

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

> OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

APR 3 0 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 Folicur Technical Fungicide Trifloxystrobin Technical Fungicide Prothioconazole Technical Fungicide EPA Registration Number 264-743 EPA Registration Number 264-748 EPA Registration Number 264-776 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 <u>nonrefillable</u> containers. The code may appear either on the label (and can be added by nonnotification/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,

(n)

Linda Arrington Notifications & Minor Formulations Team Leader Registration Division (7505P) Office of Pesticide Programs 76

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			Applicati	on for Pestici	te - Sec	tion	1		
1. Company/Product Number 264-748				2. EPA Product Manager 3. Proposed Classification Mary Waller					oposed Classification
4. Company/Product (Nama) Folicur Technical Fungicide				PM# Team 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 Check if this is a new address				6. Expedited Reveiw. 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					
		<u> </u>	<u> </u>	Section - I	1				
Amendment - Ex Resubmission in Notification - Exp Explanation: Use add	response olain belo ditional pe	to Agency letter w. nge(s) if necessar	y. (For sectio	n I and Section II.)	Final printe Agency lett "Me Too" / Other - Exp	ter dat Applice	ed Ition.	sø to	
		······		Section - II	1			·	
. Material This Product			<u> </u>				r		
Child-Resistant Packaging Yes Ves Vo No If "Yes" No, per			No. per	Water Soluble Packaging Yes No If "Yes" No. per			2. Type o	f Container Metal Plastic Glass Paper	
Certification mus be submitted	t Üni	t Packaging wgt.	container	Package wgt	containe	r		Other (\$	pecify)
Location of Net Conte	Conta			tail Container 80 and 500 kilogra	ms	5. Lo	cation of La	ibel Directio	ins .
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				Section - IN	1				
. Contact Point (Comp	lete item	s directly below f	or identificatio	on of individual to be	contacted,	if nec	essery, to p	oracess this	application.)
Name Melvin K. Tolliver				TitleTelephinRegistration Product Manager, Fungicides(919) 5					e No. (Include Area Code))-2631
	at any kno			Ition I all attachments the atement may be pun					6. Deta Acolication Received (Stamped)
. Signature <i>Melcii</i>	r K	. Tolla	ier	3. Title Registration Produc	t Manager, I	Fungici	des	ر ر ر ر ر ر ر ر ر ر ر ر	
4. Typed Name Melvin K. Tolliver			5. Date March 27, 2008					ر ر د د د ر د د د د ر د د د و د د ر	

EPA Form 8570-1 (Rev. 3-94) Previous editions are obsolete.

Yellow - Applicant Copy

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Folicur Technical Fungicide EPA Reg. No. 264-748

Section II - Continued

Folicur 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 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."

Folicur[®] Technical Fungicide

For use in the manufacture of fungicides.

ACTIVE INGREDIENT:

Tebuconazole, alpha-[2-(4-chlorophenyl)ethyl]-alpha(1,1-dimethylethyl)-1H-1,2,4-triazole-1-ethanol	. 95.37%
INERT INGREDIENTS:	. <u> </u>

EPA Reg. No. 264-748

EPA Est. No.

100%

STOP - Read the label before use KEEP OUT OF REACH OF CHILDREN

WARNING

For <u>MEDICAL</u> And <u>TRANSPORTATION</u> Emergencies <u>ONLY</u> Call 24 Hours A Day 1-800-334-7577 For <u>PRODUCT USE</u> Information Call 1-866-99BAYER (1-866-992-2937)

lf in eyes	 Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. Remove contact lenses, in 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.
lf 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.

Note To Physician: No specific antidote is available. Treat symptomatically.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Warning

May be fatal if inhaled. Harmful if swallowed. Causes eye irritation. Do not breath dust and avoid contact with eyes or clothing. Wear a mask or pesticide respirator jointly approved by the Mine Safety and Health Administration and the National Institute for Occupational Safety and Health. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before rouse.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to estuarine invertebrates. Do not discharge effluent containing this product into lakes, streams, ponds, centraries, 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 the 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.

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 FOLICUR are available upon request from Bayer CropScience. Obtain and read this information before undertaking the formulation of FOLICUR 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 FOLICUR will have to be supported by data provided by the formulator.

FOLICUR Technical fungicide is intended for formulation into end-use products for:

Terrestrial Food Crops: Bananas, Barley, Cherries, Grapes, Grasses grown for seed, Nectarines, Oats, Peaches, Peanuts and Wheat.

Terrestrial Nonfood Crops: Roses, Flowers, Ornamental trees, Ornamental shrubs, Groundcovers, and Vines,

Houseplants

This product may be used to formulate products for any additional uses not listed on the MP label if the formulator, user group, or grower has complied with U.S. EPA data submission requirements regarding the support of such uses.

RESTRICTIONS

Do not package FOLICUR Technical in metal containers.

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 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 No. is 1-800-334-7577.

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.

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Net Contents:



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)

Folicur Technical (MASTER) APPROVED 09-20-05, Notification 03/26/08