

264-963

12/29/2005

1/5



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
	<b>Application for Pesticide - Section I</b>		

1. Company/Product Number 264-963	2. EPA Product Manager J. Edwards	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) GAUCHO 75ST FS Insecticide	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 type="checkbox"/> Other - Explain below.
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**NOTIFICATION**  
DEC 29 2005

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

Notification to change from Gustafson to BayerCropScience emergency numbers and warranty statement. 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 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 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 sections 12 and 14 of FIFRA.

**Section - III**

<b>1. Material This Product Will Be Packaged In:</b>			
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>2. Type of Container</b> <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
<b>3. Location of Nat Contents Information</b> <input type="checkbox"/> Label <input type="checkbox"/> Container		<b>4. Size(s) Retail Container</b>	<b>5. Location of Label Directions</b> <input type="checkbox"/>
<b>6. Manner in Which Label is Affixed to Product</b> <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other _____			

**Section - IV**

<b>1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)</b>		
Name Dennis McFadden	Title Reg. Mgr.-Seed Treatment Product	Telephone No. (Include Area Code) 919-549-2427
<b>Certification</b> 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.		<b>6. Date Application Received (Stamped)</b>
<b>2. Signature</b> 	<b>3. Title</b> Reg. Mgr.-Seed Treatment Products	
<b>4. Typed Name</b> Dennis McFadden	<b>5. Date</b> 12/15/05	

2/5

NOTIFICATION

DEC 2 9 2005

# GAUCHO<sup>®</sup> 75 ST FS INSECTICIDE

**FOR COMMERCIAL SEED TREATMENT OF SEED DESTINED FOR EXPORT ONLY**

**ACTIVE INGREDIENT:**

1-[(6-Chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine ..... 75.0%

**OTHER INGREDIENTS:** ..... 25.0%

**TOTAL** 100.0%

**EPA Reg. No. 264-963**

**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

<b>IF SWALLOWED:</b>	<ul style="list-style-type: none"> <li>• Call a physician or Poison Control Center.</li> <li>• Drink one or two glasses of water.</li> <li>• Do not induce vomiting.</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>• Remove victim to fresh air.</li> <li>• If not breathing, give artificial respiration, preferably mouth-to-mouth.</li> <li>• Get medical attention.</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>	
<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, absorbed through skin or inhaled. Avoid breathing vapor or spray mist. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

#### ENVIRONMENTAL HAZARDS

This pesticide is highly toxic to birds and aquatic invertebrates. 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 contaminate water when disposing of equipment washwaters. Cover or incorporate spilled treated seeds.

### DIRECTIONS FOR USE

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

For use in commercial seed treaters only.

This product is to be used in treaters designed for pelleting or coating seed. Mix thoroughly before use or use entire container at one time. All mixes should be pre-tested to determine physical compatibility between formulations. Observe all cautions and limitations on labeling of all products used in mixtures.

### STORAGE AND DISPOSAL

#### PROHIBITIONS

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

#### STORAGE

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

#### PESTICIDE DISPOSAL

Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

#### CONTAINER DISPOSAL

Completely empty container into application equipment by tapping sides to dislodge residues. Then dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

### SEED LABELING

- Treated seed must be labeled "For Export Only-Not to be sold or offered for sale in the United States."
- Seed commercially treated with GAUCHO 75ST FS must be labeled in accordance with all applicable requirements of the Federal Seed Act.
- Treated seed must not be used for or mixed with food or animal feed or processed for oil.

**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 or colorant added to treated seed must be cleared for use under 40CFR, Part 180.1001.

#### For treatment of squash seed destined for export to Israel

##### Squash:

To provide early season protection of seedlings against injury by early season thrips, aphids and whiteflies, apply 28 grams per one kilogram of seed prior to planting as a slurry treatment so far as to ensure thorough coverage.

#### For treatment of cucurbit seed destined for export to Mexico

##### Cucurbits:

To provide early season protection of seedlings against injury by early season whitefly (*Bemisia tabaci*), apply 47 grams per one kilogram of seed prior to planting as a slurry treatment so far as to ensure thorough coverage.

#### For treatment of tomato and pepper seed destined for export to Mexico

##### Tomato and Pepper:

To provide early season protection of seedlings against injury by early season whitefly (*Bemisia tabaci*), apply 65.3 grams per one kilogram of seed prior to planting as a slurry treatment so far as to ensure thorough coverage.

**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 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. BAYER CROPSCIENCE DISCLAIMS ANY LIABILITY WHATSOEVER FOR SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

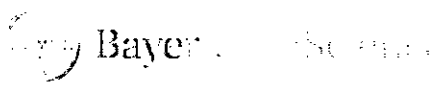
**LIMITATIONS OF LIABILITY:** THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT BAYER 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.

**NET CONTENTS:**

GAUCHO is a registered trademark of Bayer



**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)**

GAUCHO 75 ST FS (MASTER) Approved 07/05/05, Notification 12/15/05

S/S

Bayer CropScience



December 13, 2005

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

Subject: GAUCHO 75ST FS Insecticide, 264-959 963

Dear Ms. Edwards,

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

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

