

264-830

4/29/2010

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

APR 29 2010

Ms. Sherry Movassaghi
Bayer Cropscience
2 T.W. Alexander Drive
Research Triangle Park, NC 27709

Dear Ms. Movassaghi:

Subject: Spirodiclofen Technical
EPA Registration Number 264-830
Your submissions dated 12/17/2008 and 1/27/2010
New use on tropical fruits

The amendment referred to above is acceptable in accordance with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) section 3c(7), subject to the comments listed below:

1. Registration does not eliminate the need for continual reassessment of pesticides. If the Agency determines that, at any time, additional data are required to maintain in effect an existing registration, the Agency will require submission of such data.
2. Submit two copies of the revised final printed label for the record before you release the product for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records. Copies of the human health and environmental fate and ecotoxicity risk assessments are also enclosed for your perusal. If you have any questions, do not hesitate to contact Rita Kumar (703) 308-8291, or kumar.rita@epa.gov.

Yours Sincerely,

A handwritten signature in black ink, appearing to read "M. F. Laws".

Meredith F. Laws, Chief
Insecticide-Rodenticide Branch
Registration Division (7505P)

Enclosures (3)

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Spirodiclofen Technical

An insecticide for formulating use only.

ACTIVE INGREDIENT:

Spirodiclofen: 3-(2,4-dichlorophenyl)-2-oxo-1-oxaspiro[4.5]dec-3-en-4-yl 2,2-dimethylbutanoate..... 98.22%

INERT INGREDIENTS: 1.78%

100.00%

EPA Reg. No. 264-830

EPA Est. No. 264-DEU-005

**STOP - READ THE LABEL BEFORE USE
KEEP OUT OF REACH OF CHILDREN
CAUTION**

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"> • 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.
<p>In case of emergency call toll free the Bayer Emergency Response Telephone No. 1-800-334-7577. Have the 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 patient symptomatically.</p>	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if swallowed or absorbed through skin. Do not get in eyes, on skin or on clothing. Prolonged or frequent repeated skin contact may cause allergic reactions in some individuals. Washing hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco will reduce exposure. Removing and washing contaminated clothing before reuse may reduce exposure.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Formulators and handlers must wear long sleeved shirt and long pants, socks and shoes, and chemical resistant gloves (such as natural rubber, selection category A).

ENVIRONMENTAL HAZARDS

This pesticide is toxic to 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.

**ACCEPTED
With COMMENTS
In EPA Letter Dated:
APR 29 2010**

**Under the Federal Insecticide, Fungicide
and Rodenticide Act, As amended, for the
pesticide Registered under EPA Reg. No:**

264-830

3044

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:

- I. The following uses
 - A. Terrestrial Food and Feed Crops
 - 1. Citrus Fruits (Crop Group 10)
 - 2. Pome Fruits (Crop Group 11)
 - 3. Stone Fruits (Crop Group 12)
 - 4. Tree Nuts (Crop Group 14)
 - 5. Grapes
 - 6. Hops
 - 7. Avocado, Black Sapote, Canistel, Mamey Sapote, Mango, Papaya, Sapodilla, Star Apple
 - 8. Christmas Tree Plantations
- II. 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
- III. Uses for experimental purposes that are in compliance with US EPA requirements.

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 SPIRODICLOFEN 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 and 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 (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: Non-refillable container. Do not reuse or refill this container. Completely empty bag by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into the processing equipment. Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available, or dispose of in a sanitary landfill, or by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

DISCLAIMER AND INDEMNITY FOR FORMULATORS' USES

TO THE EXTENT CONSISTENT WITH 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 (1) ABOVE. THE MANUFACTURER HAS NOT DEVELOPED SCIENTIFIC DATA TO SUPPORT, NOR HAS IT EXPLICITLY OR IMPLICITLY APPROVED, ANY USES OTHER THAN THOSE IN (1) ABOVE.

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IMPORTANT: READ BEFORE USE

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. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, 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 EXTENT CONSISTENT WITH APPLICABLE LAW, Bayer CropScience disclaims any liability whatsoever for special, incidental or consequential damages resulting from the use or handling of this product.

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PRODUCED FOR



Bayer CropScience

Bayer CropScience
P.O. Box 12014, 2 T.W. Alexander Drive
Research Triangle Park, North Carolina 27709
1-866-99BAYER (1-866-992-2937)

Spirodiclofen Technical (PENDING) 01/27/10