

264-1132

04-29-2011

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U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Registration Division (7505C)
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

EPA Reg. Number:

264-1132

Date of Issuance:

4/29/11

NOTICE OF PESTICIDE:

Registration
 Reregistration
(under FIFRA, as amended)

Term of Issuance:

Conditional

Name of Pesticide Product:

PONCHO/GB126

Name and Address of Registrant (include ZIP Code):

Bayer CropScience LP
2 T.W. Alexander Drive
P.O. Box 12014
Research Triangle Park, NC 27709

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is conditionally registered in accordance with FIFRA section 3(c)(7)(A) provided that you:

1. The data requirements for storage stability and corrosion characteristics (Guidelines 830.6317 and 830.6320) are not satisfied. A one year study is required to satisfy these data requirements. You have 18 months from the date of registration to provide these data.
2. For future submissions, make the following changes to your Confidential Statement of Formulation (EPA Form 8570-4):
 - a. Box 4: Revise the EPA Reg. No. so it reads, "EPA Reg. No. 264-1132."

Signature of Approving Official:

Venus Eagle, Product Manager
Insecticide-Rodenticide Branch, Registration Division (7505P)

Date:

4/29/11

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records. If you have any questions, please contact Marianne Lewis at 703-308-8043 or lewis.marianne@epa.gov.

Venus Eagle
Product Manager
Insecticide-Rodenticide Branch
Registration Division (7505P)

Enclosure

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PONCHO®/GB126

PONCHO®/GB126 is a systemic insecticide and biological seed treatment for use on cereals and sugarbeets for the protection from listed insect pests and listed soil plant pathogenic nematodes

ACTIVE INGREDIENTS:

Clothianidin	40.3%
<i>Bacillus-firmus</i> -I-1582	8.1%

OTHER INGREDIENTS:	51.6%
TOTAL: 100.0%	

Contains 4.17 pounds clothianidin per U.S. gallon
Contains 0.84 pounds *Bacillus firmus* per U.S. gallon (contains a minimum of 2 X10⁹ cfu/ml)

E.P.A. Reg. No. 264-1132 **E.P.A. Est. No. 7501-IA-01, 7501-ID-01**

KEEP OUT OF REACH OF CHILDREN CAUTION

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"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
IF 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.

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.

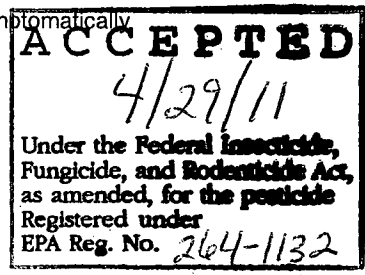
NOTE TO PHYSICIAN: No specific antidote is available. Treat the patient symptomatically.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS CAUTION

Harmful if swallowed. Causes moderate eye irritation. Avoid contact with eyes or clothing.

This product contains a microbial pesticide that may have the potential to be a respiratory sensitizer.



PERSONAL PROTECTIVE EQUIPMENT (PPE)

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

Workers involved with treating the seed (e.g. connecting and disconnecting hoses and transfer pumps, mixing, equipment calibration, etc.) and others exposed to the concentrate, and cleaners/repairers of seed treatment equipment must wear a long-sleeve shirt and long pants, shoes plus socks, chemical-resistant gloves, and a dust/mist filtering respirator meeting NIOSH standards of at least N-95, R-95 or P-95.

Baggers and bag sewers must wear a long-sleeve shirt and long pants, shoes plus socks, and a dust/mist filtering respirator meeting NIOSH standards of at least N-95, R-95 or P-95.

Respiratory protection is required for handlers and other workers who have repeated exposure to the product.

ENGINEERING CONTROL STATEMENT:

When engineering controls that meet the OSHA requirements as defined in 29 CFR Part 1910.1000 are used the respirator requirement may be waived or modified as specified in 29 CFR Part 1910.1000.

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.

ENVIRONMENTAL HAZARDS

This product is toxic to aquatic invertebrates. Do not apply directly to water or to areas where surface water is present or to intertidal areas below the mean high-water mark. Do not contaminate water when cleaning equipment or disposing of equipment washwaters. Do not apply where runoff is likely to occur. Runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Apply this product only as specified on the label.

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

DIRECTIONS FOR USE

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

Read entire label before using this product.

