

264-932

07/17/2009

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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Mr. Larry R. Hodges  
Bayer CropScience LP  
2 T.W. Alexander Drive,  
Research Triangle Park, NC 27709

JUL 17 2009

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated June 25, 2009 for:

**EPA Registration 264-932    Lorsban 30Flowable**

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Banza Djapao of my staff at 703-305-7269.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington  
Notifications & Minor Formulations Team Leader  
Registration Division (7505P)  
Office of Pesticide Programs

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0080. Approval expires 2-28-95



United States  
Environmental Protection Agency  
Washington, DC 20460

 Registration  
 Amendment  
 Other

OPP Identifier Number

### Application for Pesticide - Section I

1. Company/Product Number 264-932	2. EPA Product Manager NOTIF	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Lorsban 30 Flowable	PM#	
5. Name and Address of Applicant (Include ZIP Code) Bayer CropScience LP 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: <b>NOTIFICATION</b> EPA Reg. No. _____ Product Name <u>JUL 17 2009</u>	

### Section - II

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

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

"Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for 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 the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, 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."

### Section - III

1. Material This Product Will Be Packaged In:

Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input checked="" type="checkbox"/> Other (Specify) <u>fiber drum</u>
* 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  
 Label  Container

4. Size(s) Retail Container  
15 gal fiber drum

5. Location of Label Directions

6. Manner in Which Label is Affixed to Product  
 Lithograph Paper glued Stenciled  Other \_\_\_\_\_

### Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name Larry R. Hodges	Title Registration Manager - Insecticides	Telephone No. (Include Area Code) 919-549-2870
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**Certification**  
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.

2. Signature 	3. Title Registration Manager - Insecticides	6. Date Application Received (Stamped)
4. Typed Name Larry R. Hodges	5. Date June 24, 2009	

JUL 17 2009

# LORSBAN<sup>®</sup> 30 Flowable

**ACTIVE INGREDIENT:**

Chlorpyrifos (0,0-diethyl 0-(3,5,6-trichloro-2-pyridyl)phosphorothioate) ..... 30.0%

**INERT INGREDIENTS:** ..... 70.0%

**TOTAL** 100.0%

Contains Petroleum Distillate

EPA Reg. No. 264-932

EPA Est.

## 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

<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 SWALLOWED:</b>	<ul style="list-style-type: none"> <li>• Immediately call a poison control center or doctor.</li> <li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• Do not give any liquid to the person.</li> <li>• Do not give anything by mouth to an unconscious person.</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>
<b>IF INHALED:</b>	<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>

**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:** Contains petroleum distillate – vomiting may cause aspiration pneumonia. This product is a cholinesterase inhibitor. 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 12 hours. At first sign of pulmonary edema, the patient should be placed in an oxygen tent and treated symptomatically.

## PRECAUTIONARY STATEMENTS

### WARNING

#### HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Causes substantial but temporary eye irritation. Harmful if swallowed. Avoid contact with skin. Wear long sleeved shirt and long pants, shoes, socks, chemical resistant gloves (barrier laminate or viton, selection category H) and protective eye wear (goggles, face shield, or safety glasses). Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

#### 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 E on an EPA chemical resistance category selection chart.

**All mixers, loaders, applicators and handlers must wear:** Coveralls over long-sleeved shirt and long pants; chemical-resistant gloves, such as nitrile, butyl, neoprene, and/or barrier laminate; chemical-resistant apron when mixing or loading or exposed to the concentrate; chemical-resistant footwear plus socks; chemical-resistant headgear for overhead exposures; NIOSH-approved respirator with any R, P, or HE filter.

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.

See Engineering Controls for additional requirements.

### USER SAFETY RECOMMENDATIONS

**Users should:** Wash hands thoroughly with soap and water before eating, drinking, chewing gum, using tobacco or using the toilet. Users should remove contaminated clothing and wash before reuse. Users should 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.

**Engineering Controls:** When handlers use closed cab motorized ground application equipment in a manner that meets the requirements listed in the Worker Protection standard (WPS) for agricultural pesticides (40CFR 170.240(d)(4-6), the handler PPE requirements may be reduced or modified as specified in the WPS.

### ENVIRONMENTAL HAZARDS

This pesticide is toxic to bees, fish, aquatic invertebrates, small mammals and birds. Exposed treated seed may be hazardous to birds and other 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. Drift and runoff from treated areas may be hazardous to aquatic organisms in adjacent aquatic sites. Cover or incorporate spills. Do not contaminate water when disposing of equipment washwaters. Dispose of all excess treated seed and seed packaging by burial away from bodies of water.

