

264-857

12/11/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

DEC 11 2009

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

Subject: Notification of Change to Storage and Disposal per PR Notice 2007-4
NTN 33893 Liquid Ant Bait
EPA Registration No. 264-857

Dear Dr. Huang:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated November 9, 2009 for:

EPA Registration No. 264-857 NTN 33893 Liquid Ant Bait

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-5967.

Sincerely,

Jennifer Gaines
Wildlife Biologist
Insecticide-Rodenticide Branch
Registration Division (7505P)
Office of Pesticide Programs



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 264-857	2. EPA Product Manager Venus Eagle	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) NTN 33893 Liquid Ant Bait	PM# Team 01	
5. Name and Address of Applicant (Include ZIP Code) Bayer CropScience P.O. Box 12014, 2 T.W. Alexander Drive 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)(ii), my product is similar or identical in composition and labeling to: EPA Reg. No. <u>DEC 11 2009</u> Product Name _____	

NOTIFICATION

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<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.)

REGFEE: Notification, Fee amount due: \$ 0

Justifications: Submit an amended NTN 33893 Liquid Ant Bait to update container disposal statement per PRN 2007-4. No new data needed to be reviewed by the Agency. See my cover letter for certification in compliance with PR Notice 2007-4.

CONTACT: Jamin Huang, jamin.huang@bayercropscience.com

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Metal <input checked="" type="checkbox"/> Plastic Glass Paper Other (Specify) _____		
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container		
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 gallon, 5 gallon, 25 gallon		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued 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 Jamin Huang, Ph.D.	Title Product Registration Manager, Insecticides	Telephone No. (Include Area Code) (919) 519-2634
2. Signature 		6. Date Application Received (Stamped)
3. Title Product Registration Manager, Insecticides		
4. Typed Name Jamin Huang, Ph. D.		
5. Date November 9, 2009		

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.

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Bayer CropScience

November 9, 2009

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, Virginia 22202-4501

NOTIFICATION

DEC 11 2009

ATTENTION: Linda Arrington (Team leader, Notifications & Minor Formulation)

Re: Notification to Update Container Disposal Statement per PR Notice 2007-4 for NTN 33893 Liquid Ant Bait (EPA Reg. No. 264-857)

Dear Ms. Arrington,

Byaer CropScience is herein submitting a Notification to update the container disposal statement per PR Notice 2007-4 on the 01/27/2006 EPA latest approved label for NTN 33893 Liquid Ant Bait. Three copies of the amended label dated 10/22/2009 are attached, together with one copy of the amended label with all of the revision highlighted in yellow in relation to the 01/27/2006 latest approved label.

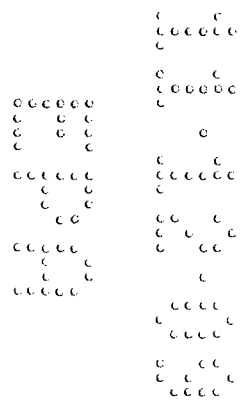
Bayer CropScience
2 T.W. Alexander Drive
P. O. Box 12014
Research Triangle Park,
NC 27709
Tel: 919 549-2000

"Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the confidential statement of formula for 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 requirements of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, 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 let me know at jamin.huang@bayercropscience.com or at 919-549-2634 if you have any questions regarding this submission.

Sincerely,

Jamin Huang, Ph.D.
Product Registration Manager



DEC 11 2009

GROUP

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INSECTICIDE

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NTN 33893 Liquid Ant Bait

For management of sugar-feeding ant populations in agricultural crop environments.

ACTIVE INGREDIENT:

Imidacloprid, 1-[(6-Chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine..... 0.005%

INERT INGREDIENTS..... 99.995%
100.0%

Contains 0.00046 pounds of active ingredient per gallon.

SHAKE WELL BEFORE USING

EPA Reg. No. 264 - 857

EPA Est. No.

**STOP - Read the label before use
KEEP OUT OF REACH OF CHILDREN
CAUTION**

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

FIRST AID

IF IN EYES:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 to 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.
<p>In case of emergency call toll free the Bayer CropScience Emergency Response Telephone No. 1-800-334-7577. Have a product container or label with you when calling a poison control center or doctor, or going for treatment.</p>	
<p>Note To Physician: No specific antidote is available. Treat the patient symptomatically.</p>	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Causes moderate eye irritation. Avoid contact with eyes or clothing.