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

Read the entire label and observe all label directions and precautions before use. Do not use this product except as directed on this label or on other Bayer CropScience supplemental labeling for this product.

USE INFORMATION

Poncho/GB126 is a combination insecticide and biological seed treatment that, when applied to seed, protects the seed and seedling against certain early season insects and provides early season protection from **listed** plant pathogenic nematodes that attack the root system. As a result of the dual protection, there is an improvement in plant vigor, which often results in more uniform plants and greater yields. In areas of high nematode infestation additional control measures may be warranted.

COMPATIBILITY

It is essential that before using Poncho/GB126 seed treatment in any tank mixture the compatibility of the mixture be established. Add Poncho/GB126 at the labeled rate to a clean quart jar containing approximately one-half the amount of water intended for a final slurry application rate. Next, follow with all other tank mix components that will be used in the total slurry application. Add last the remaining balance of water. The total amount of volume is determined by the seed size and how much is necessary to ensure complete and uniform coverage and distribution on the seed, as well as the type of commercial seed treating application equipment that will be used.

DO NOT USE MIXTURES THAT CURDLE, PRECIPITATE, OR GEL. USE TANK MIXTURES IMMEDIATELY AFTER MIXING WITH ADEQUATE AGITATION.

DIRECTIONS FOR SEED TREATMENT

All seed treated with this product must be colored with an EPA-approved dye or colorant that imparts an unnatural color to the seed to help prevent the inadvertent use of treated seed for food, feed or oil purposes.

FOR USE AS A SEED TREATMENT

Apply Poncho/GB126 as a commercial water-based slurry either alone or with other registered seed treatment insecticides and fungicides through standard slurry or mist commercial seed treatment equipment. Follow the most restrictive of the labeling limitations and precautions of all products used in mixtures. Treated seed must be labeled in accordance with the requirements of the Federal Seed Act.

MIXING INSTRUCTIONS

When applied with seed treatment application equipment designed to treat seed utilizing a treatment slurry mixture, add approximately ½ to ¾ of the required water to the treatment slurry tank followed by the accompanying seed treatment products and Poncho/GB126. The order of product addition is dependant on the accompanying seed treatment products and application equipment used. Allow each slurry component to disperse completely prior to the next addition until a uniform suspension is obtained. After all slurry components have been added and dispersed completely add the remaining ½ to ¾ of required water for proper slurry volume and mix until uniform. Do not store mixed slurries for greater than 72 hours. Maintain adequate agitation until treatment slurry is applied. For additional instructions for use, slurry component mixing order, and other application suggestions contact your Bayer CropScience representative.

APPLICATION RATES

May be used in combination with other registered Bayer CropScience seed treatment fungicides and insecticides. Pre-test for compatibility with other seed treatment products.

CROP	INSECT PESTS	NEMATODE PESTS	RATE PONCHO/GB126
Sugarbeet ¹	Black bean aphids Cutworms (Black) Flea beetles Leafminers Subterranean springtails Sugarbeet leafhoppers Sugarbeet root maggot Wireworms	Early season soil plant parasitic nematodes including: False Root-Knot nematode Root Knot nematodes Stubby Root nematodes SugarBeet Cyst nematode	4.1 fl oz/unit* of seed * a unit = 100,000 seed
Crops of crop group 15, except field corn, popcorn, sweet corn, sorghum & rice	Aphids (including Bird Cherry Oat, English Grain, Greenbug, Russian Wheat) Hessian fly Wireworms	Early season soil plant parasitic nematodes including: Cereal Cyst nematode Root Lesion nematodes Root Knot nematodes	0.71 – 2.14 fl oz / cwt** Use the higher rate to provide increased length of protection and from heavy insect pressure and from wireworms, and to reduce potential spread of Barley yellow dwarf virus due to aphid vectors. For wireworms only; 0.13 – 0.23 fl oz / cwt **cwt = 100 pounds of seed

¹ Apply Poncho/GB126 to seed with a coating system that gives a minimum build-up of approximately 30% weight gain

Restrictions:

Regardless of type of application (seed treatment or foliar), do not apply more than 0.14 lb clothianidin/A/season for sugarbeets and do not apply more than 0.2 lbs clothianidin/A/season for cereal grains (except corn, rice, sorghum).

