation Move 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 physician or poison control center immediately.

Skin contact Take off contaminated clothing and shoes immediately. Wash off immediately with plenty of water for at least 15 minutes. Call a physician or poison control center immediately.

Eye contact 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 physician or poison control center immediately.

Ingestion Call a physician or poison control center immediately. DO NOT induce vomiting unless directed to do so by a physician or poison control center. Rinse out mouth and give water in small sips to drink. Never give anything by mouth to an unconscious person. Do not leave victim unattended.

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Most important symptoms and effects, both acute and delayed

Symptoms	To date no symptoms are known.
Indication of any immediate medical attention and special treatment needed	
Treatment	Appropriate supportive and symptomatic treatment as indicated by the patient's condition is recommended.

SECTION 5: FIREFIGHTING MEASURES

Extinguishing media

Suitable	Use water spray, alcohol-resistant foam, dry chemical or carbon dioxide.
Unsuitable	High volume water jet
Special hazards arising from the substance or mixture	In the event of fire the following may be released: Hydrogen cyanide (hydrocyanic acid), Hydrogen fluoride, Carbon monoxide (CO), Carbon dioxide (CO ₂), Sulphur oxides, Nitrogen oxides (NO _x)
Advice for firefighters	
Special protective equipment for firefighters	Firefighters should wear NIOSH approved self-contained breathing apparatus and full protective clothing.
Further information	Keep out of smoke. Fight fire from upwind position. Cool closed containers exposed to fire with water spray. Do not allow run-off from fire fighting to enter drains or water courses.
Flash point	> 100 °C No flash point - Determination conducted up to the boiling point.
Auto-ignition temperature	385 °C / 725 °F
Lower explosion limit	No data available
Upper explosion limit	No data available
Explosivity	Not explosive 92/69/EEC, A.14 / OECD 113

SAFETY DATA SHEET



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SECTION 6: ACCIDENTAL RELEASE MEASURES

Personal precautions, protective equipment and emergency procedures

Precautions Keep unauthorized people away. Isolate hazard area. Avoid contact with spilled product or contaminated surfaces.

Methods and materials for containment and cleaning up

Methods for cleaning up Soak up with inert absorbent material (e.g. sand, silica gel, acid binder, universal binder, sawdust). Collect and transfer the product into a properly labelled and tightly closed container. Clean contaminated floors and objects thoroughly, observing environmental regulations.

Additional advice Use personal protective equipment. If the product is accidentally spilled, do not allow to enter soil, waterways or waste water canal.

Reference to other sections Information regarding safe handling, see section 7.
Information regarding personal protective equipment, see section 8.
Information regarding waste disposal, see section 13.

SECTION 7: HANDLING AND STORAGE

Precautions for safe handling

Advice on safe handling Use only in area provided with appropriate exhaust ventilation. Handle and open container in a manner as to prevent spillage.

Hygiene measures Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, using the toilet or applying cosmetics.
Remove Personal Protective Equipment (PPE) immediately after handling this product. Remove soiled clothing immediately and clean thoroughly before using again. Wash thoroughly and put on clean clothing.

Conditions for safe storage, including any incompatibilities

Requirements for storage areas and containers Store in original container. Keep containers tightly closed in a dry, cool and well-ventilated place. Store in a place accessible by authorized persons only. Keep away from direct sunlight.

Advice on common storage Keep away from food, drink and animal feedingstuffs.

SECTION 8: EXPOSURE CONTROLS/PERSONAL PROTECTION

Control parameters

Components	CAS-No.	Control parameters	Update	Basis
Trifloxystrobin	141517-21-7	2.7 mg/m ³ (SK-SEN)		OES BCS*
Prothioconazole	178928-70-6	1.4 mg/m ³		OES BCS*

SAFETY DATA SHEET



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*OES BCS: Internal Bayer AG, Crop Science Division "Occupational Exposure Standard"

Exposure controls

Personal protective equipment

In normal use and handling conditions please refer to the label and/or leaflet. In all other cases the following recommendations would apply.

Respiratory protection	When respirators are required, select NIOSH approved equipment based on actual or potential airborne concentrations and in accordance with the appropriate regulatory standards and/or industry recommendations.
Hand protection	Chemical resistant nitrile rubber gloves
Eye protection	Safety glasses with side-shields
Skin and body protection	Wear long-sleeved shirt and long pants and shoes plus socks.
General protective measures	Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and warm/tepid water. Keep and wash PPE separately from other laundry.

SECTION 9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance	white to beige
Physical State	suspension
Odor	weak characteristic
Odour Threshold	No data available
pH	5.5 - 7.0 (100 %) (23 °C)
Viscosity, kinematic	No data available
Vapor Pressure	No data available
Vapor Density (Air = 1)	No data available
Density	ca. 1.10 g/cm ³ (20 °C)
Evaporation rate	No data available
Boiling Point	No data available
Melting / Freezing Point	No data available
Water solubility	dispersible
Minimum Ignition Energy	No data available
Decomposition temperature	Stable under normal conditions.

SAFETY DATA SHEET



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Self-accelerating decomposition temperature (SADT)	No data available
Partition coefficient: n-octanol/water	Not applicable
Viscosity	350 - 500 mPa.s (20 °C) Velocity gradient 20 /s 150 - 250 mPa.s (20 °C) Velocity gradient 100 /s
Flammability	No data available
Flash point	> 100 °C No flash point - Determination conducted up to the boiling point.
Auto-ignition temperature	385 °C / 725 °F
Lower explosion limit	No data available
Upper explosion limit	No data available
Explosivity	Not explosive 92/69/EEC, A.14 / OECD 113
Particle size	No data available
Other information	Further safety related physical-chemical data are not known.

SECTION 10: STABILITY AND REACTIVITY

Reactivity

Thermal decomposition	Stable under normal conditions.
Chemical stability	Stable under recommended storage conditions.
Possibility of hazardous reactions	No hazardous reactions when stored and handled according to prescribed instructions.
Conditions to avoid	Extremes of temperature and direct sunlight.
Incompatible materials	No incompatible materials known.
Hazardous decomposition products	No decomposition products expected under normal conditions of use.

SECTION 11: TOXICOLOGICAL INFORMATION

Exposure routes	Eye contact, Ingestion, Inhalation, Skin contact
Immediate Effects Eye	Moderate eye irritation.

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Skin May cause slight irritation. Harmful if absorbed through skin.

Ingestion Harmful if swallowed.

Inhalation Harmful if inhaled.

Information on toxicological effects

Acute oral toxicity LD50 (Rat) \geq 5,000 mg/kg

Acute inhalation toxicity LC50 (Rat) $>$ 2.189 mg/l
Exposure time: 4 h
Highest attainable concentration.

Acute dermal toxicity LD50 (Rat) $>$ 4,000 mg/kg

Skin corrosion/irritation No skin irritation (Rabbit)

Serious eye damage/eye irritation slight irritation (Rabbit)

Respiratory or skin sensitisation Skin: Sensitising (Guinea pig)
OECD Test Guideline 406, Magnusson & Kligman test

Assessment STOT Specific target organ toxicity – single exposure

Trifloxystrobin: Based on available data, the classification criteria are not met.

Prothioconazole: Based on available data, the classification criteria are not met.

Assessment STOT Specific target organ toxicity – repeated exposure

Trifloxystrobin did not cause specific target organ toxicity in experimental animal studies.

Prothioconazole did not cause specific target organ toxicity in experimental animal studies.

Assessment mutagenicity

Trifloxystrobin was not mutagenic or genotoxic in a battery of in vitro and in vivo tests.

