

264-743

4.30.2008

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

APR 30 2008

Mr. Melvin K. Tolliver  
Bayer CropScience  
2 T.W. Alexander Drive  
P.O. Box 12014  
Research Triangle Park, NC 27709

Subject: Label Notifications for Pesticide Registration Notice 2007-4

Dear Mr. Tolliver,

The Agency is in receipt of your Applications for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated March 27, 2008 for the following products:

Baytan Technical Fungicide	EPA Registration Number 264-743
Folicur Technical Fungicide	EPA Registration Number 264-748
Trifloxystrobin Technical Fungicide	EPA Registration Number 264-776
Prothioconazole Technical Fungicide	EPA Registration Number 264-824

The Registration Division (RD) has conducted its review of these requests for their applicability under PRN 2007-4 and finds that the label changes requested fall within the scope of PRN 2007-4. The labels submitted with the applications have been 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 call me directly at 703-305-6249 or Steve Schaible of my staff at 703-308-9362.

Sincerely,



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



United States  
Environmental Protection Agency  
Washington, DC 20460

Registration  
 Amendment  
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 264-743	2. EPA Product Manager Tony Kish	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Baytan Technical Fungicide	PM# Team 22	
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 _____
<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. See attached.

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	
* Certification must be submitted				<input type="checkbox"/> Plastic	
	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	<input checked="" type="checkbox"/> Glass	
				<input type="checkbox"/> Paper	
				<input type="checkbox"/> Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 25 kilograms		5. Location of Label Directions <input checked="" type="checkbox"/>	
6. Manner in Which Label is Affixed to Product			<input checked="" type="checkbox"/> Lithograph Paper glued Stenciled	<input type="checkbox"/> Other _____	

Section - IV

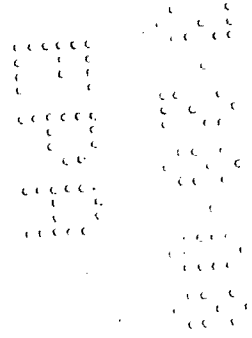
1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)					
Name Melvin K. Tolliver		Title Registration Product Manager, Fungicides		Telephone No. (Include Area Code) (919) 549-2631	
<p align="center"><b>Certification</b></p> <p>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.</p>					6. Date Application Received  <p align="center"><b>(Stamped)</b></p>
2. Signature <i>Melvin K. Tolliver</i>		3. Title Registration Product Manager, Fungicides			
4. Typed Name Melvin K. Tolliver		5. Date March 27, 2008			

Baytan Technical Fungicide  
EPA Reg. No. 264-743

Section II - Continued

Baytan Technical Fungicide is currently registered with the Agency as a manufacturing use product. With this application form, we are notifying the Agency of label changes per PR Notice 2007-4. As required by PR Notice 2007-4 for a notification, we are using the exact wording contained in the PR Notice. We are enclosing one copy of draft labeling, dated 3/26/08, in which the text of the PR Notice is highlighted in yellow. In addition, we are also enclosing two copies of final printed labeling. There are no changes in rates, timing of application, number of applications, or PHI from what is currently registered.

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."



# Bayer CropScience



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Office of Pesticide Programs (7504P)  
U.S. Environmental Protection Agency  
Room S4900  
One Potomac Yard  
2777 S. Crystal Drive  
Arlington, VA 22202

March 27, 2008

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

Subject: Baytan Technical Fungicide, EPA Reg. No. 264-743  
Notification per PR Notice 2007-4

Dear Sir/Madam:

Baytan Technical Fungicide is registered as a manufacturing use product. With the enclosed application form, we are notifying the Agency of label changes per PR Notice 2007-4.

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](mailto:mel.tolliver@bayercropscience.com).

