

264-663

06/02/2011

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Mike See, Ph.D.
Bayer CropScience
2 TW Alexander Drive
P.O. Box 12014
Research Triangle Park, NC 27709

JUN 2 2011

Subject: Notification per PR Notice 98-10 – Removal of Reference to Patents and Patent Numbers
Remove Herbicide
EPA Reg. No. 264-663
Application Dated: May 6, 2011

Dear Dr. See:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the subject product.

The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of this notice. The label submitted with the application has been date-stamped "Notification" and will be placed in our records.

If you have any questions regarding this letter, please feel free to contact Maggie Rudick at (703) 347-0257 or rudick.maggie@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Montague".

Kathryn Montague, Product Manager 23
Herbicide Branch
Registration Division (7505P)



United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 264-663	2. EPA Product Manager Kathryn Montague, Jim Stone	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Remove Herbicide	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Bayer CropScience 2 TW Alexander Drive PO Box 12014 Research Triangle Park, NC 27709 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION JUN - 2 2011
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.	
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.	

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

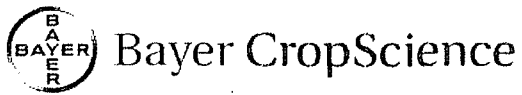
Bayer CropScience (BCS) previously submitted a notification per PR Notice 98-10 (Dated 02 May 2011) to inform the Agency that BCS was removing all references to patents and patent numbers from the Remove Herbicide end use product label. BCS would like to withdraw (without prejudice) that notification and replace it with a notification per the attached letter. The current revision is made to the latest and most current label for Remove Herbicide (Application Dated 21 May 2010, as Amended by e-mail 15 July 2010) wherein the container disposal language was updated per PR Notice 2007-4. Attached, please find one copy of the label reflecting the removal of all references to patents and patent numbers. No other changes have been made to the label.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container			
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Mike See	Title Registration Manager	Telephone No. (Include Area Code) (919) 549-2913
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		Date Application Received (Stamped)
2. Signature 	3. Title Registration Manager	
4. Typed Name Mike See	5. Date 06 May 2011	



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06 May 2011
Document Processing Desk (**NOTIF**)
Office of Pesticide Programs (7504P)
U. S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Attn: Ms. Kathryn Montague (PM 23)
Mr. James Stone (PM Team 23)

RE: Remove™ Herbicide (EPA Reg. No. 264-663). Removal of Reference to Patents and Patent Numbers. **NOTIF** per PR Notice 98-10.

Dear Ms. Montague and Mr. Stone:

Bayer CropScience (BCS) previously submitted a notification per PR Notice 98-10 (Dated 02 May 2011) to inform the Agency that BCS was removing all references to patents and patent numbers from the Remove Herbicide end use product label. BCS would like to withdraw (without prejudice) that notification and replace it with a notification per this letter. The current revision is made to the latest and most current label for Remove Herbicide (Application Dated 21 May 2010, as Amended by e-mail 15 July 2010) wherein the container disposal language was updated per PR Notice 2007-4. Attached, please find one copy of the label reflecting the removal of all references to patents and patent numbers. No other changes have been made to the label.

"This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA."

Please contact me at your earliest convenience if you have any questions or require additional information.

Sincerely

Mike See, Ph.D.
Registration Manager
Phone: (919) 549-2913
Fax: (919) 549-2545
e-mail: mike.see@bayer.com

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NOTIFICATION

JUN -2 2011

REMOVE™ HERBICIDE

A Selective Herbicide For Use Exclusively To Eliminate Non-Glufosinate-Ammonium Tolerant Corn, Soybean and Cotton Plants In Seed Propagation.

ACTIVE INGREDIENT: glufosinate-ammonium; butanoic acid, 2-amino-4-(hydroxymethylphosphinyl)-, monoammonium salt.....	18.19%*
INERT INGREDIENTS:.....	81.81%
*Equivalent to 1.67 pounds of active ingredient per U.S. gallon.	TOTAL 100.00%

EPA Reg No. 264-663

EPA Est. No. 407-IA-2

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 the label, find someone to explain it to you in detail.)

For MEDICAL And TRANSPORTATION Emergencies ONLY Call 24 Hours A Day 1-800-334-7577

For PRODUCT USE Information Call 1-866-99BAYER (1-866-992-2937)

FIRST AID

If swallowed	<ul style="list-style-type: none"> Rinse mouth thoroughly with plenty of water. Do not induce vomiting. Get medical attention immediately.
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. Get medical attention if irritation develops or persists.
If on skin or clothing	<ul style="list-style-type: none"> Take off contaminated clothing. Wash skin immediately with plenty of soap and water. Get medical attention.
If inhaled	<ul style="list-style-type: none"> Move person to fresh air. Get medical attention if breathing difficulty develops.
<p>For MEDICAL Emergencies Call 24 Hours A Day 1-800-334-7577. Have the product container or label with you when calling a poison control center or doctor or going for treatment.</p>	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING

May be fatal if absorbed through skin. Causes moderate eye irritation. Harmful if swallowed. Do not get in eyes, on skin or on clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

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 C on an EPA chemical resistance category selection chart.