Prothioconazole was not mutagenic or genotoxic based on the overall weight of evidence in a battery of in vitro and in vivo tests.

Assessment carcinogenicity

Trifloxystrobin was not carcinogenic in lifetime feeding studies in rats and mice.

Prothioconazole was not carcinogenic in lifetime feeding studies in rats and mice.

ACGIH

None.

NTP

None.

IARC

None.

OSHA

None.

Assessment toxicity to reproduction

Trifloxystrobin caused reduced body weight development in offspring during lactation only at doses also

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|| Producing systemic toxicity in adult rats.

Prothioconazole caused reproduction toxicity in a two-generation study in rats only at dose levels also toxic to the parent animals. The reproduction toxicity seen with Prothioconazole is related to parental toxicity.

Assessment developmental toxicity

Trifloxystrobin caused developmental toxicity only at dose levels toxic to the dams. The developmental effects seen with Trifloxystrobin are related to maternal toxicity.

Prothioconazole caused developmental toxicity only at dose levels toxic to the dams. The developmental effects seen with Prothioconazole are related to maternal toxicity.

Aspiration hazard

Based on available data, the classification criteria are not met.

Further information

Only acute toxicity studies have been performed on the formulated product.
The non-acute information pertains to the active ingredient(s).

SECTION 12: ECOLOGICAL INFORMATION

Toxicity to fish LC50 (Oncorhynchus mykiss (rainbow trout)) 0.125 mg/l
Exposure time: 96 h

Toxicity to aquatic invertebrates EC50 (Daphnia magna (Water flea)) 0.126 mg/l
Exposure time: 48 h

||| LC50 (Mysidopsis bahia (mysid shrimp)) 0.00862 mg/l
Exposure time: 96 h
The value mentioned relates to the active ingredient trifloxystrobin.

Toxicity to aquatic plants IC50 (Raphidocelis subcapitata (freshwater green alga)) 0.68 mg/l
Growth rate; Exposure time: 72 h

ErC50 (Skeletonema costatum) 0.03278 mg/l
Exposure time: 72 h
The value mentioned relates to the active ingredient prothioconazole.

EC10 (Skeletonema costatum) 0.01427 mg/l
Growth rate; Exposure time: 72 h
The value mentioned relates to the active ingredient prothioconazole.

||| EC10 (Desmodesmus subspicatus (green algae)) 0.0025 mg/l
Growth rate; Exposure time: 72 h
The value mentioned relates to the active ingredient trifloxystrobin.

Biodegradability Trifloxystrobin:
Not rapidly biodegradable
Prothioconazole:
Not rapidly biodegradable

Koc Trifloxystrobin: Koc: 2377
Prothioconazole: Koc: 1765

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Bioaccumulation	Trifloxystrobin: Bioconcentration factor (BCF) 431 Does not bioaccumulate. Prothioconazole: Bioconcentration factor (BCF) 19 Does not bioaccumulate.
Mobility in soil	Trifloxystrobin: Slightly mobile in soils Prothioconazole: Slightly mobile in soils
Additional ecological information	No other effects to be mentioned.
Environmental precautions	Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Drift and runoff from treated areas may be hazardous to aquatic organisms in adjacent sites. Do not allow product to enter streams, sewers or other waterways. Do not contaminate surface or ground water by cleaning equipment or disposal of wastes, including equipment wash water. Apply this product as specified on the label.

SECTION 13: DISPOSAL CONSIDERATIONS

Waste treatment methods	
Product	Do not contaminate water, food, or feed by disposal. Dispose in accordance with all local, state/provincial and federal regulations. Pesticide, spray mixture or rinse water that cannot be used according to label instructions may be disposed of on site or at an approved waste disposal facility. Follow advice on product label and/or leaflet.
Contaminated packaging	Consult state and local regulations regarding the proper disposal of container. Follow advice on product label and/or leaflet.
RCRA Information	Characterization and proper disposal of this material as a special or hazardous waste is dependent upon Federal, State and local laws and are the user's responsibility. RCRA classification may apply.

SECTION 14: TRANSPORT INFORMATION

49CFR	Not dangerous goods / not hazardous material
IMDG	
UN number	3082
Class	9
Packaging group	III
Marine pollutant	YES

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Proper shipping name ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID,
N.O.S.
(TRIFLOXYSTROBIN, PROTHIOCONAZOLE SOLUTION)

IATA

UN number 3082
Class 9
Packaging group III
Environm. Hazardous Mark YES
Proper shipping name ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID,
N.O.S.
(TRIFLOXYSTROBIN, PROTHIOCONAZOLE SOLUTION)

This transportation information is not intended to convey all specific regulatory information relating to this product. It does not address regulatory variations due to package size or special transportation requirements.

SECTION 15: REGULATORY INFORMATION

EPA Registration No. 264-1055

US Federal Regulations

TSCA list

Water 7732-18-5
1,2-Propanediol 57-55-6
Fatty alcohol polyglycol ether 61791-13-7
Polyethylene-polypropylene copolymer 9003-11-6

US. Toxic Substances Control Act (TSCA) Section 12(b) Export Notification (40 CFR 707, Subpt D)

No export notification needs to be made.

SARA Title III - Section 302 - Notification and Information

Not applicable.

SARA Title III - Section 313 - Toxic Chemical Release Reporting

None.

US States Regulatory Reporting

CA Prop65

This product does not contain any substances known to the State of California to cause cancer.

This product does not contain any substances known to the State of California to cause reproductive harm.

US State Right-To-Know Ingredients

1,2-Propanediol 57-55-6 MN, RI

None.

EPA/FIFRA Information:

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This chemical is a pesticide product registered by the Environmental Protection Agency and is subject to certain labeling requirements under federal pesticide law. These requirements differ from the classification criteria and hazard information required for safety data sheets, and for workplace labels of non-pesticide chemicals. Following is the hazard information required on the pesticide label:

Signal word: Caution!

Hazard statements: Moderate eye irritation.
Harmful if swallowed, inhaled or absorbed through the skin.
Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

SECTION 16: OTHER INFORMATION

Abbreviations and acronyms

49CFR	Code of Federal Regulations, Title 49
ACGIH	US. ACGIH Threshold Limit Values
ATE	Acute toxicity estimate
CAS-Nr.	Chemical Abstracts Service number
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
EINECS	European inventory of existing commercial substances
ELINCS	European list of notified chemical substances
IARC	International Agency for Research on Cancer
IATA	International Air Transport Association
IMDG	International Maritime Dangerous Goods
N.O.S.	Not otherwise specified
NTP	US. National Toxicology Program (NTP) Report on Carcinogens
OECD	Organization for Economic Co-operation and Development
TDG	Transportation of Dangerous Goods
TWA	Time weighted average
UN	United Nations
WHO	World health organisation

NFPA 704 (National Fire Protection Association):

Health - 2 Flammability - 1 Instability - 0 Others - none

HMIS (Hazardous Materials Identification System, based on the Third Edition Ratings Guide)

Health - 2 Flammability - 1 Physical Hazard - 0 PPE -

0 = minimal hazard, 1 = slight hazard, 2 = moderate hazard, 3 = severe hazard, 4 = extreme hazard

Reason for Revision: The following sections have been revised: Section 2: Hazards Identification. Section 3: Composition / Information on Ingredients. Section 11: Toxicological Information. Section 12. Ecological information. Reviewed and updated for general editorial purposes.

Revision Date: 06/24/2020

This information is provided in good faith but without express or implied warranty. The customer assumes all responsibility for safety and use not in accordance with label instructions. The product names are

SAFETY DATA SHEET



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Print Date: 07/02/2020

registered trademarks of Bayer.

