

264-963

8/18/2009

1/6



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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

AUG 18 2009

Jamin Huang, Ph.D.  
Bayer CropScience  
2 TW Alexander Drive  
P. O. Box 12014  
Research Triangle Park, NC 27709

Subject: Updated Container and Disposal Statement

Dear Dr. Huang:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated July 24, 2009 for:

- EPA Registration 264-959 ✓
- EPA Registration 264-963

- Gaicho 75 ST Insecticide
- Gaicho 75 ST FS Insecticide

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.

If you have any questions, call me at 703 305-5409 or electronically at [daniel.dani@epa.gov](mailto:daniel.dani@epa.gov)

Sincerely,

Dani Daniel  
Registration Division (7505P)  
Insecticide/Rodenticide Branch

# NOTIFICATION

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

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

## Application for Pesticide - Section I

1. Company/Product Number 264-963	2. EPA Product Manager Venus Eagle	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Gaucho 75 ST FS Insecticide	PM# Team 01	
5. Name and Address of Applicant (Include ZIP Code) Bayer CropScience P.O. Box 12014, 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"/> 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.)

REGFEE: Notification, Fee amount due: \$ 0

Justifications: Submit an amended Gaucho 75 ST FS Insecticide to update container disposal statement per PRN 2007-4. No new data needed to be reviewed by the Agency. See my cover letter for certification in compliance with PR Notice 2007-4.

CONTACT: Jamin Huang, jamin.huang@bayercropscience.com

## Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
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		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	Other (Specify) _____
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 1 lb, 10 lbs, 50 lbs		5. Location of Label Directions <input checked="" type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input checked="" 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 Jamin Huang, Ph.D.		Title Product Registration Manager, Insecticides		Telephone No. (Include Area Code) (919) 549-2634	
<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 both under applicable law.					6. Date Application Received (Stamped)
2. Signature 		3. Title Product Registration Manager, Insecticides			
4. Typed Name Jamin Huang, Ph. D.		5. Date July 24, 2009			

# Bayer CropScience



3/5

July 24, 2009

Document Processing Desk (NOTIF)  
Office of Pesticide Programs (7504P)  
U.S. Environmental Protection Agency  
Room S-4900, One Potomac Yard  
2777 South Crystal Drive  
Arlington, Virginia 22202-4501

ATTENTION: Linda Arrington (Team leader, Notifications & Minor Formulation)

**Re: Notification to Update Container Disposal Statement per PR Notice 2007-4 for Gaucho 75 ST FS Insecticide (EPA Reg. No. 264-963)**

Dear Ms. Arrington,

Byaer CropScience is herein submitting a Notification to update the container disposal statement per PR Notice 2007-4 on the 03/16/2007 EPA latest approved label for Gaucho 75 ST FS Insecticide. Three copies of the amended label dated 07/22/2009 are attached.

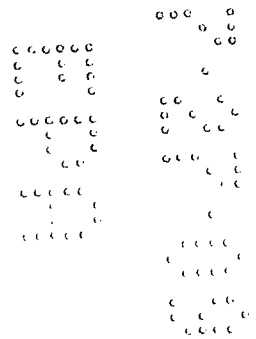
Bayer CropScience  
2 T.W. Alexander Drive  
P. O. Box 12014  
Research Triangle Park,  
NC 27709  
Tel: 919 549-2000

*"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 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 this notification 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."*

Please let me know at [jamin.huang@bayercropscience.com](mailto:jamin.huang@bayercropscience.com) or at 919-549-2634 if you have any questions regarding this submission.

Sincerely,

Jamin Huang, Ph.D.  
Product Registration Manager



# NOTIFICATION

5/6

**GROUP 4A INSECTICIDE**

# 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>

**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 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.

#### Resistance Management

Some insects are known to develop resistance to insecticides after repeated use. As with any insecticide, the use of this product should conform to resistance management strategies established for the use area.

Gaicho 75 ST FS contains a Group 4A insecticide. Insect biotypes with acquired or inherent resistance to Group 4A insecticides may eventually dominate the insect population if Group 4A insecticides are used repeatedly as the predominant method of control for targeted species.

The active ingredient in Gaicho 75 ST FS is a member of the neonicotinoid chemical class. Insect pests resistant to other chemical classes have not shown cross-resistance to Gaicho 75 ST FS. In order to maintain susceptibility to this class of chemistry in insect

species with high resistance development potential, it is recommended that for each crop season: 1) only a single seed application of Gaucho or other soil applied neonicotinoid product be made to a crop; 2) foliar applications of products from this same class not be made following a soil application of other neonicotinoid products.

Other Group 4A, neonicotinoid products used as foliar treatments include: Actara, Assail, CALYPSO, Centric, Clutch, Couraze, Gallant, Impulse, Intruder, LEVERAGE, Nuprid, Pasada, PROVADO, TRIMAX PRO and Venom.

Other Group 4A, neonicotinoid products used as soil/seed treatments include: Advise, Alias, Belay, Couraze, Cruiser, ADMIRE PRO, Macho, Macho Max, Nuprid, Platinum, Venom and Widow.

Contact your Cooperative Extension specialist, certified crop advisor and/or product manufacturer for additional insect resistance management recommendations. Also, for more information on Insect Resistance Management (IRM), visit the Insecticide Resistance Action Committee (IRAC) on the web at <http://www.irac-online.org>.

### 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

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

#### 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

Rigid, Non-refillable containers small enough to shake (i.e., with capacities equal to or less than 50 lbs)

Non-refillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then, offer for recycling, if available or dispose of in a sanitary landfill or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Fiber canister

Non-refillable container. Do not reuse or refill this container. Completely empty box into application equipment. Then, offer for recycling, if available or dispose of empty box in a sanitary landfill or by 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.

6/6

### 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 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. 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.

#### NET CONTENTS:

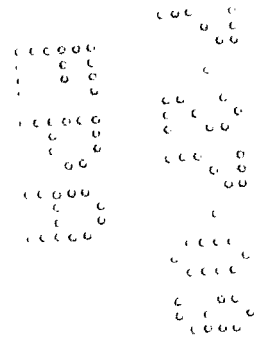
GAUCHO is a registered trademark of Bayer

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)**



GAUCHO 75 ST FS (MASTER) EPA APPROVED 03/16/07,Notif07/22/09