



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

SEP 27 2007

Mr. Larry R. Hodges, Ph.D.
Registration Manager, Insecticides
Bayer CropScience
2 T.W. Alexander Drive
Research Triangle Park, N.C. 27709

RE: Notification to correct New York State specific language
EPA Reg No.: 264-458
Date of Submission: August 28, 2007

Dear Dr. Hodges:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated August 28, 2007, for the Mocap EC Nematicide-Insecticide. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Joyce Edwards of my staff at 703-308-5479.

Sincerely,

A handwritten signature in cursive script, appearing to read "Linda Arrington".

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

	United States Environmental Protection Agency Washington, DC 20460	<input checked="" type="checkbox"/>	Registration Amendment Other	OPP Identifier Number
---	---	-------------------------------------	---	-----------------------

Application for Pesticide - Section I

1. Company/Product Number 264-458	2. EPA Product Manager M. Mautz	3. Proposed Classification <input type="checkbox"/> None <input checked="" type="checkbox"/> Restricted
4. Company/Product (Name) MOCAP EC Nematicide-Insecticide	PM#	
5. Name and Address of Applicant (Include ZIP Code) BAYER CROPSCIENCE 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. _____ Product Name _____	

Section - II

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

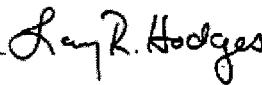
Explanation: Use additional page(s) if necessary. (For section I and Section II.)

See Attached Page

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 checked="" 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	If "Yes" Package wgt No. per container		
3. Location of Net Contents Information		4. Size(s) Retail Container		5. Location of Label Directions	
<input type="checkbox"/> Label <input checked="" type="checkbox"/> Container		2.5 gal, 55 gal		<input type="checkbox"/> _____	
6. Manner in Which Label is Affixed to Product			<input type="checkbox"/> Other _____		
			<input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled		

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 Product Manager	Telephone No. (Include Area Code) 919-549-2870
Certification		8. Date Application Received (Stamped)
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.		
2. Signature 	3. Title Registration Product Manager	
4. Typed Name Larry R. Hodges	5. Date August 28, 2007	

Section – II Explanation: EPA form 8570-1 (Mocap EC Nematicide-Insecticide)

Notification to correct New York State specific language which is out of date. Current label states: "Do not apply in Long Island, New York". As required by New York, the new statement says: "This product is not registered in Nassau and Suffolk Counties of New York State. State law prohibits distribution, sale or use of the product in these counties". See attached letter from New York Department of Environmental Conservation dated August 14, 2007.

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 CFR 152.46, 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.

New York State Department of Environmental Conservation
Division of Solid and Hazardous Materials
Bureau of Pesticides Management, 11th Floor
Pesticide Product Registration
625 Broadway, Albany, New York 12233-7257
Phone: (518) 402-8768 • FAX: (518) 402-9024
Website: <http://www.dec.ny.gov/chemical/8528.html>
E-Mail: ppr@gw.dec.state.ny.us



August 14, 2007

DELIVERY CONFIRMATION

Ms. Princey Jesudason
Bayer Environmental Science
P.O. Box 12014
2 TW Alexander Drive
Research Triangle Park, North Carolina 27709

Dear Ms. Jesudason:

**Re: New York State Specific Language for MOCAP EC Nematicide-Insecticide
(EPA Reg. No. 264-458)**

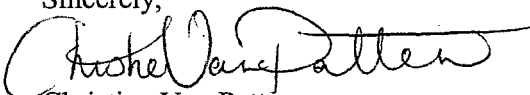
The Department has completed its review of your application, received June 5, 2007 to revise the labeling for the above referenced pesticide product. During the review it was determined that the New York State specific language on the label is out of date.

On pages 3, under the Directions for Use, and 4, under General Cautions and Restrictions, the statement "**Do not apply in Long Island, New York**" appears. The proper statement to be used is as follows:

This product is not registered in Nassau & Suffolk Counties of New York State. State law prohibits distribution sale or use of the product in these counties.

We require that you update the New York State restrictive language wherever it appears on your product label, to the statement above, by your next printing.

Should you have any questions regarding this letter, please contact me, at 518-402-8768.