Moss, Suzanne

From: Moss, Suzanne
Sent: Tuesday, August 10, 2021 3:39 PM
To: Smrekar, Kris
Cc: Brad Beaver (Brad.Beaver@Illinois.gov); Scott Schirmer (Scott.Schirmer@Illinois.gov); Noyes, Kari; Rittenhouse, Susan
Subject: Pesticide Misuse Investigation Assignment- Frank J. Smith- KANE COUNTY- HUMAN CONTACT
Attachments: lambdacyhalothrin.silencer.pdf; 13691 Smith - Aerial App off Target - HUMAN CONTACT.pdf
Importance: High

Hi Kris Attached you will find a pesticide misuse complaint sent into the Department by:

Frank J. Smith
[REDACTED]

Wasco, IL 60183

Home- [REDACTED]

Cell- [REDACTED]

Please get a **GPS reading** of this location and **estimated acres damaged**.

Initiate this investigation (Case#089-35-21-13691) and submit the completed investigation report to the Springfield office **by September 10, 2021.**

If you are not able to submit this full investigation report into the Springfield office to meet the 30 day deadline... please contact me requesting additional time needed and explain the extenuating circumstances.

Thanks so much for your assistance and attention to this request



Suzanne Moss | Support Services Manager
Illinois Department of Agriculture

Division of Natural Resources/ Bureau of Environmental Programs

John R. Block Building | 801 E. Sangamon Ave., P.O. Box 19281| Springfield, IL 62794-9281
(o) 217-785-4754 | (c) 217-652-4176 (fax) 217-524-4882

CHECK OUT the Illinois Department of Agriculture's website for AG updates and further information about our programs and services!

www.agr.state.il.us

PLEASE PRINT INFORMATION CLEARLY:

089-35-21-13691 - HUMAN CONTACT off target Aerial App

Complainant Information: - Mailing

Today's Date: 8/10/21

Name: Frank J. Smith

Address: [REDACTED]

City, State, Zip: Wasco, Illinois 60183

County: Kane

Home Telephone Number: [REDACTED]

Work: _____

Cellular Telephone Number: [REDACTED]

Email: Mile marker 47W000 along Kane County Great Western Trail

Complaint Information:

Location of Damage - address/county: Mile marker 47W000 along Kane County Great Western Trail

Date of Incident: 08/04/2021

Time: 9:15 A.M.

Date Noticed Damage: _____

Time: _____

Applicator type involved (check one):



Commercial Company:



Farmer:



Homeowner:



Other

Name of applicator (if known): _____

Company Name (if known):

Hendrickson Flying Service

Address: 21532 Quitno Road

Rochelle, IL 61068

Telephone Number: (815) 384-5151

County: _____

Method of application (please check):



Ground

or



Aerial:



Liquid spray



Granular

Weather information:

Clear, sunny, low 80s F temp.

Chemical involved (if known):

Delaro, Silencer, Talyx

Specific nature of the complaint:

Complainant, wearing bright red t-shirt, was riding his bike Westbound on the Great Western Trail. Trail was completely uncovered and open to the sky. Hendrikson crop duster plane flew directly overhead complainant, turned @ 90 degrees and began crop dusting/spraying corn field on North side of Trail approx 50 feet above and 25-30 feet North of complainant. Complainant immediately was covered with fine airborne overspray from plane. Plane made two more spray passes of field also covering complainant with overspray. Total elapsed time was approx. 5 minutes.

Complainant continued riding West to try and get out from under plane overspray. After approx 5 more minutes complainant rode beyond field being sprayed and out of overspray zone. Approx 5 minutes after that complainant began to become short of breath and very dizzy. By the time complainant stopped riding and got off his bike he could not breath. Complainant called 911 and requested assistance. Complainant collapsed on side of Great Western Trail. Maple Park Fire/Rescue arrived approx 10 minutes later and attended to complainant. After approx 30 more minutes complainant fully regained awareness of what had happened and refused EMT request to be transported to hospital. Subsequently Kane County Forest Preserve police arrived, interviewed complainant and wrote up report.

(If more space is needed, attach a separate sheet to this _____)

Signature: [REDACTED]

Date: 8/10/21

Witness Information (other than complainant):

Name: _____

Telephone number: _____

Address: _____



Kane County Forest Preserve

CASE REPORT
1996 S Kirk Rd #320
Geneva, IL 60134

CASE# 2021-00000769

EVENT	REPORTED DATE/TIME 08/04/2021 09:24	OCCURRED INCIDENT TYPE Assist Ambulance	CASE STATUS AT TIME OF REPORT ACTIVITY COMPLETED
	OCCURRED FROM DATE/TIME 08/04/2021 09:24	OCCURRED THRU DATE/TIME 08/04/2021 09:24	LOCATION OF OCCURRENCE 47W000 Rt 64 Maple Park V, IL

OFFENSES	STATUTE/DESCRIPTION	COUNTS	ATTEMPT/COMMIT	

SUBJECT	JACKET/SUBJECT TYPE Adult Complainant	NAME (LAST, FIRST, MIDDLE, SUFFIX) Smith, Frank J						
	DOB [REDACTED]	AGE or AGE RANGE [REDACTED]	ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED] Wasco, IL 60175					LEADS #
	RACE [REDACTED]	SEX [REDACTED]	HEIGHT or RANGE	WEIGHT or RANGE	HAR	EYE		
	DL NUMBER/STATE	PRIMARY PHONE [REDACTED]	PHONE #2					

SUBJECT	JACKET/SUBJECT TYPE Adult Other Person	NAME (LAST, FIRST, MIDDLE, SUFFIX) Smith, Jacob						
	DOB [REDACTED]	AGE or AGE RANGE [REDACTED]	ADDRESS (STREET, CITY, STATE, ZIP) 21532 Quinto Rochelle, IL 61068					LEADS #
	RACE [REDACTED]	SEX [REDACTED]	HEIGHT or RANGE	WEIGHT or RANGE	HAR	EYE		
	DL NUMBER/STATE	PRIMARY PHONE (815)384-5151	PHONE #2					

SUBJECT	JACKET/SUBJECT TYPE	NAME (LAST, FIRST, MIDDLE, SUFFIX)						
	DOB	AGE or AGE RANGE	ADDRESS (STREET, CITY, STATE, ZIP)					LEADS #
	RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAR	EYE		
	DL NUMBER/STATE	PRIMARY PHONE	PHONE #2					

REPORTING OFFICER 8141 Konecki	DATE 08/04/2021	REVIEWED BY Glisson, Bill	08/05/2021 09:59
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Kane County Forest Preserve

CASE REPORT
1996 S Kirk Rd #320
Geneva, IL 60134

CASE# 2021-00000769

NARRATIVE

I went to the area of Rt 64 and Sunset to assist the ambulance. A cyclist on the Great Western Trail had inadvertently been sprayed by a crop dusting plane. He was experiencing dizziness and shortness of breath. Maple park FD was on scene treating him, on my arrival. After a period of time, the man; now known to me as Frank J. Smith [REDACTED] refused transport and got out of the ambulance. As he told me what happened the plane in question did fly by in the area. Comp. stated he was concerned about what he was sprayed with. After my interview, I gave him my info and how to obtain a copy of this report.

Using information from Sgt. Glisson, I contacted the Hendricksson Flying Service out of Rochelle, Il. They had rented the plane which was doing the crop dusting. I spoke with the General Manager, Jacob Smith [REDACTED]. I explained the incident and why I was calling. He was very apologetic and answered all my questions. He stated the chemicals being sprayed were a mixture of the following: Delaro (fungicide), Silencer (insecticide), and Talyx (cohesive). He stated there is no lasting harm to humans. He stated a shower and change of clothes (if needed) would take care of the issue. I gave him my info and how to get a copy of my report.

