

264-839

9/11/2009

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

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

Dr. Larry Hodges  
Registration Manager, Insecticides  
Bayer CropScience  
2 T.W. Alexander Drive  
P.O. Box 12014  
Research Triangle Park, NC 27709

SEP 11 2009

Dear Dr. Hodges:

Subject: Labeling Amendment; PPE Revisions Based on the Reevaluation of Use on Corn  
Aztec 3.78% Granular Insecticide  
EPA Registration No. 264-839  
Date Submitted: September 9, 2009

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable with the following provisions:

- On page 1 of the label, revise the sentence "*For control of corn...and other soil insect pests in corn.*" to read "*For control of corn...and other **listed** soil insect pests in corn.*"

A stamped copy is enclosed for your records. Please submit one (1) final printed copy for the referenced label, incorporating the above changes, before releasing the product for shipment. If you have any questions regarding this letter, please contact me at (703) 308-8045 or team member Autumn Metzger at (703) 305-5314.

Sincerely,

A handwritten signature in cursive script that reads "Venus Eagle".

Venus Eagle  
Product Manager 01  
Insecticide-Rodenticide Branch  
Registration Division (7505P)

Enclosure- Stamped Labeling

2096

# RESTRICTED USE PESTICIDE

Due to Toxicity to Aquatic Invertebrates

For retail sale to and use only by Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicator's certification.

## Aztec® 3.78% Granular Insecticide

For control of corn rootworms, cutworms and other soil insect pests in corn.

### ACTIVE INGREDIENTS:

O-[2-(1,1-Dimethylethyl)-5-pyrimidinyl]-O-ethyl O-(1-methylethyl) phosphorothioate ..... 3.60 %

Cyfluthrin,

Cyano(4-fluoro-3-phenoxyphenyl)-methyl 3-(2,2-dichloroethenyl)-2,2-dimethylcyclopropanecarboxylate ..... 0.18 %

INERT INGREDIENTS:..... 96.22 %

100.0%

EPA Reg. No. 264-839

EPA Est. No. 3125-MO-1

### STOP - Read the label before use Keep out of reach of children WARNING AVISO

PRECAUCION AL USUARIO: Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.  
(TO THE USER: If you do not understand the label, find someone to explain it to you in detail.)

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

Contains an organophosphate that inhibits cholinesterase

If swallowed	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
If in eyes	<ul style="list-style-type: none"> <li>• 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.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
If on skin or clothing	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15 to 20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
If inhaled	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>

**ACCEPTED**  
SEP 11 2009  
Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for the pesticide registered under EPA Reg. No. 264-839

In case of emergency call toll free the Bayer 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: ANTIDOTE: Administer atropine sulfate in large therapeutic doses. Repeat as necessary to the point of tolerance. 2-PAM is also antidotal and may be administered in conjunction with atropine. Compound inhibits cholinesterase resulting in stimulation of the central nervous system, the parasympathetic nervous system, and the somatic motor nerves. Do not give morphine. Watch for pulmonary edema, which may develop in serious cases of poisoning even after 24-48 hours. At first sign of pulmonary edema, the patient should be placed in an oxygen tent and treated symptomatically.

## PRECAUTIONARY STATEMENTS

### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

**WARNING:** May be fatal if swallowed. Harmful if inhaled or absorbed through skin. Causes moderate eye irritation. Avoid breathing vapor or dust. Avoid contact with skin, eyes or clothing.

#### Personal Protective Equipment (PPE).

Some materials that are chemical-resistant to this product are any water proof materials. If you want options, follow the instructions for category A on an EPA chemical-resistance category selection chart.

Loaders and applicators using the Smartbox loading/application system and an enclosed-cab for application must wear:

- Long-sleeved shirt and long pants, and
- Shoes plus socks, and
- Chemical-resistant gloves and chemical-resistant apron when loading.

Handlers engaged in activities such as cleaning up a spill or leak and cleaning or repairing contaminated equipment, must wear:

- chemical-resistant coveralls over long-sleeve shirt and long pants,
- chemical-resistant gloves,
- chemical-resistant footwear plus socks,
- chemical-resistant apron, and
- A NIOSH-approved dust mist filtering respirator with MSHA/NIOSH approval number prefix TC-21C or a NIOSH-approved respirator with any N, R, P, or HE filter.

See Engineering Controls for additional requirements.

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them.

#### Engineering Controls

A Smartbox loading system used correctly qualifies as a closed loading system under the Worker Protection Standard for Agricultural Pesticides [40 CFR 170.240(d)(4)]. Loaders using Smartbox loading systems must:

- wear the personal protective equipment required in the PPE section of this labeling for loaders, and
- be provided, must have immediately available, and must wear in an emergency, such as a broken package, spill, or equipment breakdown, the PPE specified in the PPE section of this labeling for spill clean-up.

#### Engineering Controls for Applicators

Applicators must use an enclosed cab that meets the definition in the Worker Protection Standard for Agricultural Pesticides [40 CFR 170.240(d)(5)] for dermal protection. In addition, applicators must:

- wear the PPE required in the PPE section of this product labeling for applicators using engineering controls,
- be provided, must have immediately available, and must wear in an emergency, when they must exit the cab in the treated area, the PPE specified in the PPE section of this labeling for spill clean-up.
- take off any PPE that was worn in the treated area before reentering the cab, and
- store all such PPE in a chemical-resistant container, such as a plastic bag, to prevent contamination of the inside of the cab.

