



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mel Toliver
Bayer CropScience
P.O. Box 12014, 2 T.W. Alexander Drive
Research Triangle Park, NC 27709

JUL 31 2008

Subject: Folicur Technical Fungicide
EPA Registration No. 264-748
Your submission dated July 11, 2008 –Adding new uses

Dear Mr. Toliver:

The label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act as amended is acceptable, provided the following conditions are met:

LABEL REVISION

1. In the ingredient statement, change "Inert Ingredients" to "Other Ingredients".
2. Revise the first sentence of the "Environmental Hazards" statement to read "This pesticide is toxic to mammals, fish and aquatic invertebrates".
3. In the Directions for Use, replace "wheat, barley, oats, pome fruit crop groups, cucurbits crop group, and stone fruit crop group" with the following "wheat (seed and foliar treatment), barley (seed and foliar treatment), oats (seed and foliar treatment), pome fruit crop group 11, cucurbit vegetable crop group 9, and stone fruit crop group 12".

DATA REQUIREMENTS

1. Submit one additional field trial for mustard greens conducted in Zone 3.
Submission due by: December 2011.
2. Submit two additional field trials for pears (one each in Regions 10 and 11).
Submission due by: December 2011.
3. Submit four additional field trials for melons (two in Region 10, one in Region 2 and one in Region 5) with a PHI of 3 days or two additional field trials in region 10 with a PHI of 6 days. Submission due by: December 2011.

4. Submit barley field trial data from regions 9 and 10 (along with concurrent storage stability data on barley straw). Submission due by: December 2011.
5. Comply in the timeframe specified with the future Agency Data Call-in for all triazole derivative active ingredients.

One copy of the label stamped "Accepted, with comments" is enclosed for your records. Please submit one copy of the final printed label before the product is released for shipment. If you have any questions, please contact Tracy Keigwin of my team at (703) 305-6605 and/or via email at keigwin.tracy@epa.gov.

Sincerely,



Mary L. Waller
Product Manager (21)
Fungicide Branch
Registration Division (7505P)

Enclosure

3 8 4
ACCEPTED
with COMMENTS
In EPA Letter Dated:

7/31/2008

Under the Federal Insecticide,
 Fungicide, and Rodenticide Act,
 as amended, for the pesticide
 registered under EPA Reg. No. 264-748

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: 4.63%

100%

EPA Reg. No. 264-748

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 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.
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 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.

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.

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 reuse.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to estuarine 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 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.

4 8 4

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: Asparagus, Bananas, Barley, Beans, Brassica leafy greens subgroup 5B, Corn, Cotton, Cucubrits crop groups, Garden beets, Grapes, Grasses grown for seed, Hops, Lychee, Mango, Oats, Okra, Peanuts, Pistachio, Pome Fruit crop groups, Soybeans, Stone Fruit crop group, Sunflower, Tree Nuts crop group, Turnips, Wheat and Vegetable bulb group 3.

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. 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:

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)