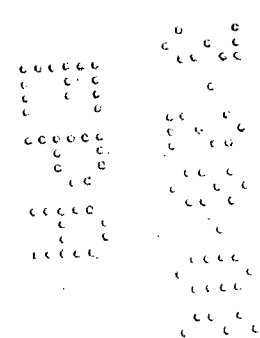
Sincerely,

*Melvin K. Tolliver*

Melvin K. Tolliver  
Registration Product Manager, Fungicides

Enclosure:

1. EPA application form 8570-1
2. Draft labeling with changes highlighted in yellow
3. Final Printed labeling (two copies)



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# Baytan<sup>®</sup> Technical Fungicide

For use in the manufacture of fungicides.

**ACTIVE INGREDIENT:**

*beta*-(4-Chlorophenoxy)-*alpha*-(1,1-dimethylethyl)-1*H*-1,2,4-triazole-1-ethanol ..... 98.3%

**INERT INGREDIENTS:** ..... 1.7%

100.0%

EPA Reg. No. 264-743

EPA Est. No.

## STOP - READ THE LABEL BEFORE USE KEEP OUT OF REACH OF CHILDREN WARNING

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"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
IF ON SKIN OR CLOTHING	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15 to 20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
IF IN EYES	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
IF INHALED	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>

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 symptomatically. Symptoms of Poisoning: No specific symptoms. Acute poisoning is accompanied by general depression and illness. In case of poisoning, call a physician immediately. Have patient lie down and keep quiet.

### PRECAUTIONARY STATEMENTS

#### WARNING

##### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

May be fatal if inhaled. Harmful if swallowed or absorbed through the skin. Do not breath vapors, or dust. Do not get in eyes, on skin, or on clothing. Do not contaminate feed or food. Wash hands, arms and face thoroughly with soap and warm water after handling. Wash contaminated clothing with soap and hot water before reuse.

##### ENVIRONMENTAL HAZARDS

Do not apply directly to water. Do not contaminate water by cleaning of equipment or disposal of wastes. 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 local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

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### DIRECTIONS FOR USE

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

Detailed information on chemical and physical properties and other formulating recommendations for BAYTAN Technical fungicide are available upon request from Bayer CropScience. Obtain and read this information before undertaking the formulation of BAYTAN Technical in order to avoid formulation hazards and insure a satisfactory finished product.

Labeling for products formulated from this product must conform to that which is currently registered with the U.S. Environmental Protection Agency. For specific information on federally registered uses, contact Bayer CropScience. Any variance from the federally registered labeling for products containing BAYTAN fungicide will have to be supported by data provided by the formulator.

Only for formulation into a fungicide for

- (1) the following uses:
  - Terrestrial Food Crops: Grain and edible seed crops: Wheat, Barley, Oats, Rye, Corn and Sorghum;
- (2) uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and
- (3) uses for experimental purposes that are in compliance with the USEPA requirements.

BAYER CROPSCIENCE DISCLAIMS ALL LIABILITY BASED ON BREACH OF WARRANTY, NEGLIGENCE, STRICT TORT LIABILITY, OR ANY OTHER THEORY OF LIABILITY FOR CROP DAMAGE OR FAILED EFFICACY RESULTING FROM THE USE OF THIS BAYER CROPSCIENCE PRODUCT AS AN INGREDIENT IN ANY FORMULATION WITH A USE NOT SPECIFICALLY LISTED ON THIS LABEL.

### 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 the container is leaking or material is spilled for any reason or cause, carefully sweep material into a pile. Refer to Precautionary Statements on label for hazards associated with the handling of this material. Do not walk through spilled material. Dispose of pesticide as directed below. In spill or leak incidents, keep unauthorized people away. You may contact the Bayer CropScience Emergency Response Team for decontamination procedures or any other assistance that may be necessary. The Bayer CropScience Emergency Response Telephone Number is 1-800-334-7577, or contact Chemtrec at 800-424-9300.

**Pesticide Disposal:** Pesticide wastes are toxic. 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:** Do not use container in connection with food, feed, or drinking water. Completely empty container into the processing equipment. Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. If not recycled, then dispose of empty container in a sanitary landfill or by incineration, or if allowed by State and local authorities, by burning. If burned, stay out of smoke.

### NET CONTENTS:



## 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)

