

264-993

07/10/2009

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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. Larry R. Hodges
Bayer CropScience LP
2 T.W. Alexander Drive,
Research Triangle Park, NC 27709

JUL 10 2009

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated June 26, 2009 for:

EPA Registration 264-993 Secure Dry Insecticide

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) 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 703-305-6249 or Banza Djapao of my staff at 703-305-7269.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95



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 264-993	2. EPA Product Manager NOTIF	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Secure Dry Insecticide	PM# 13	
5. Name and Address of Applicant (Include ZIP Code) Bayer CropScience LP 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)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. <u>NOTIFICATION</u> Product Name <u>JUL 10 2009</u>	

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.)

"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's 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 the amended label 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."

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		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container 1 gal		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product		<input checked="" 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 Larry R. Hodges	Title Registration Manager - Insecticides	Telephone No. (Include Area Code) 919-549-2870
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.		6. Date Application Received (Stamped)
2. Signature 	3. Title Registration Manager - Insecticides	
4. Typed Name Larry R. Hodges	5. Date June 26, 2009	

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SECURE™ Dry Insecticide

ACTIVE INGREDIENTS:

Spinosad (CAS Number 131929-60-7).....0.5%

INERT INGREDIENTS.....99.5%

TOTAL 100.0%

EPA Reg. No. 264-993

EPA Est.

KEEP OUT OF REACH OF CHILDREN CAUTION

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. • Call a poison control center or doctor for treatment advice.
<p>Have the product container or label with you when calling a poison control center or doctor, or going for treatment.</p> <p>In case of emergency call toll free the Bayer CropScience Emergency Response Telephone No. 1-800-334-7577.</p> <p>Have a 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 CAUTION

Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.

PERSONAL PROTECTIVE EQUIPMENT (PPE):

Applicators and other handlers must wear: long-sleeved shirt and long pants, chemical-resistant gloves made of any waterproof material, and shoes plus socks and protective eyewear. 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.

ENVIRONMENTAL HAZARDS

This product is highly toxic to mollusks. Do not contaminate water when disposing of equipment washwaters or rinsate.

USER SAFETY RECOMMENDATIONS
Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Store in cool, dry location. Do not store in direct, hot sunlight.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL: Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Completely empty package by shaking and tapping sides and bottom to loosen clinging particles. Then dispose of empty package in a sanitary landfill, or by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

DIRECTIONS FOR USE

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

PRODUCT INFORMATION

STORED GRAIN: For protection of the listed stored food, feed and oil grain commodities against injury from insect pests including, but not limited to, lesser grain borer, Indianmeal moth, and angoumois grain moth, rice moth, almond moth, confused flour beetle, and flat grain beetle. Additional pests such as rice weevil, granary weevil, maize weevil, red flour beetle, sawtoothed grain beetle, and rusty grain beetle are suppressed to low levels. Protection is achieved by breaking the pest life cycle through control of adults and/or immature life stages.

For optimum results, thoroughly clean and treat grain storage areas prior to storage of grain. If grain is insect infested, fumigate with a registered insecticide to control existing populations and apply SECURE™ Dry Insecticide for residual protection.

STORED SEED USED FOR PLANTING: This use is restricted to those crops listed on this label, but includes all non-crop seeds including, but not limited to, flower seed, ornamental seed, and grass seed.

SECURE™ Dry Insecticide may also be used in conjunction with registered fungicides or other insecticide seed protectants. Seed treated with other seed protectant products may be required to be colored and tagged. Requirements for coloring and tagging can be found on the product labels. Seed treated with SECURE™ Dry Insecticide alone is considered grain.

Application Rates:

For Crops Typically Treated per 1,000 Bushels, See the Following Table:

Target Crop	SECURE™ Dry per 1,000 bushels* (to deliver 1 ppm)
	Pounds
Barley	9.6
Bird seed	See application/ton**
Corn (field, sweet, pop, grown for seed)	11.2
Millet, foxtail	10
Millet, pearl	6.4
Millet, proso	11.2
Oats	6.4
Rice	9.0
Sorghum /Milo	11.2
Triticale	12.0
Wheat	12.0

*Application rates are based on nominal commodity test weight.

**Ton = U.S. ton (2000 lbs)

Specific Use Directions: SECURE™ Dry Insecticide when grain is in the truck or wagon prior to binning. To determine the amount in the truck or wagon, multiply the length by width by depth (all in feet) and multiply this total by 0.8 to get the number of bushels. Measure out the correct amount of SECURE™ Dry Insecticide and spread evenly over the surface of the grain in the truck or wagon. Cut into the grain with a shovel. SECURE Dry will become mixed with grain as it is dumped from the truck or wagon into the hopper. Further mixing will occur when the grain is augered or blown into the bin. Mixing is completed as the SECURE Dry and grain roll down the cone shaped pile in the bin.

Application per Ton of Grain or Seed: For crops typically treated per ton (2,000 lbs.), i.e., bird seed or any crop listed in the table above, apply 0.4 lbs. per ton to deliver 1 ppm of active ingredient.

RECOMMENDATIONS AND RESTRICTIONS:

- International tolerances and residue limits for crops and commodities treated with this product may not yet be established in one or more countries outside the United States. For this reason, this product should be used only on crops and commodities intended for consumption in the United States or on crops and commodities that will be imported to a country(ies) where you have confirmed the specific import residue policies and applicable residue limits permit such imports.
- Avoid application at extremely dusty sites.
- When drying grain, apply SECURE Dry Insecticide after grain has cooled.
- Do not use a top dressing treatment with a grain mass treatment.
- Do not treat grain more than once.
- Maintain accurate records, especially if commodity is destined for export.
- Calibrate application equipment and grain flow rates daily and when significant changes occur to ensure proper application rates.
- Always start with clean storage bins that have been treated with a protectant with a different mode of action.
- For resistance management purposes, rotate modes of action yearly.
- No withholding period is required for grain used for food, feed, oil or seed purposes.

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IMPORTANT: READ BEFORE USE

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

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

Treatment of highly mechanically damaged seed, or seed of known low vigor and poor quality, may result in reduced germination and/or reduction of seed and seedling vigor. Treat and conduct germination tests on a small portion of seed before committing the total seed lot to a selected chemical treatment. Due to seed quality conditions beyond the control of Bayer CropScience, no claims are made to guarantee germination of carry-over seed.

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

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

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

NOTICE TO BUYER

Purchase of this material does not confer any rights under patents governing this product or the use thereof in countries outside of the United States.

NET CONTENTS:

SECURE is a trademark of Bayer CropScience

PRODUCED FOR



Bayer CropScience

Bayer CropScience LP
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Research Triangle Park, North Carolina 27709
1-866-99BAYER (1-866-992-2937)

NOTIFICATION

JUL 10 2009

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