I called back my complainant and gave him all of the information I had gotten. Nothing further.

REPORTING OFFICER

8141 Konecki

DATE

08/04/2021

REVIEWED BY

Glisson, Bill

08/05/2021 09:59

MATERIAL DATA SAFETY SHEET
PRECISION LABORATORIES, INC.



Updated: November 6, 2008
Page 1 of 3

Product Name: FS TALYX™ - Activator Adjuvant for Fungicides

1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: FS TALYX™ - Activator Adjuvant for Fungicides
Manufactured by: PRECISION LABORATORIES, INC.
1429 S. SHIELDS DRIVE
WAUKEGAN, IL 60085

Emergency telephone number: (Chemtrec Information 24 hours) 1-800-424-9300
For MSDS, Product Safety, or (Technical Support on Product) 1-800-323-6280
Regulatory inquiries, call:

2. COMPOSITION / INFORMATION ON INGREDIENTS

<u>Component</u>	<u>CAS#</u>	<u>OSHA PEL</u>	<u>ACGIH TLV</u>	<u>% By Wt.</u>
Proprietary surfactant 1	Proprietary	NE	NE	45-55
Proprietary surfactant 2	Proprietary	NE	NE	40-50
Organic acid	Proprietary	NE	NE	2-5

3. HAZARDS IDENTIFICATION

EMERGENCY OVERVIEW:

WARNING!

VERY TOXIC TO AQUATIC ORGANISMS

MAY BE HARMFUL IF SWALLOWED

COMBUSTIBLE LIQUID AND VAPOR. VAPOR MAY CAUSE FIRE.

MAY BE HARMFUL TO THE ENVIRONMENT IF RELEASED IN LARGE QUANTITIES.

HMIS Hazard Rating:

- 2 Health Hazard Rating
- 2 Flammability Rating
- 0 Reactivity Rating
- A Personal Protection

Primary Routes of Exposure:

Eyes: **Yes** Skin: **Yes** Oral: **Unlikely** Inhalation: **Unlikely**

Signs and Symptoms of Exposure:

- Eye contact: Prolonged and repeated contact of concentrated product will cause irritation and reddening.
- Skin contact: Prolonged or repeated skin contact can also result in irritation.
- Inhalation: May result in respiratory irritation.
- Ingestion: May result in nausea, abdominal discomfort, vomiting and mucosal irritation.

4. FIRST AID MEASURES

FIRST AID MEASURES FOR ACCIDENTAL EXPOSURE

Eye Exposure: Check for and remove contact lenses. Immediately flush eyes with water for at least 15 minutes. Cold water may be used. Get medical attention if irritation occurs.

Skin Exposure: Wash effected area with plenty of soap and water. Cold water may be used. Get medical attention if irritation develops.

Inhalation: Move person to fresh air. If person is having difficulty breathing, give oxygen. If not breathing, give artificial respiration. Get emergency medical help immediately.

Ingestion: **Do not induce vomiting unless directed to do so by medical personnel.** Never give fluids or force vomiting if the person is unconscious, is having convulsions or has no gag reflex. If large quantities are swallowed, get emergency medical help immediately.

Product Name: FS TALYX™ - Activator Adjuvant for Fungicides

5. FIRE-FIGHTING MEASURES

FIRE HAZARD DATA:

Flammability:	Combustible	LEL:	UEL:
Auto-ignition temperature:	The lowest known value is >150°C (302°F) for Proprietary Surfactant 1		
Flash Point:	CLOSED CUP 93°C (199.4°F) Pensky-Martens		
Extinguishing Media:	Small fires: use DRY chemical powder. Large fires: use water spray, foam, or fog.		
Special Fire Fighting Procedures:	Wear full protective clothing including self-contained breathing apparatus to protect against possible toxic fumes from products and surrounding fire.		
Additional Fire and Explosive Data:	None.		

6. ACCIDENTAL RELEASE MEASURES

Small Spill and Leak: Dilute with water and mop up, or absorb with an inert dry material and place in an appropriate waste disposal container. Finish cleaning by spreading water on the contaminated surface and dispose of according to local and regional authority requirements.

Large Spill and Leak: Keep away from heat. Keep away from ignition sources. Stop leak if without risk. Finish cleaning by spreading water on the contaminated surface and evacuate through sanitary system.

7. HANDLING, STORAGE & SPILLAGE OR LEAK PROCEDURES

Precautions to be Taken in Handling: Keep away from heat, sparks and flame. Keep container closed. Use only with adequate ventilation. To avoid fire minimize ignition sources.

Precautions to be Taken in Storage: Keep containers in a cool, well ventilated area. Keep container tightly closed and sealed until ready for use. Avoid all possible sources of ignition (spark or flame).

8. EXPOSURE CONTROLS / PERSONAL PROTECTION

Note: When selecting personal protective equipment and clothing, follow all of the manufacturer specifications and recommendations that apply to your specific operation and processing conditions. Take into consideration all working conditions and all chemicals to be handled or processed.

Eye Protection: Wear splash-proof chemical safety goggles. Contact lenses should not be worn when working with chemicals.

Skin Protection: Wear coveralls and boots to minimize skin contact. As precautions, wash hands and face with mild soap and water before eating, drinking, smoking or using restroom. After each shift, clean all protective equipment, wash work clothes, and shower.

Inhalation Protection: Not required under normal use conditions with good ventilation. Protect against spray mists.

Other Protection: Eye wash fountains and drench showers should be located within 100 feet or a 10 second walk or the work area per ANSI Z358.1-1990.

9. PHYSICAL AND CHEMICAL PROPERTIES

Physical Appearance & Odor:	Amber liquid with bland odor.
Boiling Point:	>100°C (212°F).
pH:	1% solution in water is neutral.
Solubility in Water:	Soluble.

10. STABILITY AND REACTIVITY

Chemical Stability:	Stable.
Incompatibility:	Reactive with oxidizing agents and acids.
Hazardous Decomposition Products:	Burning may produce oxides of carbon and other substances.
Hazardous Polymerization:	Will not occur.
Conditions to Avoid:	Excessive heat.

11. TOXICOLOGICAL INFORMATION

No toxicological data is available for this product.

12. ECOLOGICAL INFORMATION

No ecological data is available for this product.

Product Name: FS TALYX™ - Activator Adjuvant for Fungicides

13. DISPOSAL CONSIDERATIONS

Disposal Methods: Recycle or rework material if at all possible. Incinerate material at an approved facility. Treat at an acceptable waste treatment facility, or municipal waste treatment plant after proper testing and approval waste samples in compliance with applicable federal, state and local environmental regulations.

Container Reuse: An empty container can contain product residue, and should not be reused. If not professionally cleaned and reconditioned, crushing or other means is recommended to prevent unauthorized reuse.

14. TRANSPORT INFORMATION

DOT Status (Highway and rail): Not regulated.

IATA Status (Air): Not regulated.

15. REGULATORY INFORMATION

AICS (Australia): Components listed.

DSL (Canada): Components listed.

EINECS (Europe): Components listed.

TSCA: Components listed.

