

264-859

09/28/2007

1/5



U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Pesticide Programs
Registration Division (H7505C)
401 "M" St., S.W.
Washington, D.C. 20460

NOTICE OF PESTICIDE:

Registration
 Reregistration

(under FIFRA, as amended)

EPA Reg. Number:
264-859

Date of Issuance:

SEP 28 2007

Term of Issuance: Conditional
Expires: 9/28/2011

Name of Pesticide Product:

TEMBOTRIONE TECHNICAL

Name and Address of Registrant (include ZIP Code):

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

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.

Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is registered in accordance with FIFRA sec. 3(c)(7)(A) provided that you:

- I. Add the phrase "EPA Registration No.264-859 to the label before you release the product for shipment.

COMMENTS CONTINUED ON PAGE 2 OF THIS NOTICE OF REGISTRATION

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

Enclosure Joanne I. Miller
Product Manager (23)
Herbicide Branch
Registration Division (7505P)

Signature of Approving Official:

Joanne I. Miller

Date:

SEP 28 2007

Comments Continued:

2. Within 6 months, submit an analytical reference standard for tembotrione and its M5 metabolite to the National Pesticide Standards Repository.
 3. Within one year, revise the enforcement methods LC/MS/Ms Methods AE/03/01 for plant commodities and 00967 for livestock commodities to include a calculation for the conversion of residues of the metabolites(s) to parent equivalents for quantitation. Separate confirmatory methods for Method AE/03/01 will not be required provided that two ion transitions are monitored during MS/MS analysis for each analyte.
 4. Within two years, submit a Live Cycle Study of Estuarine/Marine Invertebrates (EPA Guideline 72-4(b)).
 5. Within two years, submit a Chemical-Specific Dislodgeable Foliar Residue Study (EPA Guideline 875.2100).
 6. Add the EPA Establishment Number and the Net Contents to the labeling before shipping under the revised labeling.
 7. Submit one (1) copy of the final printed labeling before you release this product for shipment.
 8. Submit and/or cite all data required for the registration of this product when the Agency requires all registrants of similar products to submit data; and submit acceptable responses required for reregistration of this product under FIFRA, section 4.
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TEMBOTRIONE Technical

ACCEPTED
with COMMENTS
In EPA Letter Dated:
SEP 28 2007
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.

264-859
3/5

FOR FORMULATION PURPOSES ONLY.

Formulators who use this product are responsible for obtaining EPA supplemental distributor registration for their formulated product.

ACTIVE INGREDIENT:

Tembotrione: 2-[2-chloro-4-(methylsulfonyl)-3-[(2,2,2-trifluoroethoxy)methyl]benzoyl]-1,3-cyclohexanedione * 96.2%

OTHER INGREDIENTS: 3.8%

*(CAS Number 335104-84-2) Protected by U. S. Patent No.: 6,376,429 Total 100.0%

EPA Reg No. 264-ILO

EPA Est. No.

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">• Immediately call a poison control center or doctor for treatment advice.• Do not induce vomiting unless told to do so by a poison control center or doctor.• Have person sip a glass of water if able to swallow.• Do not give anything by mouth to an unconscious person. |
| IF IN EYES: | <ul style="list-style-type: none">• Hold eye open and rinse slowly and gently with water for 15-20 minutes.• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing.• 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 15-20 minutes.• Call a poison control center or doctor for treatment advice. |
| <p>For <u>MEDICAL</u> Emergencies Call 24 Hours A Day 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> | |

PRECAUTIONARY STATEMENTS

CAUTION

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Harmful if swallowed or absorbed through the skin. Avoid contact with skin, eyes or clothing. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

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

Formulators and other handlers must wear: Long sleeved shirt and long pants, socks, shoes and chemical resistant gloves made of any waterproof material such as natural rubber \geq 14 mils. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

ENVIRONMENTAL HAZARDS

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 local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

PESTICIDE STORAGE

Keep container tightly closed when not in use. Avoid cross contamination with other pesticides.

PESTICIDE DISPOSAL

Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility. Improper disposal of excess pesticide or rinsate is a violation of Federal law. For questions about proper disposal, contact your state pesticide and environmental control agency.

CONTAINER DISPOSAL

Empty containers must be triple rinsed (or equivalent), then offered for recycling or reconditioning; or puncture and disposed of in a sanitary landfill, or by incineration; or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

DIRECTIONS FOR USE

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

This product may be used only for formulation into a herbicide for the uses listed below:

1. The following approved uses:
 - for post-emergence control of annual broadleaf and grass weeds in field and silage corn, seed corn, hybrid seed corn inbreds, sweet corn and popcorn
 - for suppression of annual broadleaf and grass weeds in field and silage corn, seed corn, hybrid seed corn inbreds, sweet corn and popcorn
2. Uses for which the U.S. EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration and
3. Uses for experimental purposes that are in compliance with U.S. EPA requirements

This product may be used to formulate products for specific use(s) not listed on this label only if the formulator, user group, or grower has complied with U.S. EPA requirements regarding the support of such use(s).

5/5

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. 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 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 CONTENTS:

Produced for



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)
<http://www.bayercropscienceus.com>

Tembotrione Technical (PENDING) Submitted 11/16/05, resubmitted 07-25-06, resubmitted 11/29/06, resubmitted 09/24/07
resubmitted 9/27/07