Resistance Management

The components in Poncho/GB126 belong to multiple chemistry classes. Because resistance development cannot be predicted, the use of this product should conform to resistance management strategies established for the crop and use area. Such strategies may include rotating and/or tank mixing with products having different modes of action; or limiting the total number of applications per season. Use labeled rates. Contact your local extension specialist, certified crop advisor, and/or manufacturer for fungicide/insecticide resistance management and/or integrated pest management recommendations for specific crops and pest populations. Bayer CropScience encourages responsible product stewardship to ensure effective long-term control of pests on this label.

LABELING OF TREATED SEED

The Federal Seed Act requires that the container of seed treated with PONCHO®/GB126 must be labeled with the following statements:

- **This seed has been treated with Poncho/GB126, which contains 40.3% clothianidin and 8.1% Bacillus firmus.**
- Do not use treated seed for food, feed or oil processing or ethanol production.
- Use planting equipment that will plant treated seed into the soil to a minimum depth of 0.5-inch.

In addition, the US Environmental Protection Agency requires the following statements on the container of seed treated with PONCHO®/GB126:

- Store away from feeds and foodstuffs.
- Rapeseed greens and seed grown or harvested from PONCHO®/GB126 -treated seed must not be used for feed or human consumption. Rapeseed grown and harvested from PONCHO®/GB126 -treated seed is only for industrial uses and can not be used for edible oil or any other human/feed consumption.
- Wear long-sleeved shirt, long pants, shoes, socks, and chemical-resistant gloves when handling treated seed.
- Dispose of all excess treated seed. Left over treated seed may be double sown around the headland or buried away from water sources in accordance with local requirements. Do not contaminate water bodies when disposing of planting equipment washwaters.
- Dispose of seed packaging in accordance with local requirements.
- This compound is toxic to birds and mammals. Treated seeds exposed on soil surface may be hazardous to birds and mammals. Cover or collect treated seeds spilled during loading.
- For Cereals (**except corn, rice, sorghum**): Immediate plant back: cotton, corn (field, sweet and pop), rapeseed, sorghum, sugarbeet, potato, cereal grains (Crop Group 15 except rice), canola, soybeans and the following vegetable crops: root vegetables (Crop Group 1), bulb vegetables (Crop Group 3), leafy green vegetables (Crop Group 4A), Brassica (cole) leafy vegetables (Crop Group 5), fruiting vegetables (Crop Group 8), cucurbit vegetables (Crop Group 9). These areas may also be replanted after 30 days with dried beans and dried peas. Do not plant any other crop in the treated area for at least one year after treated seeds are planted.
- For Sugarbeet: Immediate plant back: cotton, corn (field, sweet and pop), rapeseed, sorghum, sugarbeet, canola and soybeans. These areas may also be replanted after 30 days with cereal grains (Crop Group 15 except rice), dried beans, and dried peas. Do not plant any other crop in the treated area for at least one year after treated seeds are planted.
- Regardless of type of application (seed treatment or foliar), do not apply more than 0.2 lbs of the active ingredient clothianidin per acre per season.
- This compound may be highly toxic to bees exposed directly (contact). Ensure **that** planting equipment is functioning properly in accordance with manufacturing recommendations to minimize seed coat abrasion during planting to reduce dust which can drift to blooming crops or weeds.

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STORAGE AND DISPOSAL

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

PESTICIDE STORAGE

Store in cool, dry conditions.

PESTICIDE DISPOSAL

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

CONTAINER DISPOSAL

Containers with capacities equal to or less than 5 gallons

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.

Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

Offer for recycling, if available, or puncture and dispose of in a sanitary landfill, or by incineration.

Containers that are too large to shake (i.e., with capacities greater than 5 gallons)

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

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

Pressure rinsing the container before final disposal is the responsibility of the person disposing of the container. To pressure rinse the container before final disposal, empty the remaining contents from the IBC into application equipment or mix tank. Raise the bottom of the IBC by 1.5 inch on the side which is opposite of the bottom discharge valve to promote more complete product removal. Completely remove the top lid of the IBC. Use water pressurized to at least 40 PSI to rinse all interior portions.

Continuously pump or drain rinsate into application equipment or rinsate collection system while pressure rinsing. Continue pressure rinsing for 2 minutes or until rinsate becomes clear. Replace the lid and close bottom valve.

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

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

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

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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.

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.

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.

NET CONTENTS: 2.5, 15, 30 GALLONS



Bayer CropScience

Bayer CropScience LP
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1-866-99BAYER (1-866-992-2937)
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