Sincerely,

Christine Van Patten
Environmental Chemist I
Pesticide Product Registration Section

Enclosures

3/15

RESTRICTED USE PESTICIDE

DUE TO ACUTE ORAL, DERMAL, AND INHALATION TOXICITY

For retail sale to and use only by Certified Applicators or persons under the direct supervision of a Certified Applicator, and only for those uses covered by the Certified Applicator's certification.

MOCAP[®] EC Nematicide-Insecticide

ACTIVE INGREDIENTS: Ethoprop: (O-Ethyl S, S-Dipropyl Phosphorodithioate) 69.6%
 INERT INGREDIENTS: 30.4%
 100.0%

(Contains 6 pounds active ingredient per gallon) Contains Petroleum distillates

EPA Reg. No. 264-458

EPA Est. No. 264-TN-1



KEEP OUT OF REACH OF CHILDREN
DANGER POISON
PELIGRO



PRECAUCION AL USUARIO: Si usted no lee ingles, no use este producto hasta que le etiqueta haya sido explicado ampliamente.
TRANSLATION TO THE USER: If you cannot read English, do not use this product until the label has been fully explained to you.

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

Ethoprop is an organophosphate.

IF SWALLOWED:	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor for treatment advice. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give any liquid to the person. • Do not give anything by mouth to an unconscious person.
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.
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 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.

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.

NOTE TO PHYSICIAN: This product is a cholinesterase inhibitor. Severe symptoms and signs include diarrhea, pinpoint and non-reactive pupils, respiratory difficulty, pulmonary edema, cyanosis, loss of sphincter control, convulsions, and coma. Support respiration as needed. Measures should include removal of secretions, maintenance of a patent airway, and if necessary, artificial ventilation. If cyanosis is absent, give ATROPINE 2-4 mg intravenously (0.05 mg/kg for children). Repeat atropine at 5-10 minute intervals until atropinization occurs (dry, flushed skin, tachycardia, pupillary dilatation), and maintain for 48 hours. If cyanotic, give initial atropine intramuscularly and start measures to improve ventilation.

Start 2-PAM (PROTOPAM, Ayerst) at the same time. Give 1-2 grams PROTOPAM (20-40 mg/kg for children) in 100cc saline over 15-30 minutes. If pulmonary edema is present, give intravenously slowly as a 5% solution in water over a period of at least 5 minutes. A second dose may be given after one hour if muscle weakness persists. Additional doses may be given cautiously for persistent muscle weakness. May be given by intramuscular or subcutaneous routes if intravenous administration is not feasible.

In case of skin contact, wash patient with soap and water followed by wash with 95% ethyl alcohol. Keep patient under constant observation for 24-36 hours. Symptoms may persist for one month.

The use of theophylline, morphine, barbiturates, phenothiazines, reserpine, and succinyl choline is contraindicated.

6/15

PRECAUTIONARY STATEMENTS

HAZARD TO HUMANS AND DOMESTIC ANIMALS

DANGER

Fatal if swallowed, inhaled or absorbed through skin. Rapidly absorbed through skin. Corrosive. Causes irreversible eye damage. Do not get into eyes, on skin, or on clothing. Do not breathe spray mist. Do not contaminate feed or food.

SYMPTOMS OF POISONING: Nausea, vomiting, abdominal cramps, diarrhea, excessive salivation, headache, dizziness, weakness, blurring or dimness of vision, excessive tearing, loss of muscular coordination, slurring of speech, twitching of muscles (especially of tongue and eyelids), mental confusion, disorientation, drowsiness, difficulty in breathing (chest tightness), runny nose.

PHYSICAL OR CHEMICAL HAZARDS

Do not use or store near heat or open flame.

Do not store in or around the home.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are barrier laminant, butyl rubber (>14 mils), nitrile rubber (>14 mils) or viton (>14 mils). If you want more options, follow the instructions for category F on an EPA chemical-resistant category selection chart.

Mixers, loaders, applicators, and other handlers using engineering controls must wear:

- long-sleeve shirt and long pants, and
- shoes plus socks.

In addition, mixers and loaders must wear chemical-resistant gloves and a chemical-resistant apron.

See engineering controls for additional requirements.