<p>WHILE INFORMATION AND RECOMMENDATIONS SET FORTH HEREIN ARE BELIEVED TO BE ACCURATE AS OF THE DATE HEREON, PRECISION LABORATORIES, INC., MAKES NO WARRANTY WITH RESPECT THERETO AND DISCLAIMS ALL LIABILITY FROM RELIANCE THEREON.</p>

N/R—Not Rated

N/D—Not Determined

N/A—Not Applicable

N/E—Not Established

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SECTION 1: IDENTIFICATION OF THE SUBSTANCE/MIXTURE AND OF THE COMPANY/UNDERTAKING

Product identifier

Trade name DELARO® 325 SC FUNGICIDE
Product code (UVP) 05907454, 81684685
SDS Number 102000010777
EPA Registration No. 264-1055

Relevant identified uses of the substance or mixture and uses advised against

Use Fungicide
Restrictions on use See product label for restrictions.

Information on supplier

Supplier Bayer CropScience LP
800 North Lindbergh Blvd.
St. Louis, MO 63167
USA
Responsible Department Email: SDSINFO.BCS-NA@bayer.com
Emergency telephone no.
Emergency Telephone Number (24hr/ 7 days) 1-800-334-7577
Product Information Telephone Number 1-866-99BAYER (1-866-992-2937)

SECTION 2: HAZARDS IDENTIFICATION

Classification in accordance with regulation HCS 29CFR §1910.1200

Skin sensitisation: Category 1
Reproductive toxicity: Effects on or via lactation

Labelling in accordance with regulation HCS 29CFR §1910.1200



Signal word: Warning

Hazard statements

May cause an allergic skin reaction.
May cause harm to breast-fed children.

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Precautionary statements

Do not breathe mist or vapours.
Contaminated work clothing should not be allowed out of the workplace.
Wear protective gloves.
Obtain special instructions before use.
Avoid contact during pregnancy/ while nursing.
Wash thoroughly after handling.
Do not eat, drink or smoke when using this product.
IF ON SKIN: Wash with plenty of water/ soap.
If skin irritation or rash occurs: Get medical advice/ attention.
Specific treatment (see supplemental first aid instructions on this label).
Wash contaminated clothing before reuse.
Dispose of contents/container in accordance with local regulation.

Hazards Not Otherwise Classified (HNOC)

No physical hazards not otherwise classified.
No health hazards not otherwise classified.

SECTION 3: COMPOSITION/INFORMATION ON INGREDIENTS

Hazardous Component Name	CAS-No.	Concentration % by weight
Trifloxystrobin	141517-21-7	13.7
Prothioconazole	178928-70-6	16.0
Fatty alcohol polyglycol ether	61791-13-7	7.5

SECTION 4: FIRST AID MEASURES

Description of first aid measures

General advice	When possible, have the product container or label with you when calling a poison control center or doctor or going for treatment.
Inhalation	Move 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 physician or poison control center immediately.
Skin contact	Take off contaminated clothing and shoes immediately. Wash off immediately with plenty of water for at least 15 minutes. Call a physician or poison control center immediately.
Eye contact	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 physician or poison control center immediately.
Ingestion	Call a physician or poison control center immediately. DO NOT induce vomiting unless directed to do so by a physician or poison control center. Rinse out mouth and give water in small sips to drink. Never give anything by mouth to an unconscious person. Do not leave victim unattended.

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Most important symptoms and effects, both acute and delayed

Symptoms	To date no symptoms are known.
Indication of any immediate medical attention and special treatment needed	
Treatment	Appropriate supportive and symptomatic treatment as indicated by the patient's condition is recommended.

SECTION 5: FIREFIGHTING MEASURES

Extinguishing media

Suitable	Use water spray, alcohol-resistant foam, dry chemical or carbon dioxide.
Unsuitable	High volume water jet
Special hazards arising from the substance or mixture	In the event of fire the following may be released:, Hydrogen cyanide (hydrocyanic acid), Hydrogen fluoride, Carbon monoxide (CO), Carbon dioxide (CO ₂), Sulphur oxides, Nitrogen oxides (NO _x)
Advice for firefighters	
Special protective equipment for firefighters	Firefighters should wear NIOSH approved self-contained breathing apparatus and full protective clothing.
Further information	Keep out of smoke. Fight fire from upwind position. Cool closed containers exposed to fire with water spray. Do not allow run-off from fire fighting to enter drains or water courses.
Flash point	> 100 °C No flash point - Determination conducted up to the boiling point.
Auto-ignition temperature	385 °C / 725 °F
Lower explosion limit	No data available
Upper explosion limit	No data available
Explosivity	Not explosive 92/69/EEC, A.14 / OECD 113

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SECTION 6: ACCIDENTAL RELEASE MEASURES

Personal precautions, protective equipment and emergency procedures

Precautions Keep unauthorized people away. Isolate hazard area. Avoid contact with spilled product or contaminated surfaces.

Methods and materials for containment and cleaning up

Methods for cleaning up Soak up with inert absorbent material (e.g. sand, silica gel, acid binder, universal binder, sawdust). Collect and transfer the product into a properly labelled and tightly closed container. Clean contaminated floors and objects thoroughly, observing environmental regulations.

Additional advice Use personal protective equipment. If the product is accidentally spilled, do not allow to enter soil, waterways or waste water canal.

Reference to other sections Information regarding safe handling, see section 7.
Information regarding personal protective equipment, see section 8.
Information regarding waste disposal, see section 13.

SECTION 7: HANDLING AND STORAGE

Precautions for safe handling

Advice on safe handling Use only in area provided with appropriate exhaust ventilation. Handle and open container in a manner as to prevent spillage.

Hygiene measures Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, using the toilet or applying cosmetics.
Remove Personal Protective Equipment (PPE) immediately after handling this product. Remove soiled clothing immediately and clean thoroughly before using again. Wash thoroughly and put on clean clothing.

Conditions for safe storage, including any incompatibilities

Requirements for storage areas and containers Store in original container. Keep containers tightly closed in a dry, cool and well-ventilated place. Store in a place accessible by authorized persons only. Keep away from direct sunlight.

Advice on common storage Keep away from food, drink and animal feedingstuffs.

SECTION 8: EXPOSURE CONTROLS/PERSONAL PROTECTION

Control parameters

Components	CAS-No.	Control parameters	Update	Basis
Trifloxystrobin	141517-21-7	2.7 mg/m ³ (SK-SEN)		OES BCS*
Prothioconazole	178928-70-6	1.4 mg/m ³		OES BCS*

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		(SK-ABS)		
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*OES BCS: Internal Bayer AG, Crop Science Division "Occupational Exposure Standard"

Exposure controls

Personal protective equipment

In normal use and handling conditions please refer to the label and/or leaflet. In all other cases the following recommendations would apply.

Respiratory protection	When respirators are required, select NIOSH approved equipment based on actual or potential airborne concentrations and in accordance with the appropriate regulatory standards and/or industry recommendations.
Hand protection	Chemical resistant nitrile rubber gloves
Eye protection	Safety glasses with side-shields
Skin and body protection	Wear long-sleeved shirt and long pants and shoes plus socks.
General protective measures	Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and warm/tepid water. Keep and wash PPE separately from other laundry.

SECTION 9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance	white to beige
Physical State	suspension
Odor	weak characteristic
Odour Threshold	No data available
pH	5.5 - 7.0 (100 %) (23 °C)
Viscosity, kinematic	No data available
Vapor Pressure	No data available
Vapor Density (Air = 1)	No data available
Density	ca. 1.10 g/cm ³ (20 °C)
Evaporation rate	No data available
Boiling Point	No data available
Melting / Freezing Point	No data available
Water solubility	dispersible
Minimum Ignition Energy	No data available
Decomposition temperature	Stable under normal conditions.