### 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.

Not for use on agricultural establishments in hopper-box, planter-box, slurry-box, or other seed treatment applications at or immediately before planting.

Mix thoroughly before use or use entire container at one time. LORSBAN® 30 Flowable may be tank mixed with VITAVAX®-34 Seed Treatment, Captan 400 or Captan-400-C, Allegiance FL or 42-S Thiram Fungicide at the respective labeled rates. All other tank mixes should be pre-tested to determine physical compatibility between formulations. Observe all cautions and limitations on labeling of all products used in mixtures.

This product is to be used in liquid or slurry treaters.

### STORAGE AND DISPOSAL

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

#### PESTICIDE STORAGE

Store in a cool place. Do not store in direct sunlight. Protect from freezing temperatures.

#### 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 the Hazardous Waste representative at the nearest EPA Regional Office for guidance

#### CONTAINER DISPOSAL

Non-refillable container. Do not reuse or refill this container. After emptying product from container, contact Bayer CropScience Customer Service Center (1-800-527-4781) with return authorization for container return instructions.

Offer for recycling, if available. Dispose of rinsed 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.

Treated seed must not be used for or mixed with food or animal feed or processed for oil. Seed commercially treated with LORSBAN 30 Flowable must be labeled in accordance with all applicable requirements of the Federal Seed Act.

Labels for commercially treated seed must include the following addition to the Environmental Hazards statements:

- Exposed treated seed may be hazardous to birds and other wildlife. Dispose of all empty seed bags in accordance with local guidelines. Dispose of all excess treated seed. Left over treated seed may be doublesown around the headland or buried away from water sources in accordance with local requirements. Do not contaminate water bodies when disposing of planting equipment washwaters.

Federal regulations have established official tolerances for certain pesticide residues. In order that residues on food and forage crops will not exceed established tolerances, use only at recommended rates.

**NOTE:** The purchaser of this product is responsible for ensuring that all seed treated with this product are adequately dyed with a suitable color to prevent its accidental use as food for man or feed for animals. Refer to 21CFR, Part 2.25. Any dye added to treated seed must be cleared for use under 40 CFR, Part 180.1001.

**For Protection Against Soil Insects:**

LORSBAN 30 Flowable may be applied to the following seed: **Field beans, Green beans, Kidney beans, Lima beans, Navy beans, Snap beans, String beans, Wax beans, Sweet corn, Cucumbers, Black-eyed peas, Field peas, Garden peas, and Pumpkins.** LORSBAN 30 Flowable will protect germinating seeds and seedlings against injury by seed corn maggots and seed corn beetles. Apply 2.75 fl. oz. per 100 lbs. of seed prior to planting as a slurry treatment so as to ensure thorough coverage.

**Cotton (Delinted Seed Only):**

To protect germinating seeds and seedlings against injury to seed corn maggots, apply 5.5 fl. oz. per 100 lbs. of seed prior to planting as a slurry treatment so as to ensure thorough coverage.

**For protection of seed from insects during storage:**

LORSBAN 30 Flowable may be applied to the following seed: **Field beans, Green beans, Kidney beans, Lima beans, Navy beans, Snap beans, String beans, Wax beans, Field corn, Sweet corn, Sorghum, Wheat, Triticale, Cotton, Cucumbers, Black-eyed peas, Field peas, Garden peas, and Pumpkins.** The application of 12 to 24 ppm of LORSBAN 30 Flowable will protect seed from the following insects: Granary weevil, Rice weevil, Red flour beetle, Confused flour beetle, Saw-toothed grain beetle, Indian-meal moth, Angoumois grain moth, and suppression of Lesser grain borer. The 24 ppm rate will provide a longer period of protection.

Application Rate per 100 lbs. of Seed	
12 ppm	24 ppm
0.056 fl. oz. (1.68 ml)	0.114 fl. oz. (3.36 ml)

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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.

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 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 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.

**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.

**AGRICULTURAL CHEMICAL**

**Do Not Ship or Store with Foods, Feeds, Drugs or Clothing**

**NET CONTENTS:** 15 gallons

LORSBAN® is a registered trademark of DowAgro Sciences LLC  
VITAVAX® is a registered trademark of Chemtura Inc.

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)**

**NOTIFICATION**

**JUL 17 2009**

LORSBAN 30 Flowable (PENDING) 04/20/09, resub 07/09/09