Handlers engaged in those activities for which use of an engineering control is not possible, such as cleaning up a spill or leak and cleaning or repairing contaminated equipment, must wear:

- coveralls over long-sleeve shirt and long pants,
- chemical-resistant gloves,
- protective eyewear,
- chemical-resistant footwear plus socks,
- chemical-resistant apron if exposed to the concentrate,
- chemical-resistant headgear for overhead exposure, and
- a respirator with an organic-vapor removing cartridge with a prefilter (MSHA/NIOSH approved number prefix TC 23C), or a canister approved for pesticides (MSH/NIOSH approval number prefix TC-14G), or NIOSH-approved respirator with an organic vapor (OV) cartridge or canister with any N,R,P or HE-filter.

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 CONTROLS

Mixers and loaders must use a mechanical transfer system that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4)] for providing dermal and inhalation protection. The system must be capable of removing the pesticide from the shipping container and transferring it into mixing tanks and/or application equipment. At any disconnect point, the system must be equipped with a dry disconnect or dry couple shut-off device that is warranted by the manufacturer to minimize drippage to not more than 2 mL. (0.068 oz.) per disconnect point.

In addition, mixers and loaders must:

- wear the personal protective equipment required in the PPE section of this labeling for mixer/loaders,
- wear protective eyewear if the system operates under pressure,
- be provided with, must have immediately available for use, and must wear in case of an emergency, such as a broken package or spill, the PPE specified in the PPE section of this labeling for handlers engaged in those activities for which use of an engineering control is not possible.

Applicators using motorized ground equipment must use an enclosed cab that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(5)] for dermal protection. In addition, applicators must:

- wear the personal protective equipment required in the PPE section of this labeling for applicators
- either wear the type of respirator specified in the PPE section of this labeling or use an enclosed cab that is declared in writing by the manufacturer or by a government agency to provide at least as much respiratory protection as the type of respirator specified in the PPE section of this labeling,
- be provided, must have immediately available for use, and must wear in case of an emergency when they must exit the cab, the PPE specified in the PPE section of this labeling for handlers engaged in those activities for which use of an

- engineering control is not possible,
- take off any PPE that was worn in the treated area before reentering the cab, and
- store all such PPE in a chemical-resistant container, such as a plastic bag, to prevent contamination of the inside of the cab.

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 organisms (fish and invertebrates) and wildlife and extremely toxic to birds. Birds in treated areas may be killed. For terrestrial uses, do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. For specific No-Spray Zone requirements, see the Spray Zone Application Restrictions. Cover, incorporate or disc product that is spilled either during loading or application to the soil surface. Do not contaminate water when disposing of equipment wash waters.

This product is toxic to bees exposed to direct treatment. Do not apply this product while bees are actively visiting the treatment area.

DIRECTIONS FOR USE

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

Do not allow this product to drift.

This product is not registered in Nassau & Suffolk Counties of New York State. State law prohibits distribution, sale, or use of the product in these counties.

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), notification to workers, 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 workers to enter treated areas during the restricted entry interval (REI) of 48 hours. The 48 hour REI is increased to 72 hours in outdoor areas where average rainfall is less than 25 inches a year.

EXCEPTION: If the product is soil injected or soil incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated.

PPE required for early re-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 over long-sleeved shirt and long pants,
- chemical-resistant gloves,
- chemical-resistant footwear plus socks, and
- protective eyewear.

Notify workers of the application by warning them orally and by posting warning signs at entrances to treated areas.

8/15

STORAGE AND DISPOSAL

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

STORAGE

Do not store in or around the home.

PESTICIDE DISPOSAL

Pesticide wastes are acutely 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 EPA Regional Office for guidance.

CONTAINER DISPOSAL

Triple rinse or equivalent. Then dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

RETURNABLE -- REFILLABLE CONTAINERS

After use, return the container to the point of purchase or designated locations. This container must only be refilled with MOCAP® EC Nematicide-Insecticide. DO NOT REUSE THE CONTAINER FOR ANY OTHER PURPOSE. Prior to refilling, inspect thoroughly for damage such as cracks, punctures, abrasions and damaged or worn out threads on closure devices. Do not refill or transport damaged or leaking containers. Check for leaks after refilling and before transportation. For information on the disposal of unused, unwanted product, contact Bayer CropScience at 1-866-992-2937. For information on cleanup of spills, contact Bayer CropScience at 1-800-334-7577. If the container is not being refilled, return it to the point of purchase.

SPRAY ZONE APPLICATION RESTRICTIONS

Do not apply this product within 140 feet of inland freshwater habitats, and along the Atlantic seaboard, do not apply within 800 feet of brackish water habitats. Under no circumstances is this product to be applied within 140 feet of people or these surface water bodies.

