



264-929

1/25/2006

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Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

	United States <b>Environmental Protection Agency</b> Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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### Application for Pesticide - Section I

1. Company/Product Number 264-929	2. EPA Product Manager J. Edwards	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Gustafson 42-S Thiram Fungicide	PM# Notifications	
5. Name and Address of Applicant (Include ZIP Code) Bayer CropScience 2 T.W. Alexander Drive Research Triangle Park, NC 27709  <input type="checkbox"/> Check if this is a new address	6. Expedited Review. 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 _____	

### Section - II

<input type="checkbox"/> Amendment - Explain below.  <input type="checkbox"/> Resubmission in response to Agency letter dated _____  <input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application.  <input checked="" type="checkbox"/> Other - Explain below.
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NOTIFICATION

JAN 25 2006

**Explanation:** Use additional page(s) if necessary. (For section I and Section II.)

Notification to remove \*\* from after Okra in SEED table. Okra can be treated in California. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40CFR152.46, and no other changes have been made to the labeling or the confidential statement of formula of 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 this notification is not consistent with the terms of PR 98-10 and 40 CFR 152.46, 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. *Dennis McFadden*

### Section - III

<b>1. Material This Product Will Be Packaged In:</b>			
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted		If "Yes" Unit Packaging wgt.    No. per container	If "Yes" Package wgt    No. per container
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container	5. Location of Label Directions <input type="checkbox"/>
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph Paper glued Stenciled <input type="checkbox"/> Other _____			

### Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Dennis McFadden	Title Reg. Mgr.-Seed Treatment Products	Telephone No. (Include Area Code) 919-549-2427
I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamped)
2. Signature <i>Dennis McFadden</i>	3. Title Reg. Mgr.-Seed Treatment Products	
4. Typed Name Dennis McFadden	5. Date 1/5/2006	

Bayer CropScience



January 5, 2006

Joyce Edwards, Notifications  
Office of Pesticide Programs  
Document Processing Desk (NOTIF)  
Room 266A, Crystal Mall 2  
1801 S. Bell St.  
Arlington, VA 22202

Subject: Gustafson 42-S Thiram Fungicide, 264-929

Dear Ms.Edwards,

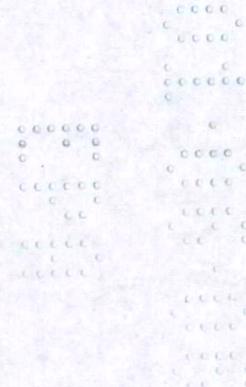
We are submitting a notification to remove the "\*\*\*" from the Okra listing in the table of seeds. Okra is registered for use in California.

Bayer CropScience  
2 T.W. Alexander Drive  
Research Triangle Park, NC 27709  
Phone: 919 549-2000

Sincerely,

Dennis McFadden

Reg. Mgr.-Seed Treatment Products



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Gustafson

# 42-S Thiram Fungicide

NOTIFICATION

JAN 25 2006

Contains 4 lbs. thiram per gallon.

**ACTIVE INGREDIENT:**

Thiram (Tetramethylthiuram disulfide) .....42%

**INERT INGREDIENTS:** .....58%

**TOTAL 100.00%**

EPA Reg. No. 264-929

EPA Est.

U.S. Pat. 4,372,080

## 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

<b>IF SWALLOWED:</b>	<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>
<b>IF IN EYES:</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>IF ON SKIN OR CLOTHING:</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15-20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<p><b>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.</b></p>	

### PRECAUTIONARY STATEMENTS

#### CAUTION

#### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Harmful if swallowed or absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes and clothing. Wash thoroughly with soap and water after handling. Consumption of alcoholic beverages increases the toxic effects of thiram. Prolonged or frequently repeated skin contact cause allergic reactions in some individuals.

#### PERSONAL PROTECTIVE EQUIPMENT

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

**Applicators and other handlers (other than mixers and loaders) must wear:** long-sleeved shirt and long pants, chemical-resistant gloves, such as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, polyvinyl chloride, and Viton, and shoes plus socks and protective eyewear.

