

264-603

03/17/2005

17

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 Charter brand Triticonazole Fungicide	2. EPA Product Manager Mary Waller	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) 264-603	PM# Product Manager 21	
5. Name and Address of Applicant (Include ZIP Code) Bayer CropScience LP 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)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION MAR 17 2005
<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 - No fee required
Notification of adding a pest per PR Notice 98-10. See attached for explanation.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container If "Yes" Package wgt No. per container			
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph 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 Melvin K. Tolliver	Title Registration Product Manager, Fungicides	Telephone No. (Include Area Code) (513) 549-2631
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 both under applicable law.		Date Application Received (Stamped)
2. Signature <i>Melvin K. Tolliver</i>	3. Title Registration Product Manager, Fungicides	
4. Typed Name Melvin K. Tolliver	5. Date February 23, 2005	

NOTIFICATION

Copy with Changes Highlighted

MAR 17 2005

CHARTER™ brand Triconazole Fungicide

A LIQUID FLOWABLE FOR CONTROL OF VARIOUS SEED BORNE DISEASES IN WHEAT AND BARLEY

ACTIVE INGREDIENT: Triconazole	2.4%
INERT INGREDIENTS	97.6%
TOTAL	100.0%

* Contains 2.13 lbs. of the active ingredient, Triconazole, per U.S. gallon.

E.P.A. Reg. No. 264-603

E.P.A. Est. No.

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 (1-866-992-2437)

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.
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 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 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. Have person sip a glass of water if able to swallow. Do not give anything by mouth to an unconscious person.

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: No specific antidote is available. Treat symptomatically.

PRECAUTIONARY STATEMENTS

HAZARD TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if absorbed through skin. Causes eye irritation. Avoid contact with skin, eyes, or clothing. When handling CHARTER™ brand Triconazole Fungicide and when treating seed or while augering or handling treated seed, work in a well ventilated area.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear long-sleeved shirt and long pants, socks and shoes, and chemical-resistant gloves made of waterproof material. Wash hands and exposed skin thoroughly after handling the concentrate and after application.

USER SAFETY RECOMMENDATIONS

Users should: Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Remove Personal Protective Equipment immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean high water mark. Drift and runoff from treated areas may be hazardous to fish and aquatic organisms in adjacent aquatic sites. Do not contaminate water when cleaning equipment or disposing of equipment washwaters.

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.**

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 pesticides.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted entry intervals. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

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

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated such as plants, soil or water is long-sleeved shirt and long pants, socks and shoes, and chemical-resistant gloves made of waterproof material.

STORAGE AND DISPOSAL

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

STORAGE

Store in original container. Keep container closed. Store in an area that is out of reach of children and animals, away from food, feedstuffs, fertilizers and seed. Protect from frost and freezing.

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-Returnable Containers: Triple rinse or equivalent. Then offer for recycling or reconditioning or puncture and dispose of in a sanitary landfill or incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Returnable-Refillable Containers: After use, return the container to the point of purchase or designated locations. This container must only be refilled with CHARTER™ brand Triticonazole Fungicide. Do not reuse 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. Check for leaks after refilling and before transportation. Do not refill or transport damaged or leaking containers. For information on the disposal of unused, unwanted product, contact Bayer CropScience at 1-866-99BAYER (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.

Returnable Containers: After use, return cleaned container to point of purchase or designated locations. Do not reuse container for any other purpose. For information on the disposal of unused or unwanted product, contact your State Pesticide or Environmental Control Agency, or the Hazardous waste representative at the nearest EPA regional office for guidance.

GENERAL INFORMATION

CHARTER™ brand Triticonazole Fungicide is a liquid seed treatment used for the control of true loose smut, false loose smut and covered smut in barley and loose smut and common bunt in wheat. CHARTER brand Triticonazole Fungicide will generally increase emergence and plant stands by controlling seedling blights. CHARTER brand Triticonazole Fungicide will also suppress¹ early season infections caused by Fusarium Crown and Root Rot, and control seed rot and seed-borne seedling blight cause by Fusarium sp.

¹Suppression is defined as sub-optimal control which is still of commercial benefit.

RATE: 3.1 fluid ounces of product/100 pounds of seed. 2.5 gallons of product will treat:

Crop	Wheat 3.1 fl. ozs/100 lbs.	Barley 3.1 fl. ozs/100 lbs.
Pounds	10,323	10,323
Bushels (approx.)	172 ¹	215 ²

¹ Assumes wheat 60 lbs/bu

² Assumes barley 48 lbs/bu

METHOD OF APPLICATION

Seed should be well conditioned and free of chaff before treating with CHARTER™ brand Triconazole Fungicide. Treated seed should not require drying after treatment and can be stored or bagged immediately (provided excessive slurry volumes are not applied to the seed). CHARTER™ brand Triconazole Fungicide may be applied using standard commercial seed treatment equipment (such as, but not limited to, slurry or mist-type equipment) or on-farm seed treatment equipment. CHARTER™ brand Triconazole Fungicide may also be used in "On the Go" type air seeder treatment systems.