Do not allow spray to drift from the application site and contact people, structures people occupy at any time and the associated property, parks and recreation areas, nontarget crops, aquatic and wetland areas, woodlands, pastures, rangelands, or animals.

For ground boom applications, apply with nozzle height no more than 4 feet above the ground and only when winds speed is 10 mph or less at the application site as measured by an anemometer. Use medium or coarser spray as described according to ASAE 572 definition for standard nozzles or VMD for spinning atomizer nozzles.

The applicator also must use all other measures necessary to control drift.

GENERAL CAUTIONS AND RESTRICTIONS

Not for Household Consumer use. Do not store or use in or around the home. Do not apply by air. Do not apply more than one application per crop season. Application must be incorporated into the soil.

PLANT RESPONSE PRECAUTIONS

- To avoid possible injury to cabbage, do not use as a seed furrow treatment or allow spray to contact the seed.

APPLICATION STATEMENTS

- For application only by motorized ground boom equipment. Do not apply through irrigation systems. Do not apply with liquid backpack sprayers, low-pressure handwand liquid equipment, sprinkler cans or hand-held measuring containers, or by hand-dipping of seedlings.
- For use on ornamentals: only preplant broadcast application to soil for field nursery stock, which may only be mechanically transplanted into the treated area, and not until 72 hours after treatment.
- This product is to be soil incorporated to a depth of at least 2 to 4 inches, during or immediately following application by mechanical means, including by rotary tiller, rotary hoe, springtooth harrow, or by double-discing.
- Calibrate and adjust application equipment to insure proper rate and accurate placement. Clean application equipment thoroughly after use. For any leftover material, see instruction for "Storage and Disposal" on this label.
- Apply this product only as specified on this label.
- Do not apply in Long Island, New York.

MIXING, LOADING, AND HANDLING INSTRUCTIONS

- MOCAP® EC spray mixture may affect some plastic materials after prolonged use. Spray tubing hoses and gaskets should be inspected frequently, particularly black-colored materials. Replace any material which is softened or swollen. Polyethylene, polypropylene, nylon, and teflon materials are recommended. Polyvinyl chloride (PVC) materials are not recommended.
- Add the recommended amount of MOCAP® EC to the water in the spray tank and mix well. Agitate frequently during use.
- If MOCAP® EC is to be tank mixed with liquid fertilizers, physical compatibility should be tested prior to mixing. To test for compatibility, use a small container and mix a small amount (0.5 to 1 qt) of spray, combining all ingredients in the same ratio as the anticipated use. If any indications of physical incompatibility develop, do not use this mixture for spraying. Indications of incompatibility usually will appear within 5-15 minutes after mixing.

INCORPORATION STATEMENT

Follow any specific soil incorporation instructions given under the crop headings.

GROUND APPLICATION

Use enough water in the sprayer to thoroughly and evenly cover the area to be treated.

CONVERSION TABLE FOR BANDED APPLICATIONS

ROW SPACING (INCHES)	FLUID OUNCES PER 1000 ROW FEET													
	1.4	1.7	2.0	2.4	2.9	3.3	3.9	4.4	5.0	5.1	5.3	5.9	6.8	6.9
	USE RATES AS QUARTS PER ACRE													
20	1.1	1.4	1.6	2.0	2.4	2.7	3.2	3.6	4.1	4.2	4.3	4.8	5.6	5.6
24	1.0	1.2	1.4	1.6	2.0	2.2	2.6	3.0	3.4	3.5	3.6	4.0	4.6	4.7
28	0.8	1.0	1.2	1.4	1.7	1.9	2.3	2.6	2.9	3.0	3.1	3.4	4.0	4.0
32	0.7	0.9	1.0	1.2	1.5	1.7	1.9	2.2	2.6	2.6	2.7	3.0	3.5	3.5
36	0.6	0.8	0.9	1.1	1.3	1.5	1.8	2.0	2.3	2.3	2.4	2.7	3.1	3.1
40	0.6	0.7	0.8	1.0	1.2	1.3	1.6	1.8	2.0	2.1	2.2	2.4	2.8	2.8
44	0.5	0.6	0.7	0.9	1.1	1.2	1.4	1.6	1.9	1.9	2.0	2.2	2.5	2.6
48	0.5	0.6	0.7	0.8	1.0	1.1	1.3	1.5	1.7	1.7	1.8	2.0	2.3	2.3

