

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

	United States	<input type="checkbox"/> Registration	OPP Identifier Number
	Environmental Protection Agency	<input type="checkbox"/> Amendment	
	Washington, DC 20460	<input checked="" type="checkbox"/> Other	

Application for Pesticide - Section I

1. Company/Product Number 264-953	2. EPA Product Manager L. Arrington	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) KODIAK A-T Fungicide	PM# Notifications	
5. Name and Address of Applicant (Include ZIP Code) Bayer CropScience 1400 Preston Road, Suite 400 Plano, Texas 75093 <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 JUL - 8 2005
<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 to change form Gustafson to Bayer CropScience emergency phone numbers and warranty statement. Formerly 7501-148.

This notification is consistent with the provisions of FR Notice 98-36 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 it is a violation of 18 U.S.C. Sec. 1035 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of FR Notice 98-36 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

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 <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted					
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container	5. Location of Label Directions			
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph 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) 972-985-8877
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.		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 6/15/05	

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148(S)071102
Delete part 11 respirator

KODIAK® A-T Fungicide

Contains ALLEGIANCE®, TERRACLOR® and KODIAK® Fungicides

ACTIVE INGREDIENTS:

Pentachloronitrobenzene (PCNB).....	16.67%
Metalaxyl.....	4.25%
<i>Bacillus subtilis</i> GB03 (nominal concentration of 2.0 X 10 ⁹ viable spores per gram)	0.1 %
INERT INGREDIENTS:	78.98%
	TOTAL 100.00%

*Contains Graphite

EPA Reg. No. 264-953

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 ON SKIN OR CLOTHING:

- 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.

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.

PRECAUTIONARY STATEMENTS

CAUTION

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Harmful if absorbed through skin. Avoid contact with skin, eyes and clothing. Wash thoroughly with soap and water after handling.

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.

Applicators and other handlers (other than mixers and loaders) must wear: Long-sleeved shirt and long pants, chemical-resistant gloves made of any waterproof material such as polyethylene or polyvinyl chloride and shoes plus socks.

Mixers and loaders must wear: Long-sleeved shirt and long pants, chemical-resistant gloves, shoes plus socks, and 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. Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change clothing.

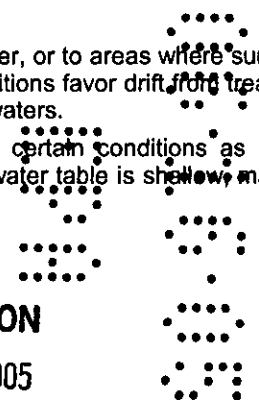
ENVIRONMENTAL HAZARDS

This product is toxic to fish and aquatic organisms. 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. Do not apply when weather conditions favor drift from treated areas. Cover or incorporate treated seeds. Do not contaminate water when disposing of equipment washwaters.

Groundwater Advisory: This chemical is known to leach through soil into groundwater under certain conditions as a result of agricultural use. Use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in ground water contamination.

NOTIFICATION

JUL - 8 2005



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

STORAGE

Store in a cool, dry place. Do not store in direct sunlight. Protect from extreme temperatures.

PROHIBITIONS:

Do not contaminate water, food or feed by storage or disposal. Open dumping is prohibited. Do not reuse container.

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

Completely empty container into application equipment. 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 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, chemical-resistant gloves made of any waterproof material such as polyethylene or polyvinyl chloride and shoes plus socks and protective eyewear.

NOTE: Federal law requires that bags containing treated seeds shall be labeled with the following information.

"This seed has been treated with Metalaxyl, PCNB and *Bacillus subtilis* GB03 fungicides. Do not use for feed, food or oil purposes. Store away from feeds and foodstuffs."

NOTE: Metalaxyl is a systemic fungicide having a specific mode of action. Metalaxyl could be subject to development of resistant strains of fungi. Development of resistance cannot be predicted. Therefore, Gustafson LLC cannot assume liability for crop damage resulting from resistant strains of fungi. Consult with your state Agricultural experiment Station or Extension Service Specialist for guidance or ways to control any possible metalaxyl resistant strains of fungi which may occur.

USE RESTRICTIONS

Do not use treated seed for food, feed or oil purposes..

All seeds treated with this product (except by the planter box method) must be colored with an EPA approved dye (e.g., those listed in 40 CFR 180.1001) which imparts an unnatural color to the seed.

RECOMMENDED APPLICATIONS

KODIAK A-T Fungicide will protect against seed and seedling rot diseases caused by *Pythium spp.* and *Rhizoctonia solani*.

PLANTER BOX TREATMENT

Apply at the specified rate and premix with the seed directly in the planter box at planting. Place half the amount of seed into the planter box and apply half the required amount of pesticide to the seed. Stir the seed thoroughly with a paddle until the seed is uniformly coated. Place the remaining half of the seed into the planter box and add the remaining half of the pesticide. Again stir the seed with the paddle until all seed is thoroughly coated. A non-oil lubricant has also been added to help seeds flow more easily and evenly from the planter box. Use the higher rate of application in fields with a history of severe disease pressure.

In California – Only for use in commercial seed treating establishments. Not allowed for "on-farm" use.

SEED TREATER APPLICATION

KODIAK A-T may be applied at planting time, utilizing commercial seed treating equipment to maximize seed coverage. (*Calibrate the equipment as per the manufacturer's instructions.)

CROPS	RATE	DISEASE
Cotton	2 oz./100 lbs.	

Peanuts	4 to 6 oz./100 lbs.	<i>Pythium</i> and <i>Rhizoctonia</i> Seedling Disease Complex,
Barley, Rice	1 to 2 oz./bu.	Common Smut or Bunt (Wheat),
Beans, Corn, Wheat	2 to 3 oz./bu.	Covered Smut (Barley)
Soybeans, Peas	2 to 4 oz./bu.	<i>Pythium</i> and <i>Rhizoctonia</i> Seedling Disease Complex, Early Season <i>Phytophthora</i>
Sugar beets	3 to 6 oz./100 lbs.	<i>Pythium</i> , <i>Rhizoctonia</i> and <i>Fusarium</i>

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: 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.

U.S. Patent No. 5,215,747

NET CONTENTS:

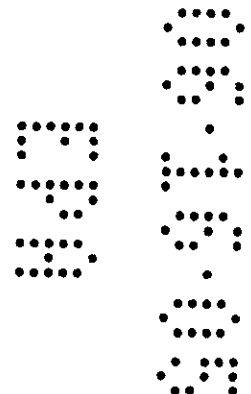
KODIAK and ALLEGIANCE are registered trademarks of Bayer
TERRACLOR is a registered trademark of Uniroyal Chemical Company, Inc.



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)

KODIAK A-T Fungicide approved / /



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May 27, 2005

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

Subject: KODIAK A-T Fungicide, 264-953 (Formerly 7501-148)

Dear Ms. Arrington,

We are submitting a notification to change from Gustafson to Bayer CropScience emergency phone numbers and warranty statement.

Sincerely,

Dennis McFadden

Reg. Mgr. – Seed Treatment Products