CHARTER™ brand Triconazole Fungicide should be applied to wheat and barley at the rate of 3.1 fluid ounces of product per 100 pounds of seed. Thorough seed coverage and proper application equipment calibration is essential for good disease control. To achieve thorough coverage CHARTER™ brand Triconazole Fungicide may be diluted with water if needed into a slurry. Consult the specific equipment manufacturer for slurry recommendations and calibrations. This product is not intended for direct application into a planter box.

USE RESTRICTIONS:

- Do not use treated seed for food, feed or oil processing.
- Do not store CHARTER™ brand Triconazole Fungicide near feed or foodstuffs.
- Do not contaminate feed or foodstuffs.
- Do not contaminate domestic or irrigation waters.
- Do not plant any crop not listed on this label in soil treated with CHARTER™ brand Triconazole Fungicide within 30 days after planting treated seed.

TREATED SEED MUST BE LABELLED AS FOLLOWS:

"This seed has been treated with CHARTER™ brand Triconazole Fungicide containing triconazole. DO NOT use for food, feed or oil processing. Do not plant any crop not listed on this label in soil treated with CHARTER™ brand Triconazole Fungicide within 30 days after planting treated seed". The date of treatment must also be included on the treated seed label.

DO NOT store treated seed for more than 18 months. Treated seed stored for periods in excess of 18 months may decrease in germination at a faster rate than untreated seed. Treated seed stored for more than 6 months should be tested for germination before planting.

Thoroughly clean auger after handling treated seed before using same auger for handling commercial or feed grains.

Leftover treated seed should not be stored where there is a chance of it becoming mixed with untreated seed. Store treated seed in cool, dry conditions.

577

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. 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: 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:

CHARTER is a trademark of Bayer.



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)
http://www.bayercropscienceus.com

CHARTER™ brand Triconazole Fungicide (MASTER) Approved 1/23/03, Notification 02/23/05

6/7

Bayer CropScience



Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
Room 266A, Crystal Mall #2
1801 South Bell Street
Arlington, VA 22202

February 23, 2005

Subject: Charter brand Triticonazole Fungicide, EPA Reg. No. 264-603
Notification to Add Additional Diseases to Label

Bayer CropScience
2 T.W. Alexander Drive
P O Box 12014
RTP NC 27709
Phone (919) 549-2000

Dear Sir or Madam:

Charter brand Triticonazole Fungicide is currently registered as a seed treatment for control of diseases infecting barley and wheat. With the enclosed application form we are notifying the Agency that Bayer CropScience is adding certain diseases to our Charter brand Triticonazole Fungicide label as described under Section II of the enclosed EPA Form 8570-1.

Since this is a notification, no fee under PRIA is required.

If you have any questions or need additional information, please contact me by phone at (919) 549-2631 or by e-mail at mel.tolliver@bayercropscience.com.

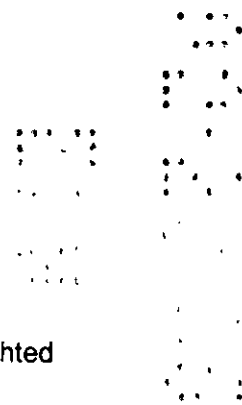
Sincerely,

Melvin K. Tolliver

Melvin K. Tolliver
Registration Product Manager, Fungicides

Enclosures:

1. EPA Form 8570-1
2. Charter brand Triticonazole Fungicide draft labeling with changes highlighted
3. Charter brand Triticonazole Fungicide final printed labeling (2 copies)



Charter brand Triticonazole Fungicide
EPA Reg. No. 264-603

Section II - Continued

Charter brand Triticonazole Fungicide is currently registered as a seed treatment for control of diseases infecting barley and wheat. With this application form, we are notifying the Agency that we intend to add claims for control of additional diseases, as listed below. As required by PR Notice 98-10 we are enclosing one copy of labeling, dated February 18, 2005, in which the diseases being added are highlighted in yellow. In addition, we are also enclosing two copies of final printed labeling.

The following diseases are being added to the label:

1. Add control of false loose smut and covered smut to barley
2. Add claims for increase emergence and plant stands by controlling seedling blights rather than a reduction of seedling blights.
3. Add suppression of early season infections caused by *Fusarium* crown rot.
4. Add claims for control of seed rot and seed-borne seedling blight caused by *Fusarium* sp.
5. Add a footnote that reads, "Suppression is defined as sub-optimal control which is still of commercial benefit.

Our label contains the following statement: "The 2.5 gallon container will treat:" We would like to revise this statement slightly to read, "2.5 gallons of product will treat:" This revision does not change the use rate.

This notification is consistent with the provision 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.