Applicators and other handlers must wear:

Coveralls worn over short-sleeved shirt and short pants; chemical-resistant gloves such as barrier laminate, butyl rubber ≥14 mils, nitrile rubber ≥14 mils, neoprene rubber ≥14 mils, polyvinyl chloride (PVC) ≥14 mils or Viton® ≥14 mils; chemical resistant footwear plus socks; protective eyewear. Wear a chemical resistant apron when mixing/loading and cleaning equipment. 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/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

ENGINEERING CONTROL STATEMENT

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

Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water by cleaning of equipment or disposal of equipment washwaters.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. Do not use or store near heat or open flame.

PESTICIDE DISPOSAL: Wastes resulting from washing of equipment or containers must be disposed of by applying it to a use-site listed on this label or at an approved waste disposal facility. Unused product must be returned to Bayer CropScience or disposed of at an approved waste disposal facility.

CONTAINER DISPOSAL: Non-refillable container. Do not reuse or refill this container. Triple rinse or pressure rinse container (or equivalent) promptly after emptying.

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Offer for recycling, if available or reconditioning, or puncture and dispose of in a sanitary landfill.

SEED DISPOSAL: To dispose of out-of-date or otherwise unmarketable seed from plants which have been treated with REMOVE™ Herbicide, broadcast and lightly incorporate seed into field soils using disc or other suitable implement. Any resulting crop may be destroyed by chemical or mechanical means. Alternatively, seed may be destroyed by deep burial, incineration or landfill disposal.

DIRECTIONS FOR USE

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

Do not use this product until you have read the entire label. Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application.

For any 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 intervals. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry-interval (REI) of 12 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is: coveralls worn over short-sleeved shirt and short pants; chemical-resistant gloves such as barrier laminate, butyl rubber ≥14 mils, nitrile rubber ≥14 mils, neoprene rubber ≥14 mils, polyvinyl chloride (PVC) ≥14 mils or Viton ≥14 mils; chemical resistant footwear plus socks; protective eyewear.

GENERAL INFORMATION

REMOVE™ Herbicide is a water-soluble herbicide for foliar spray application to selectively eliminate plants that do not carry a gene that imparts tolerance to glufosinate-ammonium in corn, soybean and cotton seed production fields. REMOVE™ Herbicide may be applied to remove susceptible "segregates", i.e., undesirable corn, soybean and cotton plants that do not contain a glufosinate-ammonium tolerance gene during seed propagation. Inbred lines or breeding material not possessing the glufosinate-ammonium tolerance gene will be severely injured or killed if treated with this herbicide.

FOLIAR APPLICATION

Apply REMOVE™ Herbicide as a post-emergent foliar or directed spray to genetically modified cotton to kill susceptible "segregates", and grass and broadleaf weeds. Inbred cotton plants not possessing the glufosinate-ammonium tolerant gene will be killed or injured. Apply REMOVE™ Herbicide only for seed propagation and screening-out inbred cotton plants not possessing the glufosinate-ammonium tolerant gene.

USE PRECAUTIONS

Thorough spray coverage is necessary.

- For maximum effectiveness apply when cotton plants and weeds are small and actively growing.
- Herbicide effects will be visible within 2 to 4 days after application if applied when cotton plants and weeds are actively growing.
- Heavy dew, fog or mist, rain, stress due to drought, cool temperatures and extended periods of cloudiness following application may delay or reduce herbicide effects.
- Rainfall within 4 hours of application may necessitate a second application to achieve the herbicidal effect needed.
- Do not apply during windy weather which may result in drift to off-site vegetation.

CLEANING INSTRUCTIONS

Before using REMOVE™ Herbicide, wash with a commercial cleaner and triple rinse sprayer. Make sure any rinsate or foam is removed from the spray tank and boom.

After using REMOVE™ Herbicide, triple rinse the spray equipment and clean with a commercial tank cleaner before using for crops not labeled LibertyLink® or warranted by Bayer CropScience. Make sure any rinsate or foam is thoroughly removed from spray tank and boom. Rinsate may be disposed following the pesticide disposal directions on this label.

MIXING INSTRUCTIONS

REMOVE™ Herbicide must be applied with properly calibrated and clean equipment. REMOVE™ is specially formulated to mix readily in water. Prior to adding REMOVE™ to the spray tank, ensure that the spray tank is thoroughly clean and free of other pesticides that may injure cotton. See above *Cleaning Instructions*.