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Self-accelerating decomposition temperature (SADT)	No data available
Partition coefficient: n-octanol/water	Not applicable
Viscosity	350 - 500 mPa.s (20 °C) Velocity gradient 20 /s 150 - 250 mPa.s (20 °C) Velocity gradient 100 /s
Flammability	No data available
Flash point	> 100 °C No flash point - Determination conducted up to the boiling point.
Auto-ignition temperature	385 °C / 725 °F
Lower explosion limit	No data available
Upper explosion limit	No data available
Explosivity	Not explosive 92/69/EEC, A.14 / OECD 113
Particle size	No data available
Other information	Further safety related physical-chemical data are not known.

SECTION 10: STABILITY AND REACTIVITY

Reactivity	
Thermal decomposition	Stable under normal conditions.
Chemical stability	Stable under recommended storage conditions.
Possibility of hazardous reactions	No hazardous reactions when stored and handled according to prescribed instructions.
Conditions to avoid	Extremes of temperature and direct sunlight.
Incompatible materials	No incompatible materials known.
Hazardous decomposition products	No decomposition products expected under normal conditions of use.

SECTION 11: TOXICOLOGICAL INFORMATION

Exposure routes	Eye contact, Ingestion, Inhalation, Skin contact
Immediate Effects	
Eye	Moderate eye irritation.

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Skin May cause slight irritation. Harmful if absorbed through skin.

Ingestion Harmful if swallowed.

Inhalation Harmful if inhaled.

Information on toxicological effects

Acute oral toxicity LD50 (Rat) \geq 5,000 mg/kg

Acute inhalation toxicity LC50 (Rat) > 2.189 mg/l
Exposure time: 4 h
Highest attainable concentration.

Acute dermal toxicity LD50 (Rat) > 4,000 mg/kg

Skin corrosion/irritation No skin irritation (Rabbit)

Serious eye damage/eye irritation slight irritation (Rabbit)

Respiratory or skin sensitisation Skin: Sensitising (Guinea pig)
OECD Test Guideline 406, Magnusson & Kligman test

Assessment STOT Specific target organ toxicity – single exposure

Trifloxystrobin: Based on available data, the classification criteria are not met.

Prothioconazole: Based on available data, the classification criteria are not met.

Assessment STOT Specific target organ toxicity – repeated exposure

Trifloxystrobin did not cause specific target organ toxicity in experimental animal studies.

Prothioconazole did not cause specific target organ toxicity in experimental animal studies.

Assessment mutagenicity

Trifloxystrobin was not mutagenic or genotoxic in a battery of in vitro and in vivo tests.

Prothioconazole was not mutagenic or genotoxic based on the overall weight of evidence in a battery of in vitro and in vivo tests.

Assessment carcinogenicity

Trifloxystrobin was not carcinogenic in lifetime feeding studies in rats and mice.

Prothioconazole was not carcinogenic in lifetime feeding studies in rats and mice.

ACGIH

None.

NTP

None.

IARC

None.

OSHA

None.

Assessment toxicity to reproduction

|| Trifloxystrobin caused reduced body weight development in offspring during lactation only at doses also

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|| Producing systemic toxicity in adult rats.

Prothioconazole caused reproduction toxicity in a two-generation study in rats only at dose levels also toxic to the parent animals. The reproduction toxicity seen with Prothioconazole is related to parental toxicity.

Assessment developmental toxicity

Trifloxystrobin caused developmental toxicity only at dose levels toxic to the dams. The developmental effects seen with Trifloxystrobin are related to maternal toxicity.
Prothioconazole caused developmental toxicity only at dose levels toxic to the dams. The developmental effects seen with Prothioconazole are related to maternal toxicity.

Aspiration hazard

Based on available data, the classification criteria are not met.

Further information

Only acute toxicity studies have been performed on the formulated product.
The non-acute information pertains to the active ingredient(s).

SECTION 12: ECOLOGICAL INFORMATION

Toxicity to fish LC50 (Oncorhynchus mykiss (rainbow trout)) 0.125 mg/l
Exposure time: 96 h

Toxicity to aquatic invertebrates EC50 (Daphnia magna (Water flea)) 0.126 mg/l
Exposure time: 48 h

|| LC50 (Mysidopsis bahia (mysid shrimp)) 0.00862 mg/l
Exposure time: 96 h
The value mentioned relates to the active ingredient trifloxystrobin.

Toxicity to aquatic plants IC50 (Raphidocelis subcapitata (freshwater green alga)) 0.68 mg/l
Growth rate; Exposure time: 72 h
ErC50 (Skeletonema costatum) 0.03278 mg/l
Exposure time: 72 h
The value mentioned relates to the active ingredient prothioconazole.
EC10 (Skeletonema costatum) 0.01427 mg/l
Growth rate; Exposure time: 72 h
The value mentioned relates to the active ingredient prothioconazole.

|| EC10 (Desmodesmus subspicatus (green algae)) 0.0025 mg/l
Growth rate; Exposure time: 72 h
The value mentioned relates to the active ingredient trifloxystrobin.

Biodegradability Trifloxystrobin:
Not rapidly biodegradable
Prothioconazole:
Not rapidly biodegradable

Koc Trifloxystrobin: Koc: 2377
Prothioconazole: Koc: 1765

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Bioaccumulation	Trifloxystrobin: Bioconcentration factor (BCF) 431 Does not bioaccumulate. Prothioconazole: Bioconcentration factor (BCF) 19 Does not bioaccumulate.
Mobility in soil	Trifloxystrobin: Slightly mobile in soils Prothioconazole: Slightly mobile in soils
Additional ecological information	No other effects to be mentioned.
Environmental precautions	Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Drift and runoff from treated areas may be hazardous to aquatic organisms in adjacent sites. Do not allow product to enter streams, sewers or other waterways. Do not contaminate surface or ground water by cleaning equipment or disposal of wastes, including equipment wash water. Apply this product as specified on the label.

SECTION 13: DISPOSAL CONSIDERATIONS

Waste treatment methods

Product	Do not contaminate water, food, or feed by disposal. Dispose in accordance with all local, state/provincial and federal regulations. Pesticide, spray mixture or rinse water that cannot be used according to label instructions may be disposed of on site or at an approved waste disposal facility. Follow advice on product label and/or leaflet.
Contaminated packaging	Consult state and local regulations regarding the proper disposal of container. Follow advice on product label and/or leaflet.
RCRA Information	Characterization and proper disposal of this material as a special or hazardous waste is dependent upon Federal, State and local laws and are the user's responsibility. RCRA classification may apply.

SECTION 14: TRANSPORT INFORMATION

49CFR	Not dangerous goods / not hazardous material
IMDG	
UN number	3082
Class	9
Packaging group	III
Marine pollutant	YES

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Proper shipping name ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID,
N.O.S.
(TRIFLOXYSTROBIN, PROTHIOCONAZOLE SOLUTION)

IATA

UN number 3082
Class 9
Packaging group III
Environm. Hazardous Mark YES
Proper shipping name ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID,
N.O.S.
(TRIFLOXYSTROBIN, PROTHIOCONAZOLE SOLUTION)

This transportation information is not intended to convey all specific regulatory information relating to this product. It does not address regulatory variations due to package size or special transportation requirements.

SECTION 15: REGULATORY INFORMATION

EPA Registration No. 264-1055

US Federal Regulations

TSCA list

Water 7732-18-5
1,2-Propanediol 57-55-6
Fatty alcohol polyglycol ether 61791-13-7
Polyethylene-polypropylene copolymer 9003-11-6

US. Toxic Substances Control Act (TSCA) Section 12(b) Export Notification (40 CFR 707, Subpt D)

No export notification needs to be made.

