

264-718

03/20/2008

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Bayer CropScience



March 20, 2008

Document Processing Desk
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
One Potomac Yard
2777 South Crystal Drive (7505P)
Arlington, VA 22202

Attention: Tom Harris

Re: Spiromesifen Technical (EPA Reg. No. 264-718) Label Amendment – Fast Track Amendment

Dear Mr. Harris,

Please attached find an application for Fast Track Label Amendment to add newly approved Succulent Shelled, Edible-Podded and Dry Shelled Beans to Spiromesifen Technical (EPA Reg. No. 264-718) Label.

Bayer CropScience
RTP
P. O. Box 12014
RTP, NC 27709
Tel 919 549-2000

The following documents are attached in support of this action.

1. A completed Application form for pesticide Amendment (form 8570-1) for Spiromesifen Technical dated March 20, 2008.
2. Electronic copy of proposed Spiromesifen Technical labeling dated 3/20/2008. One copy is highlighted to show all revisions, in relation to the last approved labeling on 1/31/2007.

If you have any question, please contact me either by telephone at 919-549-2156 or email at sherry.movassaghi@bayercropscience.com.

Sincerely,

A handwritten signature in cursive script that reads "Sherry Movassaghi".

Sherry Movassaghi, Ph.D.
Registration Product Manager

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Spiromesifen Technical

An Insecticide for Formulating Use Only

ACTIVE INGREDIENT: Spiromesifen:

2-oxo-3-(2,4,6-trimethylphenyl)-1-oxaspiro[4.4]non-3-en-4-yl 3,3-dimethylbutanoate 96.99%

INERT INGREDIENTS: 3.01%

TOTAL: 100%

EPA Reg. No. 264-718

Est. No. 264-DEU-005

KEEP OUT OF REACH OF CHILDREN CAUTION

For MEDICAL And TRANSPORTATION Emergencies ONLY Call 24 Hours A Day 1-800-334-7577

For PRODUCT USE Information Call 1-866-99BAYER (1-866-992-2937)

FIRST AID

IF SWALLOWED:	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
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.
For <u>MEDICAL</u> 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 patient symptomatically.	

PRECAUTIONARY STATEMENTS

HAZARD TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if swallowed or absorbed through skin. Avoid contact with eyes, skin, or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Formulators and handlers must wear long sleeved shirt and long pants, socks and shoes, and chemical resistant gloves (such as natural rubber, selection category A).

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish, and aquatic invertebrates. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

ACCEPTED
MAR 20 2008

Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No. 264-718

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.

Only for formulation into an insecticide for:

- I. The following uses:
 - A. Terrestrial Food and Feed Crops
 - 1. Brassica leafy vegetables (Crop Groups 5)
 - 2. Cotton
 - 3. Field Corn
 - 4. Cucurbit Vegetables (Crop Group 9)
 - 5. Fruiting Vegetables (except Cucurbits) (Crop Group 8)
 - 6. Leafy Greens Vegetables (Crop Subgroup 4A)
 - 7. Tuberous and Corm Vegetables (Crop Subgroup 1C)
 - 8. Succulent Shelled, Edible-Podded and Dry Shelled Beans
 - 9. Strawberry
 - B. Greenhouse
 - 1. Food Crop
 - a. Tomato
 - 2. Non-Food Crop
 - b. Ornamental (shrubs, trees, flowers and foliage plants) in greenhouses, shade houses and nurseries.
 - C. Terrestrial Non-Food Crop
 - 1. Ornamentals (shrubs, trees, flowers and foliage plants) in outdoor landscapes.
- II. Uses for which US EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and
- III. Uses for experimental purposes that are in compliance with US EPA requirements.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE

Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food and feed. Store in original container and out of the reach of children, preferably in a locked storage area.

Handle and open container in a manner as to prevent spillage. If container is leaking, invert to prevent leakage. If the container is leaking or material is spilled for any reason or cause, carefully dam up spilled material to prevent runoff. Refer to Precautionary Statements on label for hazards associated with the handling of this material. Do not walk through spilled material. Absorb spilled material with absorbing type compounds and dispose of as directed for pesticides below. In spill or leak incidents, keep unauthorized people away.

PESTICIDE DISPOSAL

Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide 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 container (or equivalent). Then offer container for recycling or reconditioning or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

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DISCLAIMER AND INDEMNITY FOR FORMULATORS' USES

THE MANUFACTURER EXPRESSLY DISCLAIMS ALL LIABILITY FOR CLAIMS AND ACTIONS (WHETHER BASED ON CONTRACT, TORT, STRICT LIABILITY OR BREACH OF WARRANTY) ARISING OUT OF, RESULTING FROM OR CONNECTED WITH A FORMULATION CONTAINING THIS PRODUCT WHEN USED FOR ANY PURPOSE OTHER THAN THOSE USES SET FORTH IN (1) ABOVE. THE MANUFACTURER HAS NOT DEVELOPED SCIENTIFIC DATA TO SUPPORT, NOR HAS IT EXPLICITLY OR IMPLICITLY APPROVED, ANY USES OTHER THAN THOSE IN (1) ABOVE.

ANY FORMULATOR OR BUYER WHO USES THIS PRODUCT IN FORMULATIONS FOR ANY USE OTHER THAN THOSE STATED IN (1) ABOVE ASSUMES ALL LIABILITY FOR CLAIMS AND ACTIONS ARISING OUT OF, CONNECTED WITH OR RESULTING FROM SUCH USE AND AGREES BY SO USING THIS PRODUCT TO INDEMNIFY AND HOLD HARMLESS THE MANUFACTURER FROM SUCH CLAIMS AND ACTIONS. THIS DISCLAIMER AND INDEMNITY IS IN ADDITION TO, NOT IN LIEU OF, THE BELOW DISCLAIMER AND LIMITATIONS.

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.

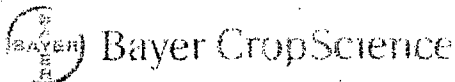
By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

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.

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NET CONTENTS:



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Spiromesifen Technical (PENDING) 03/20/08