Mix REMOVE™ Herbicide with water to make a finished spray solution as follows:

1. Fill the spray tank half-full with water.
2. Start agitation.
3. If mixing with a dry flowable/wettable powder tank mix partner listed on this label, prepare a slurry of the proper amount of the tank mix partner in a small amount of water. Add the slurry of dry materials to the spray tank.
4. If mixing with a liquid tank mix partner listed on this label, add the proper amount of the liquid tank mix partner.
5. Complete filling the spray tank with water.
6. Add the proper amount of REMOVE™ Herbicide and continue agitation.
7. If foaming occurs, use a silicon-based anti-foam agent.

Flush out any air or water from the spray system lines before starting application to the crop. Keep bypass line on or near bottom of tank to minimize foaming.

If a tank mix partner specified on this label is added, maintain good agitation at all times until the contents of the tank is sprayed. If the spray mixture is allowed to settle, thorough agitation is required to resuspend the mixture before spraying is resumed. Keep bypass line on or near bottom of tank to minimize foaming. Screen size in nozzles or line strainers must be greater than 50 mesh.

APPLICATION DIRECTIONS FOR CORN AND SOYBEAN SEED PROPAGATION

APPLICATION TIMING

Applications of REMOVE™ Herbicide on corn may be made from emergence until corn is 24" tall or in the V-8 stage of growth, i.e., 8 developed collars, whichever comes first. Applications of REMOVE™ Herbicide on soybean may be made from emergence to the bloom growth stage. REMOVE™ Herbicide is a foliar-active material with no soil-residual activity. Best results are obtained when applications are made to actively growing plants. REMOVE™ Herbicide is rainfast 4 hours after application and rainfall within 4 hours may necessitate retreatment. Do not apply when wind causes drift to desirable vegetation as injury may occur.

RATE RECOMMENDATIONS

For the detection and control of susceptible corn "segregates", REMOVE™ Herbicide may be applied at up to 40 fluid ounces (2.5 pints) per acre when corn is in the V-3 to V-4 stage of growth, i.e., 3 to 4 developed collars and may be repeated, if necessary, when the corn is in the V-6 to V-8 stage of growth or up to 24" tall.

For the detection and control of susceptible soybean "segregates", REMOVE™ Herbicide may be applied at up to 40 fluid ounces (2.5 pints) per acre when soybean is in the third trifoliolate stage and may be repeated, if necessary, up to the bloom growth stage of soybean.

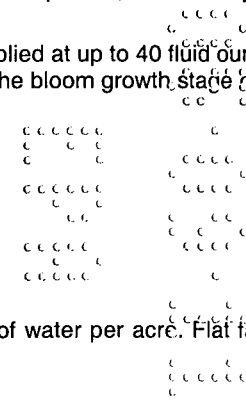
MIXING INSTRUCTIONS

REMOVE™ Herbicide must be mixed with water to make a finished spray solution as follows:

1. Fill the spray tank with the required amount of water.
2. Add the proper amount of this product and mix.

APPLICATION METHODS

Ground Application: REMOVE™ Herbicide should be applied broadcast in a minimum of 10 gallons of water per acre. Flat fan nozzles are recommended. Use a spray pressure of 30 to 40 pounds per square inch.



AIM™ Herbicide
Caparol® 4L Herbicide
Cotoran® 4L Herbicide
Cotoran® DF Herbicide

Glyphosate
Direx® 4L Herbicide
Direx® 80DF Herbicide
Karmex® DF Herbicide

MSMA
Pendimex™ 3.3 Herbicide
Prowl® 3.3EC Herbicide
Staple® Herbicide

APPLICATION DIRECTIONS FOR CORN SEED TREATMENT

REMOVE™ Herbicide may be applied as a seed treatment for the control of susceptible corn "segregates" during the propagation of glufosinate-ammonium tolerant seed. Apply REMOVE Herbicide to seed in liquid or slurry treaters at a rate of up to 80 fluid ounces per 100 pounds of seed. REMOVE Herbicide may be applied with other registered seed treatment insecticides and fungicides.

Treated seed must not be used for or mixed with food or animal feed, or processed for oil. Federal law requires that bags containing the treated seed shall be labeled with the following statement: "This seed has been treated with glufosinate-ammonium herbicide. Do not use for feed, food or oil purposes. Store away from feed and foodstuffs". In addition, label treated corn seed with the "Seed Disposal" statements found in the "Storage and Disposal" section of this label.

IMPORTANT: READ BEFORE USE

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

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

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

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE MAKES NO 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.

Remove is a trademark of Bayer.
Pendimex is a trademark of Dow AgroSciences.
Karmex and Staple are registered trademarks of E.I. duPont de Nemours and Co.
Aim is a trademark of FMC Corporation.
Cotoran is a registered trademark of Makhteshim Agan North America.
Direx is a registered trademark of Griffin Corporation.



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