SARA Title III - Section 302 - Notification and Information

Not applicable.

SARA Title III - Section 313 - Toxic Chemical Release Reporting

None.

US States Regulatory Reporting

CA Prop65

This product does not contain any substances known to the State of California to cause cancer.

This product does not contain any substances known to the State of California to cause reproductive harm.

US State Right-To-Know Ingredients

1,2-Propanediol 57-55-6 MN, RI

None.

EPA/FIFRA Information:

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This chemical is a pesticide product registered by the Environmental Protection Agency and is subject to certain labeling requirements under federal pesticide law. These requirements differ from the classification criteria and hazard information required for safety data sheets, and for workplace labels of non-pesticide chemicals. Following is the hazard information required on the pesticide label:

Signal word: Caution!

Hazard statements: Moderate eye irritation.
Harmful if swallowed, inhaled or absorbed through the skin.
Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

SECTION 16: OTHER INFORMATION

Abbreviations and acronyms

49CFR	Code of Federal Regulations, Title 49
ACGIH	US. ACGIH Threshold Limit Values
ATE	Acute toxicity estimate
CAS-Nr.	Chemical Abstracts Service number
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
EINECS	European inventory of existing commercial substances
ELINCS	European list of notified chemical substances
IARC	International Agency for Research on Cancer
IATA	International Air Transport Association
IMDG	International Maritime Dangerous Goods
N.O.S.	Not otherwise specified
NTP	US. National Toxicology Program (NTP) Report on Carcinogens
OECD	Organization for Economic Co-operation and Development
TDG	Transportation of Dangerous Goods
TWA	Time weighted average
UN	United Nations
WHO	World health organisation

NFPA 704 (National Fire Protection Association):

Health - 2 Flammability - 1 Instability - 0 Others - none

HMIS (Hazardous Materials Identification System, based on the Third Edition Ratings Guide)

Health - 2 Flammability - 1 Physical Hazard - 0 PPE -

0 = minimal hazard, 1 = slight hazard, 2 = moderate hazard, 3 = severe hazard, 4 = extreme hazard

Reason for Revision: The following sections have been revised: Section 2: Hazards Identification. Section 3: Composition / Information on Ingredients. Section 11: Toxicological Information. Section 12. Ecological information. Reviewed and updated for general editorial purposes.

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This information is provided in good faith but without express or implied warranty. The customer assumes all responsibility for safety and use not in accordance with label instructions. The product names are

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1. IDENTIFICATION

Product name: **Silencer**
Chemical name of active ingredient(s): **Lambda Cyhalothrin: [1 α (S*),3 α (Z)]-(\pm)-cyano-(3-phenoxyphenyl)methyl-3-(2-chloro-3,3,3-trifluoro-1-propenyl)-2,2-dimethylcyclopropanecarboxylate**
Manufacturer: **Makhteshim-Agan of North America
551 Fifth Avenue, Suite 1100
New York, NY 10176
Phone: 212-661-9800**
For fire, spill, and/or leak emergencies, contact **Infotrac: Phone: 1-800-535-5053**
For medical emergencies and health and safety inquiries, contact **Prosar: Phone: 1-877-250-9291**

2. COMPOSITION/INFORMATION ON INGREDIENTS

COMMON NAME	%	OSHA PEL	ACIGH TLV	NTP/IARC/OSHA Carcinogen
Lambda-cyhalothrin (CAS# 91465-08-6)	11.4	NE	NE	NA
Aromatic solvent (CAS# 64742-94-5)	80.3	NE	NE	NA

NE=None established

NA=Not applicable

3. HAZARDS IDENTIFICATIONS

EMERGENCY OVERVIEW

DANGER. Corrosive. Causes skin burns. May be fatal if swallowed or inhaled. Causes substantial but temporary eye injury. Harmful if absorbed through skin. Do not breathe spray mist. Do not get in eyes, on skin, or on clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wear protective clothing, gloves, eyewear, and respirator as indicated in Section 8 – Exposure Controls/Personal Protection. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove contaminated clothing and wash clothing before reuse.

PHYSICAL PROPERTIES

Appearance: Lightly yellow transparent liquid

Odor: Aromatic of solvent

SYMPTOMS OF ACUTE EXPOSURE

May cause eye and skin irritation. Harmful if swallowed. Allergic skin reactions are possible. Exposure to high vapor levels may cause headache, dizziness, numbness, nausea, incoordination, or other central nervous system effects. Skin exposure may also result in a sensation described as a tingling, itching, burning, or prickly feeling. Onset may occur immediately to 4 hours after exposure and may last 2-30 hours, without damage. Wash exposed areas once with soap and water. Relief from the skin sensation may be obtained by applying an oil-based cream.

HAZARDOUS PRODUCTS OF COMBUSTION

Product can decompose at high temperatures forming toxic gases.

4. FIRST AID MEASURES

FIRST AID

- IF SWALLOWED:**
- Call a poison control center or doctor immediately for treatment advice.
 - Do not give any liquid to the person.
 - 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 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.

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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 and give artificial respiration, preferably mouth-to-mouth, if possible.
- Call a poison control center or doctor for further treatment advice.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact PROSAR at 1-887-250-9291 for emergency medical treatment information.

Note to Physician: Contains petroleum distillate-vomiting may cause aspiration pneumonia.

5. FIRE FIGHTING MEASURES

FLASH POINT: 62° C (144° F)

FLAMMABLE LIMITS

LFL: Not applicable

UFL: Not applicable

AUTOIGNITION TEMPERATURE: Not available

FLAMMABILITY: Not applicable

EXTINGUISHING MEDIA: Dry chemical, foam or CO₂ extinguishing media.

UNUSUAL FIRE, EXPLOSION, AND REACTIVITY HAZARDS

During a fire, irritating and possibly toxic gases may be generated by thermal decomposition or combustion.

HAZARDOUS DECOMPOSITION PRODUCTS

Product can decompose at high temperatures forming toxic gases.

FIRE-FIGHTING PROCEDURES

Wear full protective clothing and self-contained breathing apparatus. Evacuate nonessential personnel from the area to prevent human exposure to fire, smoke, fumes or products of combustion. Prevent use of contaminated buildings, area and equipment until decontaminated. Water runoff can cause environmental damage.

6. ACCIDENTAL RELEASE MEASURES

ACTION TO TAKE FOR SPILLS/LEAKS: Control the spill at its source. Contain the spill to prevent from spreading or contaminating soil or from entering sewage and drainage systems or any body of water. Clean up spills immediately, observing precautions outline in Section 8 – Exposure Control/Personal Protection. Cover entire spill with absorbing material and place into compatible disposal container. Scrub area with hard water detergent (e.g., commercial products such as Tide®, Joy®, Spin and Span®). Pick up wash liquid with additional absorbent and place into compatible disposal container. Once all material is cleaned up and placed in a disposal container, seal container and arrange for disposition.

7. HANDLING AND STORAGE

HANDLING: Prevent eating, drinking, tobacco usage and cosmetic application in areas where there is a potential for exposure to the material. Wash hands thoroughly with soap and water after handling this product.

