

264 - 746

08/19/2010

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

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

August 19, 2010

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

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Ms. Movassaghi:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated July 27, 2010 for the following product(s):

Baythroid Technical

EPA Reg. No. 264-746

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN 98-10. The label has been date-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 contact Regina Foushee'-Smith at 703-605-0780.

Sincerely,

A handwritten signature in cursive script, appearing to read "Richard J. Gebken".

Richard J. Gebken
Product Manager
Insecticide Branch
Registration Division (7505P)

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

1. Company/Product Number EPA Reg. No. 264-746	2. EPA Product Manager Olga Odiott	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Baythroid Technical	PM# Team 13	
5. Name and Address of Applicant (Include ZIP Code) Bayer CropScience 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. NOTIFICATION Product Name AUG 19 2010

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.

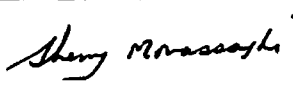
Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification to update Baythroid Technical (EP Reg. No. 264-746) label with EPA Proposed container disposal language per PR Notice 2007-4 and in accordance with PR Notice 98-10.
 PRIA Fee = \$0
 Contact person: sherry.movassaghi@bayercropscience.com

Section - III

1. Material This Product Will Be Packaged In:					
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	2. Type of Container <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 <input type="checkbox"/> 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 Sherry Movassaghi, Ph.D.	Title Product Registration Manager, Insecticides	Telephone No. (Include Area Code) (919) 549-2156
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.		6. Date Application Received (Stamped)
2. Signature 	3. Title Product Registration Manager, Insecticides	(Stamp area with grid)
4. Typed Name Sherry Movassaghi, Ph. D.	5. Date July 27, 2010	



Bayer CropScience

July 27, 2010

Ms. Olga Odiott,
US Environmental Protection Agency
Office of Pesticide Programs (7504C)
One Potomac Yard
2777 South Crystal Drive (7505P)
Arlington, VA 22202

Re: Baythroid Technical (EP Reg. No. 264-746).
Submission of Revised Label for updating label with EPA proposed container disposal language

Dear Ms. Odiott,

In accordance with PR Notice 98-10, we are submitting a Notification to update Baythroid Technical (EP Reg. No. 264-746) label with EPA proposed container disposal language per PR Notice 2007-4.

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

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.

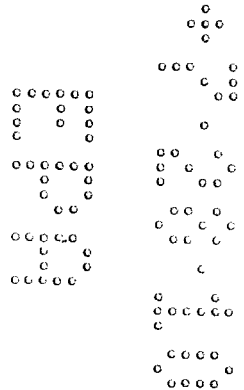
In support of this Notification, we are submitting the following:

- 1- Application for Pesticide (EPA Form 8570-1) dated 7/27/2010.
- 2- Two copies of the updated Baythroid Technical (EP Reg. No. 264-746) (one shaded for your comparison) stamped on 9/29/2008, and updated with Notification on 7/27/2010.

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

Sincerely,

Sherry Movassaghi, Ph.D.
Registration Product Manager



AUG 19 2010

Baythroid[®] Technical Insecticide

An insecticide for formulating use only.

ACTIVE INGREDIENT:

Cyano(4-fluoro-3-phenoxyphenyl)methyl-3-(2,2-dichloroethenyl)-2,2dimethylcyclo-propanecarboxylate..... 95%

INERT INGREDIENTS: 5%
 100%

EPA Reg. No. 264-746

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 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"> • 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 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 to 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 to 20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
<p>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.</p>	
<p>Note To Physician: No specific antidote is available. Treat symptomatically.</p>	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING

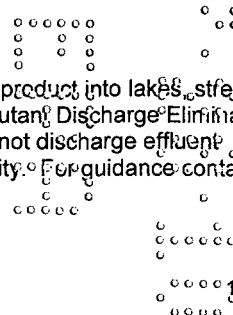
May be fatal if inhaled. Harmful if swallowed or absorbed through skin. Do not get in eyes, on skin or on clothing.

Do not breathe vapor. Wear a pesticide respirator jointly approved by the Mining Enforcement and Safety Administration (formerly U.S. Bureau of Mines) and by the National Institute for Occupational Safety and Health under the provisions of 30 CFR Part 11.

Wear protective clothing, rubber gloves and goggles, face shield or safety glasses. 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

This pesticide is toxic to birds, 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.



DIRECTIONS FOR USE

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

Only for formulation into an insecticide for

(1) the following uses:

Terrestrial Food and Feed Crops: Alfalfa, Bean and Pea (dry), (Crop Subgroup 6C), Cereal Grain (Crop Group 15) except Rice, Citrus (Crop Group 10 (AZ and CA Only)), Cole Crops (Crop Group 5), Corn (including field corn, popcorn, sweet corn, seed corn and Teosinte) Cotton, Cucurbits (Crop Group 9) except crops grown for seed, Forage, Fodder and Straw of Cereal Grain (Crop Group 16), Fruiting Vegetables (Crop Group 8), Grape, Grass (CA, ID, OR and WA only), Hop, Leafy Vegetables (Crop Group 4), Peanut, Pome Fruit (Crop Group 11), Root Vegetables (Crop Subgroup 1B) except sugar beet, Sorghum, Southern Pea, Soybean, Stone Fruit (Crop Group 12), Sugarcane, Sunflower, Tree Nuts (Crop Group 14 and Pistachios), Tuberos and Corm Vegetables (Crop Subgroup 1C), and Wheat.

Indoor Food, Non-Food and Residential Uses

Greenhouse Non-Food Crop

Terrestrial Non-Food Crop: Tobacco

Domestic Outdoor

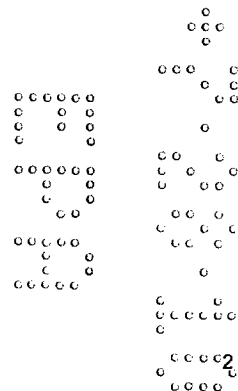
(2) uses for which US EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration; and

(3) uses for experimental or emergency purposes that are in compliance with US EPA requirements.

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. TO THE EXENT ALLOWED BY 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 EXENT ALLOWED BY 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.

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 BAYTHROID insecticide will have to be supported by data provided by the formulator.



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 an 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. 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 No. 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:

For Non-Refillable Containers: Non-refillable container. Do not reuse or refill this container. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Offer for recycling, if available or dispose of empty bag in a sanitary landfill or, if allowed by government regulations, by burning or incineration. If bag is burned, stay out of smoke. Consult Federal, State or Local disposal authorities for approved alternative procedures.

For Refillable Containers: Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

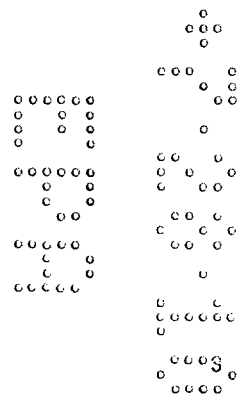
NET WEIGHT:

PRODUCED FOR



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)



Baythroid Technical (MASTER) Approved 09/29/08, Notification 07/27/10