### USER SAFETY RECOMMENDATIONS

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

### ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and wildlife. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters.

When used on erodible soils, best management practices for minimizing runoff should be employed. Consult your local Soil Conservation Service for recommendations in your use area. For applications made within 20 yards of water (lakes, reservoirs, rivers, permanent streams, marshes, estuaries, natural ponds, or ponds used for commercial fishing), apply as an in-furrow application only.

### DIRECTIONS FOR USE

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

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

#### AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), notification to workers, and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 48 hours. The REI is 72 hours where average rainfall is less than 25 inches per year.

**Exception:** If the product is soil injected or soil incorporated, the Worker Protection Standard under certain circumstances, allows workers to enter the treated area without restrictions if there will be no contact with anything that has been treated.

PPE required for early entry to treated areas (that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water), is:

- Coveralls over long-sleeved shirt and long pants,
- Chemical resistant gloves such as or made out of any waterproof material,
- Chemical resistant footwear plus socks,
- Protective eye wear

Notify workers of the application by warning them orally and by posting warning signs at entrances to treated areas.

#### STORAGE AND DISPOSAL

**PRODUCT STORAGE:** Do not attempt to remove excess material from SmartBox containers or base containers. 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.

**HANDLING AND SPILLAGE:** Aztec® 3.78% Granular Insecticide in the SmartBox is a completely closed application system. If the container is leaking or material spilled for any reason or cause, carefully sweep material into a pile. Do not walk through spilled material. In spill or leak incidents, keep unauthorized people away. Dispose of pesticide as directed in the Pesticide Disposal section. Refer to Precautionary Statements on label for hazards associated with the handling of this material. 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:** Do not contaminate water, food or feed by storage or disposal. Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

**CONTAINER DISPOSAL:** Refillable container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Do not discard SmartBox container. Refer to instructions provided for container return.

**IMPORTANT:** Read the entire directions for use, maintenance sections for the SMARTBOX™ System and these entire Directions and Conditions of Sale for Aztec® 3.78% Granular Insecticide prior to use.

For use only in the states of: Arkansas, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Utah, Vermont, West Virginia, Wisconsin, and Wyoming.

Do not use on other crops grown for food or forage.

Corn may be replanted anytime after application of Aztec® 3.78 % Granular Insecticide. All other crops may be planted 30 days after application.

Aztec® 3.78 % Granular Insecticide is not systemic and will not interact with corn herbicides. It will not affect seed germination and crop emergence when applied in-furrow.

APPLICATION RATES		
CROP	PEST	DOSAGE
<b>FIELD CROPS</b> Field Corn Sweet Corn Popcorn Corn grown for seed or silage	Corn rootworm larvae (Northern, Western, Southern, Mexican) Cutworms Wireworms Seedcorn maggot Seedcorn beetle White grubs	3.67 Ounces Per 1000 Feet of Row

**REMARKS: BAND** - Apply specified dosage at planting as a 7-inch band over the row behind the press wheel. Granules must be incorporated into the top one inch of soil using tines, chains, or other suitable equipment.

**T-BAND** - Apply specified dosage at planting as a T-Band over the row behind the planter shoe and in front of the press wheel. Incorporation into the soil surface may also be accomplished with a drag chain or other suitable equipment.

**IN-FURROW** - Apply specified dosage at planting directly into the seed furrow behind the planter shoe and in front of the press wheel.

**RESTRICTION:** Do not apply more than 4.0 pounds Aztec® 3.78 % Granular Insecticide per acre (0.15 lbs. ai/A) per crop season.

Row Spacing (inches)	Pounds per Acre
30	4.0
32	3.7
34	3.5
36	3.3
38	3.2
40	3.0

**OPTIMUM CONTROL** - For control of cutworm apply Aztec® 3.78 % Granular Insecticide as a Band or T-Band. For control of wireworms, seedcorn maggot, seedcorn beetle and white grubs apply Aztec® 3.78 % Granular Insecticide as a T-Band or In-Furrow.

For no-till corn where runoff drains into adjacent or neighboring aquatic sites (lakes, reservoirs, rivers, permanent streams, marshes, estuaries, natural ponds, or ponds used for commercial fishing), apply Aztec® 3.78 % Granular Insecticide as an in-furrow or T-band application only.

For applications made within 20 yards of aquatic sites (lakes, reservoirs, rivers, permanent streams, marshes, estuaries, natural ponds, or ponds used for commercial fishing), apply as an in-furrow application only.

Cover or incorporate spills (including end row spillage).

**SmartBox Information:** Aztec® 3.78% Granular Insecticide must be applied with the SmartBox system. Refer to the SmartBox equipment and use manual for information on system operation and calibration.

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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.

**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'S ELECTION, THE REPLACEMENT OF PRODUCT.

**NET WEIGHT: 50 POUNDS**



**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)

Aztec 3.78% Granular Insecticide (PENDING) 08/17/09; Resubmitted 09/09/09