**Mixers and loaders must wear:** long-sleeved shirt and long pants, chemical-resistant gloves, such as barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, polyvinyl chloride, and Viton, and shoes plus socks and protective eyewear; for exposures in enclosed areas, a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any N, R, P or HE prefilter; for exposures outdoors, a NIOSH approved respirator with any N, R, P or HE filter.

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.

### USER SAFETY RECOMMENDATIONS

Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

### ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish. Do not contaminate water by cleaning of equipment or disposal of wastes. Drift or runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. For terrestrial uses, do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark.

### 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.

### STORAGE AND DISPOSAL

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

#### 1. PESTICIDE STORAGE

Store in a cool place. Keep container tightly closed to prevent evaporation. Stir before using. DO NOT SUBJECT TO TEMPERATURES BELOW 32°F.

#### 2. PROHIBITIONS

Do not reuse empty container.

#### 3. PESTICIDE DISPOSAL

Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, 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 Hazardous Waste representative at the nearest EPA Regional Office for guidance

#### 4. CONTAINER DISPOSAL

Triple rinse (or equivalent). Then offer for recycling or reconditioning or puncture and dispose of in a sanitary landfill, or incineration or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

### 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, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), 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 24 hours. Exception: if the product is soil-injected or soil-incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated. PPE required for early reentry 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, waterproof gloves, and shoes plus socks and protective eyewear.

### LABEL TREATED SEED

- "This seed treated with thiram fungicide (Gustafson 42-S Thiram)."
- "Do not use for food, feed or oil purposes."

### USE PRECAUTION

When using formulations that do not contain dye, to comply with 40 CFR 153.155, all seed treated with an economic poison must be colored to distinguish and prevent subsequent inadvertent use as a food for man or feed for animals.

#### For Treatment of Coniferous Seed

**Damping-off protection:** Use 2 quarts of Gustafson 42-S Thiram per 100 lbs. of seed. Slowly add to the seed while turning in a tumbler such as a concrete mixer. Tumble seed for approximately 2 minutes and then spread coated seed on a screen to dry.

#### For the Treatment of Ornamental Bulbs, Corms and Tubers:

Treat any time after drying. Dip in a suspension made by mixing 1-1/2 pts. of Gustafson 42-S Thiram in 8 gals. of water. Agitate the suspension. If bulbs are to be stored, spread out to dry. Bulbs or tubers that are treated with this product must bear distinct labeling that instructs:

**CAUTION:** Treated with thiram. Wear rubber gloves and protective clothing when handling products treated with thiram. Direct exposure to skin may result in severe dermatitis.

## RECOMMENDATIONS FOR USE AS A COMMERCIAL SEED TREATMENT

Gustafson 42-S Thiram Fungicide is a liquid fungicide recommended for the treatment of seeds listed in the following table. Used according to directions, Gustafson 42-S Thiram will usually increase stands and yields by reducing losses from seed decay, damping-off and seedling blights caused by many seedborne and soilborne organisms. Gustafson 42-S Thiram will usually control covered smuts or bunt of wheat, barley and rye and covered kernel smut of sorghum and will usually prevent basal rot and decay of ornamental bulbs and tubers. Gustafson 42-S Thiram aids in the control of *Alternaria* and *Phoma* on canola. Gustafson 42-S Thiram aids in the control of seedborne conidia produced from the honeydew inoculum from field infection of *Claviceps africana* (ergot) on sorghum seed.

**For Slurry-Type Treater:** Gustafson 42-S Thiram should be applied with water as a suspension in the slurry-type treater specifically designed and approved for this purpose.

**For Film-Coating Operations:** Gustafson 42-S Thiram has demonstrated good to excellent compatibility with most commercial film-coating products. Coating procedures identified by polymer/coating companies and film-coating equipment manufacturers should be followed when preparing coating preparations containing Gustafson 42-S Thiram. If it is desirable to prepare slurries in large containers for addition to the slurry tank, entire contents should be thoroughly agitated before withdrawing any of the slurry.