REFER TO APPLICATION DIRECTIONS FOR SPECIFIC USE RATES FOR EACH CROP

CONVERSION TABLE FOR BANDED APPLICATIONS

HIGHER RATES AND WIDER ROW SPACINGS

ROW SPACING (INCHES)	FLUID OUNCES PER 1000 ROW FEET						
	5.0	6.8	10.3	11.8	13.7	17.2	20.6
	USE RATES AS QUARTS PER ACRE						
36	2.3	3.1	4.7	5.3	6.2	7.8	
48	1.7	2.3	3.5	4.0	4.7	5.9	7.0
60	1.4	1.9	2.8	3.2	3.7	4.7	5.6
72	1.1	1.5	2.3	2.7	3.1	3.9	4.7
84	1.0	1.3	2.0	2.3	2.7	3.3	4.0

REFER TO APPLICATION DIRECTIONS FOR SPECIFIC USE RATES FOR EACH CROP

SPECIFIC USE DIRECTIONS

Use MOCAP® EC Brand Nematicide-Insecticide only in accordance with label directions, warnings, and cautions. Control often lasts more than six weeks varying with growing conditions, rate of use and pests. Do **not** use on any crop not listed on this label or supplemental labeling, as any residues remaining may be illegal or harmful.

Where a range of rates is recommended, use the higher rate if pest infestations are expected to be severe. To determine your infestation level, consult local or state recommendations for sampling methods and economic thresholds. Where both banded and broadcast applications are allowed, refer to the specific crop directions for the proper use of each application method. For per acre use rates when banding, refer to the use rate chart, *Conversion Table for Banded Applications*, in the Ground Application section above.

CABBAGE

		RATE OF MOCAP® EC	
APPLICATION TIMING	PESTS CONTROLLED	BANDED FL.OZ./ 1000 ROW FEET	APPLICATION DIRECTIONS
at planting	Nematodes Garden Symphylans	2.4	For at-planting application to seeded crops, apply in 12 to 15 inch band on the row (36-inch row spacing) and incorporate 2 to 4 inches deep with mechanical equipment during or immediately following treatment. Do not use as a seed furrow treatment or allow spray to contact the seed or phytotoxicity may occur.

RESTRICTIONS AND PRECAUTIONS FOR CABBAGE

- Make only 1 application of this product per growing season.
- For use in California only.

POTATOES
(West of the Mississippi River)

		RATE OF MOCAP® EC		
APPLICATION TIMING	PESTS CONTROLLED	BANDED FL.OZ./ 1000 ROW FEET	BROADCAST GALLONS PER ACRE	APPLICATION DIRECTIONS
West of the Mississippi River prior to planting or at planting or prior to crop emergence	Symphylans Wireworms	4.4	2/3 – 1 (Maximum 6 lb ai/A)	BAND: Uniformly distribute spray in a 12 inch band over the row (36-inch row spacing), either behind the planter shoe next to the closing disk or immediately in front of the planter shoe. Mix with the top 2 to 4 inches of soil during or immediately following treatment.
	Nematodes (excluding Northern root knot, Columbia root knot, and stubby root nematodes in the Pacific Northwest; suppression of stubby root nematode in areas outside the Pacific Northwest)	4.4	1 – 2 (Maximum 12 lb ai/A)	IMPORTANT: Certain early-season environmental conditions and agronomic practices may impose stresses on the potato seed piece resulting in delayed emergence. Under these conditions, the application of MOCAP® EC as a concentrated band directly in the furrow may increase the potential for delayed emergence. To minimize the contribution of MOCAP® EC to this effect, apply so as to distribute the product in the soil surrounding the seed piece and avoid application directly into the seed furrow. For moderate* to heavy* infestations of wireworms or nematodes use the broadcast application instead of band or sidedress. Wireworm infestations will be especially heavy* in potatoes planted following wireworm host crops such as (but not limited to) sod, grass for seed, pasture, cereal, corn, hay, alfalfa, beans, onions, potatoes, new ground, fallow ground (weedy or cultivated), or ground not farmed for a year or more. BROADCAST: Apply uniformly and immediately incorporate 2 to 4 inches deep using suitable tillage equipment. Apply within 2 weeks before planting until prior to crop emergence.
	Northern root knot nematode in the Pacific Northwest	N/A	1 to 2 (1 1/2 to 2 in the Columbia River Basin) (Maximum 12 lb ai/A)	BROADCAST ONLY: Apply uniformly and immediately incorporate 2 to 4 inches (4 to 8 inches in the Columbia River Basin) deep using suitable tillage equipment. Apply within 2 weeks before planting until prior to crop emergence. Under severe* infestation or long growing season conditions, MOCAP® EC may not adequately protect tuber quality.