STORAGE: Do not use or store near heat or open flame. Store in original containers only. Keep container closed when not in use. Do not store near food or feed. In case of spill or leak on floor or paved surfaces, soak up with sand, earth, or synthetic absorbent. Remove to chemical waste area. Store material in a well-ventilated, secure area out of reach of children and domestic animals. Do not store food, beverages or tobacco products in the storage area.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

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FOLLOWING RECOMMENDATIONS FOR EXPOSURE CONTROLS/PERSONAL PROTECTION ARE INTENDED FOR THE MANUFACTURER, FORMULATION, PACKAGING AND USE OF THIS PRODUCT:

- Ingestion:** Prevent eating, drinking or tobacco usage and cosmetic application in areas where there is a potential for exposure to the material. Wash thoroughly with soap and water after handling.
- Eye contact:** Where eye contact is likely, use chemical splash goggles.
- Skin contact:** Where contact is likely, wear chemical-resistant (such as nitrile or butyl) gloves, coveralls, socks and chemical-resistant footwear. For overhead exposure, wear chemical-resistant headgear. Stringent housekeeping measures are necessary to prevent translocation of the material from contaminated work surfaces to uncontaminated surfaces (railings, doors, etc.). Unprotected contact with such translocated material can result in paresthesia effects (see Section 11 – Toxicological Information).
- Inhalation:** A combination particulate/organic vapor respirator may be necessary until effective engineering controls are installed to comply with occupational exposure limits. Use a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with an R, P, or HE pre-filter. Use a self-contained breathing apparatus in cases of emergency spills, when exposure levels are unknown, or under any circumstances where air-purifying respirators may not provide adequate protection.

APPLICATORS AND OTHER HANDLERS MUST WEAR:

- Coveralls over long sleeved shirt and long pants
- Chemical resistant gloves, such as barrier laminate, nitrile rubber, neoprene rubber, or Viton ≥ 14 mils
- Shoes plus socks
- Protective eyewear

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. 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.

9. PHYSICAL AND CHEMICAL PROPERTIES

APPEARANCE: Lightly yellow transparent liquid

ODOR: Aromatic of solvent

FLASH POINT: 62° C (144° F)

pH: 6.5-7.5

DENSITY: 0.925-0.935 kg/L

SOLUBILITY IN WATER (LAMBDA-CYHALTHRIN TECHNICAL): 0.004 mg/l

VAPOR PRESSURE (LAMBDA-CYHALTHRIN TECHNICAL): 1.5 x 10⁻⁹ mmHg @ 68° F (20° C)

10. STABILITY AND REACTIVITY

STABILITY: This product is stable under normal use and storage.

CONDITIONS TO AVOID: Do not use or store near heat or open flame.

MATERIALS TO AVOID: None known.

HAZARDOUS POLYMERIZATION: Not known to occur.

HAZARDOUS DECOMPOSITION PRODUCTS: Can decompose at high temperatures forming toxic gases.

11. TOXICOLOGICAL INFORMATION

ACUTE TOXICITY/IRRITATION STUDIES

Acute Oral LD₅₀ (Rat): 351 mg/kg

Acute Dermal LD₅₀ (Rat): >2,000 mg/kg

Acute Inhalation LC₅₀ (Rat): >2.5 mg/L air (4-hours)

Eye Irritation (Rabbit): Mildly irritating

Dermal Irritation (Rabbit): Slightly irritating

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Dermal Sensitization: Not available

REPRODUCTIVE/DEVELOPMENTAL EFFECTS:

Lambda-cyhalothrin
technical: Not a developmental or reproductive toxicant.

CHRONIC/SUBCHRONIC TOXICITY STUDIES:

Lambda-cyhalothrin
technical: Reversible paresthesia (abnormal skin sensation). Reversible clinical signs of neurotoxicity in mammals.

CARCINOGENICITY:

Lambda-cyhalothrin
technical: No treatment-related tumors in rats or mice.

OTHER TOXICITY INFORMATION: In humans, contact with exposed skin may result in temporary itching, tingling, burning or numbness, called paresthesia. The effect may result from splash, aerosol, or hot vapor contact, or transfer to the face from contaminated gloves and hands. The symptoms normally disappear within 24 hours. Face and genital areas are especially susceptible to this effect. Paresthesia involving the face is also known as "subjective facial sensation" or SFS.

TOXICITY OF OTHER COMPONENTS:

Naphthalene (<.1%): Exposure to naphthalene can cause cataracts, liver damage, kidney failure, respiratory failure, hematuria, anemia, damage to red blood cells, leukocytosis, or coma.
NTP: Anticipated carcinogen
IARC: Group 2B – Possible human carcinogen

TARGET ORGANS:

Lambda-cyhalothrin
technical: Liver, nervous system
Naphthalene (<.1%): Eye, liver, kidney, respiratory tract, blood, CNS

12. ECOLOGICAL INFORMATION

SUMMARY OF EFFECTS:

Slightly toxic to birds. Highly toxic to fish, invertebrates and bees. 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 apply when weather conditions favor drift from treated areas. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water when disposing of equipment wash water. This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area.

ECO-ACUTE TOXICITY:

(Lambda-cyhalothrin technical)

Bees LC50/EC50:	0.038 ug/bee
Invertebrates (water flea) LC50/EC50:	0.00036 ppm
Fish (trout) LC50/EC50:	0.00024 ppm
Fish (bluegill) LC50/EC50:	0.00021 ppm
Bird (Bobwhite quail) 8-day dietary LC50/EC50:	>5300 ppm
Bird (Mallard duck) 8-day dietary LC50/EC50:	>3948 ppm

ENVIRONMENTAL FATE:

Lambda-cyhalothrin
technical: Not persistent in soil or water, Immobile in soil. Sinks in water after 24 hours.

13. DISPOSAL CONSIDERATIONS

PESTICIDE DISPOSAL: Do not contaminate water, food, or feed by storage and disposal. Pesticide wastes are acutely hazardous. Improper disposal of excess pesticides, spray mixture, or rinsate is a violation of federal law. If these wastes cannot be disposed of by use according to label instructions,

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contact your state pesticide or Environmental Control Agency, or the Hazardous Waste Representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: Triple rinse (or equivalent), then offer for recycling or reconditioning, or puncture and 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. CONTAINERS ARE NOT SAFE FOR FOOD, FEED, OR DRINKING WATER!

14. TRANSPORT INFORMATION

DOT CLASSIFICATION:

Non-bulk: UN 3352, Pyrethroid pesticides, liquid, toxic, 6.1, PGIII

Bulk or vessel: UN 3352, Pyrethroid pesticides, liquid, toxic (contains Lambda-cyhalothrin 11.4%), 6.1, PGIII, Marine Pollutant

B/L Freight Classification: Item: 45617 [Fungicides, Herbicides, Insecticides, or Rodenticides]
Class 77.5

INTERNATIONAL TRANSPORTATION:

IMO (vessel): UN 3352, Pyrethroid pesticides, liquid, toxic (contains Lambda-cyhalothrin 11.4%), 6.1, PGIII, Marine Pollutant

IATA (air): UN 3352, Pyrethroid pesticides, liquid, toxic, 6.1, PGIII

15. REGULATORY INFORMATION

SARA TITLE III CLASSIFICATION:

Section 302: Not applicable
Section 311/312: Acute health hazard (immediate)
Chronic health hazard (delayed)
Section 313: Naphthalene (0.0803%) CAS: 91-20-3

CA PROPOSITION 65: Naphthalene

CERCLA RQ: 133 gallons product (100 lbs Naphthalene)

RCRA CLASSIFICATION: Not applicable

TSCA STATUS: Not applicable

16. OTHER INFORMATION

NFPA HAZARD RATINGS		0	MINIMAL
HEALTH:	2	1	SLIGHT
FLAMMABILITY:	1	2	MODERATE
REACTIVITY:	0	3	HIGH
		4	SEVERE

MSDS revised: 3-10-05, supercedes version dated 2-24-05.

The information herein is given in good faith, but no warrant, express or implied, is made. Consult Makhteshim-Agan of North America, Inc. for further information.