SEEDS	Gustafson 42-S Thiram Treating Rate Fl. Oz. Per Bu. Or 100 lbs. Weight
Barley, Millet, Oats**, Rye, Sorghum, Triticale**, Wheat	2/Bu.
Beans (Lima) and Peas	3/100 lbs
Beans (Snap & Dry, Soybeans, Cowpeas)	2/100 lbs.
Broccoli, Brussels Sprouts, Cabbage, Cauliflower, Collards, Kale, Kohlrabi, Mustard, Turnip	8/100 lbs.
Beet (Garden), Swiss Chard	8/100 lbs.
Canola**	6.4/10 lbs.
Cantaloupe, Cucumber, Pumpkin, Squash, Watermelon	4.5/100 lbs.
Carrot, Endive, Lettuce, Pepper, Radish, Spinach	8/100 lbs.
Castor beans**	4.5/100 lbs.
Chicory**	5.2/100 lbs.
Corn (Field)	1.5/Bu
Corn (Sweet)	5/100 lbs.
Eggplant	6.5/100 lbs.
Cotton – acid – delinted	4.5/100 lbs.
Cotton – reginned and fuzzy	4.5/100 lbs.
Flax	3/Bu.
Grasses	8/100 lbs.
Okra	6/100 lbs.
Onion	6/100 lbs.
Ornamental flower seed	8/100 lbs.
Peanuts*	3/100 lbs.
Rice	1.5/Bu.
Safflower, Sunflower	2/Bu.
Sesame	3/100 lbs.
Small seed legumes	8/100 lbs.
Sugar beets	8/100 lbs.
Tomato	6/100 lbs.
All other vegetable seeds	8/100 lbs.

\*Note: In the treatment of peanuts, do not dilute with water

\*\*Not registered for use in California

### For the Treatment of Rice Seed in California

Gustafson 42-S Thiram Fungicide is a liquid fungicide recommended for the treatment of rice seed in California. Used according to directions, Gustafson 42-S Thiram will usually increase stands and yields by reducing losses from seed decay, damping-off and seedling blights caused by Seedborne and soilborne organisms.

Gustafson 42-S Thiram is recommended for use on well cured rice seed in California prior to pre-plant soaking. Gustafson 42-S Thiram should be used with water as a suspension in treaters suitable for adequate mixing and accurate application to the seed. If it is desirable to prepare slurries in large containers for addition to treater tanks, entire contents should be thoroughly agitated before withdrawing any of the slurry for seed treatment.

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**How to Use:** Rice seed treatment in California

**SLURRY TREATERS:**

**Treater Tank Concentration**

Mix 1 gallon of Gustafson 42-S with 1 gallon of water

**Application Rate**

4 fl.oz. per 100 lbs. seed

**MIST-O-MATIC TREATER:**

**Treater Tank Concentration**

Mix 1 gallon of Gustafson 42-S with 1 gallon of water.

**Application Rate**

4 fl.oz. per 100 lbs. seed

Note: To prevent water contamination in irrigation or drainage canals soak water should be retained in settling basins.

**Do not use treated seed for food or feed.**

**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.

Treatment of highly mechanically damaged seed, or seed of known low vigor and poor quality, may result in reduced germination and/or reduction of seed and seedling vigor. Treat and conduct germination tests on a small portion of seed before committing the total seed lot to a selected chemical treatment. Due to seed quality conditions beyond the control of Bayer CropScience, no claims are made to guarantee germination of carry-over seed.

**CONDITIONS:** The directions for use of this product are believed to be adequate and should 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:** BAYER CROPSCIENCE MAKES NO 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. 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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**NOTICE TO BUYER**

Purchase of this material does not confer any rights under patents governing this product or the use thereof in countries outside of the United States.

**NET CONTENTS:**



**Bayer CropScience**

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