Applicators and Other Handlers Must Wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves made of any waterproof material such as, barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, natural rubber, polyethylene, polyvinylchloride (PVC) or viton
- Shoes plus socks

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

ENVIRONMENTAL HAZARDS

This product is highly toxic to aquatic invertebrates. Do not apply directly to water, areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters or rinsate.

This chemical demonstrates the properties and characteristics associated with chemicals detected in ground water. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.

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. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

STORAGE AND DISPOSAL

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

Pesticide Storage:

Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Store in original container and out of the reach of children, preferably in a locked storage area. Handle and open container in a manner as to prevent spillage. If the container is leaking, invert to prevent leakage. If container is leaking or material spilled for any reason or cause, carefully dam up spilled material to prevent runoff. Refer to Precautionary Statements on label for hazards associated with the handling of this material. Do not walk through spilled material. Absorb spilled material with absorbing type compounds and dispose of as directed for pesticides below. In spill or leak incidents, keep unauthorized people away. You may contact the Bayer CropScience Emergency Response Team for decontamination procedures or any other assistance that may be necessary. The Bayer CropScience Emergency Response telephone number is 1-800-334-7577.

Pesticide Disposal:

Pesticide wastes are hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental control Agency, or the Hazardous Waste representative at the nearest EAP Regional Office of guidance.

Container Disposal:

Non-refillable container. Do not reuse or refill this container. Triple 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 or by incineration.

GENERAL PRODUCT INFORMATION

NTN 33893 Liquid Ant Bait is a ready-to-use, IPM-friendly, sugar-based liquid bait formulation that requires no mixing or dilution prior to use. The product can be utilized in vineyard, orchard, and other crop environments and is attractive to sugar-feeding species. Prior testing has shown population reduction of the following sugar-feeding ant species: Argentine ant (*Linepithema humile*), big-headed ant (*Pheidole megacephala*), carpenter ant (*Camponotus spp.*), crazy ant (*Paratrechina longicornis*), pavement ant (*Tetramorium caespitum*), and Pharaoh ant (*Monomorium pharaonis*).

The product exhibits delayed mortality that allows foraging sugar-feeding ants to transfer the bait to other members of the colony, including the queen and immature ants. Effects may be observed as quickly as 24 hours following exposure but a substantial reduction in sugar-feeding ant populations will generally not occur for 6 to 8 weeks following introduction and continuous exposure to the bait. In many instances, a reduction in sugar-feeding ant populations allows for successful biological control of harmful pest species by their natural enemies.

APPLICATION DIRECTIONS

WHERE TO APPLY: NTN 33893 Liquid Ant Bait may only be utilized in vineyard, orchard or crop environments and only in bait stations that have been classified by EPA as non-food uses; a list of EPA-approved bait stations may be obtained from the Cooperative Extension Service, PCAs, consultants or local Bayer CropScience representatives.

USE RATE: Place ready-to-use bait in EPA-approved bait stations as needed. Bait should remain in place for the duration of sugar-feeding ant foraging activity within a given year and should be utilized for several consecutive years to further reduce sugar-feeding ant populations. Monitor and refill bait stations as needed.

HOW TO APPLY: Bait stations should be placed as needed along ant trails, foraging areas, and nests for optimum control. The number and placement of bait stations required per acre will be dependent upon the crop environment, ant species involved, foraging behaviors and the bait station utilized; additional information and recommendations may be obtained from the Cooperative Extension Service, PCAs, consultants or local Bayer CropScience representatives. For best results, NTN 33893 Liquid Ant Bait should be introduced into the vineyard, orchard, or crop environment when sugar-feeding ant foraging first occurs and prior to the presence of other sugar-containing substances, such as honeydew; introduction of bait following the presence of other sugar-containing substances will provide less than optimum control.

MANAGEMENT TIPS: EPA-approved bait stations must shield the product from sunlight, minimize evaporation of product, and minimize potential for exposure to crops, mammals, non-target species, and humans. Avoid spraying 2

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bait stations with pesticides or fertilizers, as these products may repel ants from the stations and reduce efficacy of the product. Avoid direct contamination of the bait.

Additional product use information may be obtained by calling **1-866-99BAYER (1-866-992-2937)** or visiting our web site at **www.bayercropscienceus.com**.

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 should 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 allowed by law, all such risks shall be assumed by the user or buyer.

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

NET CONTENTS:

PRODUCED FOR



Bayer CropScience

**Bayer CropScience LP
P.O. Box 12014, 2 T.W. Alexander Drive
Research Triangle Park, North Carolina 27709
1-866-99BAYER (1-866-992-2937)**

NTN 33893 Liquid Ant Bait (PENDING) 12/09/09