POTATOES
(West of the Mississippi River - Continued)

		RATE OF MOCAP® EC		
APPLICATION TIMING	PESTS CONTROLLED	<u>BANDED</u> FL.OZ./ 1000 ROW FEET	<u>BROADCAST</u> GALLONS PER ACRE	APPLICATION DIRECTIONS
West of the Mississippi River prior to planting or at planting or prior to crop emergence	Suppression of Columbia root knot and stubby root nematodes in the Pacific Northwest	N/A	2 (Maximum 12 lb ai/A)	Broadcast Only: Apply uniformly and immediately incorporate 4 to 8 inches deep using suitable tillage equipment. Best results are obtained with deep (6-8 inches), even incorporation. Apply within 2 weeks before planting. Generally, MOCAP® EC should be applied following fall or spring application of a registered fumigant nematicide. In the Columbia River Basin it is strongly recommended that MOCAP® EC Nematicide-Insecticide be applied following fall or spring application of a registered fumigant nematicide. Under severe* infestation or long growing season conditions, MOCAP® EC may not adequately protect tuber quality.

RESTRICTIONS AND PRECAUTIONS FOR POTATOES (West of the Mississippi River)

- Use the broadcast application instead of band for control of moderate* to heavy* infestations of wireworms or nematodes.
- Make only 1 application of this product per growing season.
- Do not make aerial applications.
- Do not exceed 2 gallons of MOCAP® EC (12 pounds of active ingredient) per acre per crop for nematodes and 1 gallon (6 pounds of active ingredient) per acre per crop for the other listed pests.
- Do not apply MOCAP® EC once plants have begun to emerge.
- The Pacific Northwest potato growing region is considered to include the states of Washington, Oregon, and Idaho. The Columbia River Basin is considered to include Umatilla and Morrow Counties of Oregon and Grant, Adams, Franklin, Benton, Yakima, and Walla Walla Counties of Washington.

*To determine your infestation level, consult local or state recommendations for sampling methods and economic thresholds.

POTATOES
(East of the Mississippi River)

		RATE OF MOCAP® EC		
APPLICATION TIMING	PESTS CONTROLLED	BANDED FL.OZ./ 1000 ROW FEET	BROADCAST GALLONS PER ACRE	APPLICATION DIRECTIONS
East of the Mississippi River prior to planting or at planting or prior to crop emergence	Symphylans Wireworms	4.4	2/3 – 1 (Maximum 6 lb ai/A)	BAND: Uniformly distribute spray in a 12 inch band over the row (36-inch row spacing), either behind the planter shoe next to the closing disk or immediately in front of the planter shoe. Mix with the top 2 to 4 inches of soil during or immediately following treatment.
	Nematodes (suppression of stubby root)	4.4	1 – 1 1/2 (Maximum 9 lb ai/A)	IMPORTANT: Certain early-season environmental conditions and agronomic practices may impose stresses on the potato seed piece resulting in delayed emergence. Under these conditions, the application of MOCAP® EC as a concentrated band directly in the furrow may increase the potential for delayed emergence. To minimize the contribution of MOCAP® EC to this effect, apply so as to distribute the product in the soil surrounding the seed piece and avoid application directly into the seed furrow. For moderate* to heavy* infestations of wireworms or nematodes use the broadcast application instead of band or sidedress. Wireworm infestations will be especially heavy* in potatoes planted following wireworm host crops such as (but not limited to) sod, grass for seed, pasture, cereal, corn, hay, alfalfa, beans, onions, potatoes, new ground, fallow ground (weedy or cultivated), or ground not farmed for a year or more. BROADCAST: Apply uniformly and immediately incorporate 2 to 4 inches deep using suitable tillage equipment. Apply within 2 weeks before planting until prior to crop emergence.

