

### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

November 10, 2021

Ona Maune Federal Regulatory Affairs Manager Bayer CropScience 800 N. Lindbergh Blvd. St. Louis, MO 63167

Subject: PRIA Label and CSF Amendment – Revised Technical Label & Alt CSF #3 Product Name: Baythroid Technical EPA Registration Number: 264-746 Application Date: 02/05/2020 Decision Number: 560432

Dear Ms. Maune:

The amended label and CSF referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, are acceptable. This approval does not affect any conditions that were previously imposed on this registration. You continue to be subject to existing conditions on your registration and any deadlines connected with them.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. "To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance

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with FIFRA section 6. If you have any questions, please contact Jamey Shuler by phone at (202) 566-2898, or via email at <u>Shuler.Jamey@epa.gov</u>.

Sincerely,

I d Herrick

Jacquelyn Herrick, Product Manager 03 Invertebrate & Vertebrate Branch 1 Registration Division (7505P) Office of Pesticide Programs

Enclosure

# **Baythroid**<sup>®</sup> Technical Insecticide

An insecticide for formulating use only. Formulators who use this product are responsible for obtaining EPA registration for their formulated products.

#### **ACTIVE INGREDIENT:**

Cyfluthrin - Cyano(4-fluoro-3-phenoxyphenyl)methyl-3-(2,2-dichloroethenyl)-2,2dimethylcyclo-propanecarboxylate 95.00% OTHER INGREDIENTS: 5.00% 100.00%

TOTAL:

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)

See [Back][Side] Panel for First Aid Instructions and [Leaflet][Booklet] for Complete Precautionary Statements and Directions for Use. (Note to reviewer: Location of additional precautionary statements, directions for use will vary between those listed, depending on container type/size.)

[Net Weight:] [Net Contents:] [Batch Code:]

# ACCEPTED 11/10/2021

Under the Federal Insecticide, Fungicide and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No. 264-746

PRODUCED FOR



**Bayer CropScience LP** 800 N. Lindbergh Blvd. St. Louis. MO 63167 1-866-99BAYER (1-866-992-2937)

FIRST AID	
IF INHALED	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	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 IN EYES	• 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.
IF ON SKIN OR CLOTHING	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.
	ency call toll free the Bayer CropScience Emergency Response telephone number 1-800-334-7577. container or label with you when calling a poison control center or doctor, or going for treatment.
	o specific antidote is available. Treat symptomatically.

# **PRECAUTIONARY STATEMENTS**

# HAZARDS TO HUMANS AND DOMESTIC ANIMALS WARNING

May be fatal if inhaled. Harmful if swallowed. Causes moderate eye irritation.

Do not breathe dust. Wear a minimum of NIOSH-approved particulate filtering facepiece respirator with any N, R or P filter; or a NIOSHapproved elastomeric particulate respirator with any N, R or P filter; or a NIOSH-approved powered air purifying respirator with HE filters.

Avoid contact with eyes, skin or clothing. Wear long-sleeved shirt, long pants, shoes plus socks, protective eyewear and chemicalresistant gloves. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing 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. Read the entire label before using this product.

### FORMULATION INSTRUCTIONS

- Each formulator is responsible for obtaining EPA registration for his own end use products.
- Technical information on formulations of this product as well as its physical and chemical characteristics may be obtained from Bayer CropScience LP.

### MANUFACTURING USE DIRECTIONS

#### FOR USE AS AN INSECTICIDE FOR THE FOLLOWING:

- 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), Carrots and Radish, Sorghum, Southern Pea, Soybean, Stone Fruit (Crop Group 12), Sugarcane, Sunflower, Tree Nuts (Crop Group 14 and Pistachios), Tuberous and Corm Vegetables (Crop Subgroup 1C), and Wheat.
- 2) Indoor Food; Non-Food and Residential Uses; Greenhouse Non-Food Crop; Terrestrial Non-Food Crop: Tobacco; Domestic Outdoor
- 3) 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:
- 4) Uses for experimental purposes that are in compliance with US EPA requirements.

Formulators who use this product are responsible for providing data to support their own registrations.

# 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 HANDLING

#### [Dilutable Manufacturing Use Products in Non-Refillable Plastic Containers]

Rigid Non-refillable containers that are too large to shake (i.e., with capacities greater than 5 gallons or 50 lbs) Non-refillable container. Do not reuse or refill this container. After emptying product from container, either return container to Bayer CropScience per instructions from Bayer CropScience Customer Service Center (1-800-527-4781), or rinse and either recycle or dispose of the container as follows:

#### Bottom Discharge IBC (e.g. - Schuetz Caged IBC or Snyder Square Stackable)

Pressure rinsing the container before final disposal is the responsibility of the person disposing of the container. To pressure rinse the container before final disposal, empty the remaining contents from the IBC into manufacturing equipment. Raise the bottom of the IBC by 1.5 inches on the side which is opposite of the bottom discharge valve to promote more complete product removal. Completely remove the top lid of the IBC. Use water pressurized to at least 40 PSI to rinse all interior portions. Continuously pump or drain rinsate into manufacturing equipment. Continue pressure rinsing for 2 minutes or until rinsate becomes clear. Replace the lid and close bottom valve.

