

264-948

04/17/2006

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Print Form

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 2-28-



United States
Environmental Protection Agency
Washington, DC 20460

Registration
Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 264-948	2. EPA Product Manager J. Edwards	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Gustafson LSP Flowable Fungicide	PM# Notifications	
5. Name and Address of Applicant (Include ZIP Code) Bayer CropScience 2 T W Alexander Drive, RTP, 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"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION APR 17 2006
<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.)

We re submitting a corrected label to replace the one submitted as part of the notification dated 6/15/05. per PR Notice 98-10.
See cover letter.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
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		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container	<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions E	
6. Manner in Which Label is Affixed to Product			<input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> 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
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.		E. Date Application Received (Stamped)
2. Signature <i>Dennis McFadden</i>	3. Title Reg. Mgr.-Seed Treatment Products	
4. Typed Name Dennis McFadden	5. Date 3/16/2006	

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NOTIFICATION

APR 17 2006

Gustafson

LSP Flowable Fungicide

For Use Only By Commercial Seed Treaters

ACTIVE INGREDIENT:

Thiabendazole: 2-(4-thiazolyl) benzimidazole30%

INERT INGREDIENTS:70%

TOTAL 100%

EPA Reg. No. 264-948

EPA Est.

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 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 eye. • Call a poison control center or doctor for treatment advice.
IF SWALLOWED:	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give any liquid to the person. • Do not give anything by mouth to an unconscious person.
Note to Physician: Contains petroleum distillate – vomiting may cause aspiration pneumonia.	
<p>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.</p>	

PRECAUTIONARY STATEMENTS

CAUTION

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Harmful if swallowed. Do not get in eyes or on skin.

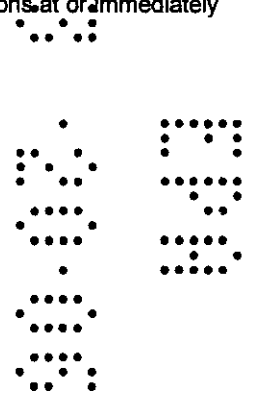
ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish. 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.

DIRECTIONS FOR USE

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

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



STORAGE AND DISPOSAL

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

STORAGE

Product freezing temperature is 32°F. Satisfactory utility is restored after thawing and mixing of product stored as low as 0°F. Repeated freezing and thawing should be avoided. Keep cover on opened container to prevent drying. Shake or stir well before using.

PESTICIDE DISPOSAL

Pesticide, spray mixture or rinsate that cannot be used according to label instructions must be disposed of according to Federal, State or local procedures under the Resource Conservation and Recovery Act.

CONTAINER DISPOSAL

Contact Bayer CropScience or your chemical supplier for container return instructions. If container is not returned in accordance with instructions, triple rinse (or equivalent), then puncture and dispose of in a sanitary landfill, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

SEED LABELING

- "This seed is treated with Thiabendazole at the manufacturer's recommended rate. Do not use treated seed for food, feed, or oil purposes."
- Add appropriate information for any other chemical treatments.

GENERAL

Gustafson LSP is a systemic fungicide especially formulated as a liquid suspension seed protectant for use as a spray mist or slurry seed treatment.

COMPATIBILITY

Gustafson LSP should not be tank mixed with any pesticide unless adequate physical compatibility and phytotoxicity tests have been completed and proved to be satisfactory.

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.

SEED TREATMENT

Clean seed treatment equipment thoroughly before using LSP. This product has no vapor action; therefore, it is essential that thorough coverage of the seed be obtained. In this regard, Gustafson LSP is recommended to be dispersed with water to aid distribution on the seed. When dispersed with water, however, the resulting suspension must be kept under constant agitation.

Gustafson LSP is recommended for the control of seed- and soil-borne Common Bunt (Stinking Smut) attacking **wheat**; also aids in control of Dwarf Bunt.

Gustafson LSP is recommended for control of pod and stem blight (*Phomopsis spp.*) on **soybeans** to enhance germination and early seedling development. For control of other seed and soilborne diseases, it is recommended that a co-fungicide such as Gustafson Captan 400, Gustafson 42-S Thiram or RTU-VITAVAX-Thiram be tank mixed with Gustafson LSP at the EPA registered label rates.

Winter and Spring Wheat:

Control of seed- and soilborne Common Bunt (Stinking Smut): For ready mix or slurry seed treaters, disperse 2.0 fl. oz. of Gustafson LSP for seedborne Common Bunt, or 4.0 fl. oz. per 100 lbs. of seed for soilborne Common Bunt, in an equal amount of water (1:1 ratio) and apply this dispersion per bushel. Keep dispersion under constant agitation.

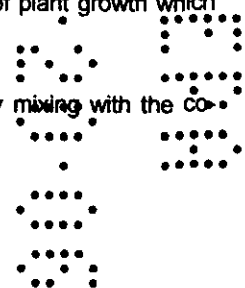
For wheat having high infection levels of seedborne Fusarium scab, a lower rate of .25 fl. oz. per 100 lbs. of seed is recommended. Gustafson LSP should be used as a co-fungicide combined with RAXIL- or VITAVAX-based fungicides to include seed and seedling protection against the broad spectrum of diseases associated with the wheat crop, as listed on the product labels.

Winter Wheat Only:

Aids in control of Dwarf Bunt in Colorado, Idaho, Montana, Oregon, Washington, Wyoming, and Utah: For ready mix or slurry seed treaters, disperse 4.0 – 6.0 fl. oz. of Gustafson LSP in an equal amount of water (1:1 ratio) and apply this selected dispersion per 100 lbs. of seed. Keep dispersion under constant agitation. For best results against Dwarf Bunt, plant winter wheat treated with Gustafson LSP as late in the growing season as is practical. Use only on normal or late winter wheat plantings. Use the lower rate for late plantings of winter wheat. The level of product effectiveness will vary with the weather conditions and amount of plant growth which occurs prior to the disease infection period.

Soybeans:

Control of Pod and Stem blight: Apply Gustafson LSP at the rate of 0.125-0.25 fl. oz. per 100 lbs of seed by mixing with the co-fungicide/water dispersion in the slurry pre-mix tank. Maintain constant agitation of dispersion.



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.

LIMITATIONS OF LIABILITY: TO THE EXTENT ALLOWED BY 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

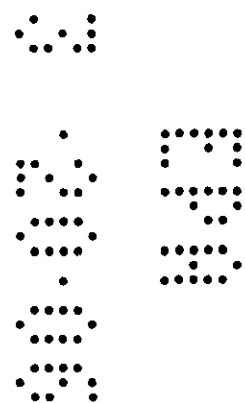
Purchase of this material does not confer any rights under patents governing this product or the use thereof in countries outside of the United States.

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)**



Gustafson LSP Flowable Fungicide (MASTER) approved 07/05/05, Notification 03/15/06

Bayer CropScience



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March 16, 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 LSP Flowable Fungicide, 264-948

Dear Ms. Edwards,

We are submitting a corrected label to replace the one submitted as part of the notification dated 6/15/2006, per PR Notice 98-10.

This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that 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 Notice 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 section 12 and 14 of FIFRA. *Dennis McFadden*

Sincerely,

Dennis McFadden

Reg. Mgr. – Seed Treatment Products