RESTRICTIONS AND PRECAUTIONS FOR POTATOES (East of the Mississippi River)

- Use the broadcast application instead of band for control of moderate* to heavy* infestations of wireworms or nematodes.
- Make only 1 application of this product per growing season.
- Do not make aerial applications.
- Do not exceed 1 ½ gallons of MOCAP® EC (9 pounds of active ingredient) per acre per crop for nematodes and 1 gallon (6 pounds of active ingredient) per acre per crop for the other listed pests.
- Do not apply MOCAP® EC once plants have begun to emerge.

*To determine your infestation level, consult local or state recommendations for sampling methods and economic thresholds.

SWEET POTATOES

		RATE OF MOCAP® EC	
APPLICATION TIMING	PESTS CONTROLLED	BANDED FL.OZ./ 1000 ROW FEET	APPLICATION DIRECTIONS
2 to 3 weeks before planting	Nematodes Wireworms White grubs Banded cucumber beetle Flea beetle larvae (palestriped and sweet potato flea beetles)	5.1 to 6.9	BAND: Apply in a band 12 to 15 inches wide on the row (minimum 42-inch row spacing) and incorporate 2 to 4 inches deep during or immediately following treatment. Good results have been obtained by opening the row, applying in a 12 to 15 inch band on the row, bedding over and dragging.

RESTRICTIONS AND PRECAUTIONS FOR SWEET POTATOES

- Make only 1 application of this product per growing season.

ORNAMENTALS

For use on ornamental plants such as Azalea, Boxwood, Caladium, Camellia, Cape Jasmine, Gardenia, Holly, and Yew.

NOTE: If plants other than those mentioned on this label require treatment, only a few should be treated until effects can be determined. Some plants or varieties may show temporary growth retardation after treatment. Do not allow MOCAP® EC to contact the foliage of any plants, as severe injury may result.

PEST	TREATMENT TYPE	APPLICATION DIRECTIONS
Nematodes Symphylans	field nursery stock only	PREPLANT BROADCAST ONLY: Apply 2 quarts of MOCAP® EC per acre as a uniform broadcast on top of the soil and immediately incorporate to a depth of 2-4 inches. Nursery stock may be transplanted into the treated area after 72 hours. Use the higher rate where nematode infestations have been severe or where soil is sandy. To determine your infestation level, consult local or state recommendations for sampling methods and economic thresholds. Workers involved in transplant operation must wear protective clothing including high top boots and gloves. Make only one application of this product per growing season.

RESTRICTIONS AND PRECAUTIONS FOR SWEET POTATOES

- For use on ornamentals: only preplant broadcast application to soil for field nursery stock, which may only be mechanically transplanted into the treated area, and not until 72 hours after treatment.
- For use in California, Oregon and Washington only.

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.

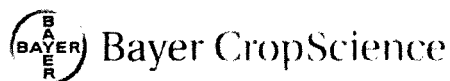
CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as 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.

NET CONTENTS:

Mocap and Di-Syston are registered trademarks of Bayer.

PRODUCED FOR

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)
<http://www.bayercropscienceus.com>

MOCAP® EC Nematicide-Insecticide (MASTER) Approved 09/25/06, Notification 08/24/07

Bayer CropScience



EPA Correspondence No. 07-05E
August 28, 2007

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, Virginia 22202-4501

Re: Amendment by Notification to Correct the Wording for a New York State
Specific Labeling Requirement for MOCAP EC Nematicide-Insecticide
(EPA Reg. No. 264-458)

To Whom It May Concern:

Enclosed you will find Bayer's application to correct New York State specific language which is out of date. The current label for MOCAP EC states: "Do not apply in Long Island, New York". As required by New York, the new statement says: "This product is not registered in Nassau and Suffolk Counties of New York State. State law prohibits distribution, sale or use of the product in these counties".

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

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 CFR 152.46, 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.

In support of this action, you will find the following:

- EPA Form 8570-1. Application for Pesticide Amendment, dated August 28, 2007.
- Three copies of the amended label, dated August 24, 2007.
- One copy of the amended label with the correction highlighted.

Please email me at larry.hodges@bayercropscience.com or phone me at (919) 549-2870 if you have any questions regarding this submission.

Sincerely,

Larry R. Hodges, Ph.D.
Registration Manager, Insecticides