#### Top Discharge IBC, Drums, Kegs (e.g.- Snyder 120 Next Gen, Bonar B120, Drums, and Kegs)

Triple rinsing the container before final disposal is the responsibility of the person disposing of the container. To triple rinse the container before final disposal, empty the remaining contents from this container into manufacturing equipment. Fill the container at least 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Rinse all interior surfaces. Pour or pump rinsate into manufacturing equipment. Repeat this procedure two more times.

Once container is rinsed, offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration.

#### [Dilutable Manufacturing Use Products in Non-Refillable Metal Containers]

Nonrefillable container. Do not reuse or refill this container. After emptying product from container, either return container to Bayer CropScience per instructions from Bayer CropScience Customer Service Center (1-800-527-4781), or rinse and either recycle or dispose of the container as follows:

#### Any dilutable pesticides in containers too large to shake (larger than 5 gallons or 50 pounds)

Triple Rinse as follows: Empty remaining contents into manufacturing equipment. Fill the container ¼ 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 manufacturing equipment or store rinsate for later use or disposal. Repeat this procedure two more times.

Once container is rinsed, offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration.

#### [Non-Dilutable Manufacturing Use Products in Non-Refillable Containers]

#### Manufacturing Use Products in Non-Refillable Fiber Drums with Liners

Non-refillable container. Do not reuse or refill this container. Completely empty liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into manufacturing equipment, then offer for recycling if available or dispose of in a sanitary landfill or by incineration. If drum is contaminated and cannot be reused, dispose of it in the manner required for its liner.

#### Manufacturing Use Products in Non-rigid, Non-Refillable Containers

Nonrefillable container. Do not reuse or refill this container. Completely empty container into manufacturing equipment. Then offer for recycling if available or dispose of in a sanitary landfill or by other procedures approved by state and local authorities.

#### [Manufacturing Use Products in Refillable Containers]

Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. After emptying product from container, either return container to Bayer CropScience per instructions from Bayer CropScience Customer Service Center (1-800-527-4781) or rinse and either recycle or dispose of the container as follows:

#### Bottom Discharge IBC (e.g. - Schuetz Caged IBC or Snyder Square Stackable)

Pressure rinsing 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 pressure rinse the container before final disposal, empty the remaining contents from the IBC into manufacturing equipment. Raise the bottom of the IBC by 1.5 inches on the side which is opposite of the bottom discharge valve to promote more complete product removal. Completely remove the top lid of the IBC. Use water pressurized to at least 40 PSI to rinse all interior portions. Continuously pump or drain rinsate into manufacturing equipment while pressure rinsing. Continue pressure rinsing for 2 minutes or until rinsate becomes clear. Replace the lid and close bottom valve.

#### Top Discharge IBC, Drums, Kegs (e.g. – Snyder 120 Next Gen, Bonar B120, Drums, and Kegs)

Triple rinsing 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 triple rinse the containers before final disposal, empty the remaining contents from this container into manufacturing equipment. Fill the container at least 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Rinse all interior surfaces. Pour or pump rinsate into manufacturing equipment. Repeat this procedure two more times.

Once container is rinsed, offer for recycling if available or puncture and dispose of in a sanitary landfill or by incineration.

End users are authorized to remove tamper evident cables as required to remove the product from the container unless the container is equipped with one way valves and refilling or returning is planned. If this is the case, end users are not authorized to remove tamper evident cables, one way valves or clean container.

### **DISCLAIMER AND INDEMNITY FOR FORMULATORS' USES**

TO THE EXTENT ALLOWED BY APPLICABLE LAW, 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 SECTION(S) [(1) - (2)] OF THE DIRECTIONS FOR USE. THE MANUFACTURER HAS NOT DEVELOPED SCIENTIFIC DATA TO SUPPORT, NOR HAS IT EXPLICITLY OR IMPLICITLY APPROVED, ANY USES OTHER THAN THOSE IN [(1) - (2)] OF THE DIRECTIONS FOR USE.

ANY FORMULATOR OR BUYER WHO USES THIS PRODUCT IN FORMULATIONS FOR ANY USE OTHER THAN THOSE STATED IN [(1) – (2)] OF THE DIRECTIONS FOR USE 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.

# CONDITIONS OF SALE AND LIMITATIONS OF WARRANTY AND LIABILITY

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 LP. To the extent consistent with applicable law, all such risks shall be assumed by the user or buyer.

**DISCLAIMER OF WARRANTIES:** TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE LP 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 LP 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 LP 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 LP'S ELECTION, THE REPLACEMENT OF PRODUCT.

Baythroid Technical (PENDING) 04/06/2021, 06/25/2021