

264-971

05/18/2006

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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	<input type="checkbox"/> Registration <input checked="" type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
	Application for Pesticide - Section I		

1. Company/Product Number 264-971	2. EPA Product Manager J. Edwards	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) GAUCHO XT Flowable	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. <u>NOTIFICATION</u> Product Name <u>MAY 18 2006</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 type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

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

Submission of notification to a Hessian fly to label 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 If "Yes" Unit Packaging wgt. _____ No. per container _____	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes" Package wgt _____ No. per container _____	<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/> _____	
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) 919-543-2427
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.		6. Date Application Received (Stamped)
2. Signature 	3. Title Reg. Mgr.-Seed Treatment Products	
4. Typed Name Dennis McFadden	5. Date 4/20/2006	

NOTIFICATION
MAY 18 2006

GAUCHO[®] XT FLOWABLE

Contains Petroleum Distillate.
Contains 1.16 pounds of imidacloprid, 0.075 pounds of metalaxyl and 0.056 pounds of tebuconazole per gallon.

ACTIVE INGREDIENTS:

Imidacloprid: 1-[(6-Chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine	12.7%
Metalaxyl: N-(2,6-dimethylphenyl)-N-(methoxyacetyl)alanine methyl ester	0.82%
Tebuconazole: Alpha-[2-(4-chlorophenyl)ethyl]-alpha-(1,1-dimethyl-ethyl)-1H-1,2,4-triazole-1-ethanol	0.62%
INERT INGREDIENTS:	85.86%
	TOTAL 100.0%

EPA Reg. No. 264-971 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 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.
IF ON SKIN OR CLOTHING:	<ul style="list-style-type: none"> • 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.
IF INHALED:	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
<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>	
NOTE TO PHYSICIAN: Contains petroleum distillate – vomiting may cause aspiration pneumonia.	

PRECAUTIONARY STATEMENTS

CAUTION HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Harmful if swallowed, absorbed through skin or inhaled. Avoid contact with eyes, skin or clothing. Avoid breathing vapor or spray mist. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

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 C on an EPA chemical resistance category selection chart.

Applicators and other handlers must wear: Long-sleeved shirt and long pants, socks and shoes and chemical-resistant gloves (such as nitrile, butyl, neoprene, barrier laminate, polyvinyl chloride or Viton). Follow manufacturer's 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 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 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.

Groundwater Advisory: Metalaxyl 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 groundwater contamination.

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.

This product is to be used in liquid or slurry treaters. Mix thoroughly before use or use entire container at one time. All 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.

STORAGE AND DISPOSAL

STORAGE

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

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.

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

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 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 agriculture 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 seed is treated with the product and the treated seed 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 reentry 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, shoes plus socks, protective eyewear.

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

Exposed treated seed may be hazardous to birds. Dispose of all excess treated seed and seed packaging by burial away from bodies of water. Cover or incorporate spilled treated seeds.

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. 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.

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

WHEAT:

Insect Control: Early season protection of seedlings against injury by Aphids (including Bird cherry-oat, English grain, Greenbug, and Russian wheat aphid), Wireworms and Hessian fly.

Disease Control: Early season disease control of *Pythium* damping-off, Stinking smut, Flag smut, Loose smut, Early season *Septoria* disease complex. Early season *Rhizoctonia* root rot, Early season common root rot, Early season *Fusarium* foot rot, Early season suppression of powdery mildew and early season suppression of wheat leaf rust. Apply 3.4 fluid ounces per hundred weight of seed prior to planting as a slurry treatment. Ensure thorough coverage. Do not graze or feed livestock on treated areas for 45 days after planting.

BARLEY:

Insect Control: Early season protection of seedlings against injury by Aphids (including Bird cherry-oat, English grain, Greenbug, and Russian wheat aphid) and Wireworms.

Disease Control: Early season disease control of *Pythium* damping-off and Covered smut, Loose smut, Barley stripe (suppression), Early season *Rhizoctonia* root rot, Early season common root rot, Early season *Fusarium* foot rot, Early season suppression of powdery mildew and Early season suppression of barley leaf rust. Apply 3.4 fluid ounces per hundred weight of seed prior to planting as a slurry treatment. Ensure thorough coverage. Do not graze or feed livestock on treated areas for 45 days after planting.

ROTATIONAL CROPS:

Treated areas may be replanted with any crop specified on an imidacloprid label, or any crop for which a tolerance exists for the active ingredient, as soon as practical following the last application.

The following plant-back intervals should be observed for listed crops:

ROTATIONAL PLANT-BACK INTERVALS*				
IMMEDIATE PLANT-BACK				30-DAY PLANT-BACK
Barley	Cabbage	Eggplant	Pepper	Cereals (including buckwheat, millet, oats, popcorn, rice, rye, and triticale) Legumes (including soybeans, beans and peas) Safflower
Broccoli	Canola	Ground cherry	Potatoes	
Broccoli, Chinese	Cauliflower	Kale	Rape greens	
Broccoli, raab	Collards	Kohlrabi	Sorghum	
Brussels Sprouts	Corn	Lettuce	Sugar beets	
Cabbage, Chinese mustard	Cotton	Mustard greens	Tomatillo	
Cabbage, Chinese	Cucurbits	Pepinos	Tomato	
			Wheat	

*Cover crops for soil building or erosion control may be planted anytime, but do not graze or harvest for food or feed.

*All other crops not listed on an Imidacloprid label, or for crops for which no tolerance for the active ingredient have been established, a 12-month plant-back interval should be observed.

NOTIFICATION of the crop rotational restriction must be conveyed to the grower by appropriate seed tag labeling or bag printing on all seed units.

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Bayer CropScience



April 20, 2006

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 XT Flowable, 264-971

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 add Hessian fly to the listing of pests under wheat in the above named label 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 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 section 12 and 14 of FIFRA.

Sincerely,

Dennis McFadden

Reg. Mgr.-Seed Treatment Products