

264-978

10/07/2009

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



OCT 07 2009

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Jamin Huang, Ph.D
Bayer Crop Science
P.O. Box 12014
2 T.W. Alexander Drive
Research Triangle Park, NC 27709

Dear Dr. Huang:

Subject: Fast Track Amendment of label to update container disposal statement per PR Notice 2007-4, warranty statement and minor other changes
Gaucho MZ Potato Seed-Piece Treatment
EPA Registration No. 264-978
Your Submissions Dated: July 13, 2009

The labeling referred to above submitted in connection with the Federal Insecticide, Fungicide and Rodenticide, is amended as acceptable provided you make the following revision:

- On page 2, under "Directions for Use," revise the sentence that reads: "Do not use this product at higher than recommended rate" to read: "Do not use this product at higher than specified rates."

A stamped copy of the labeling is enclosed for your records. Please submit one final printed copy of the labeling before releasing the product for shipment. If you have any questions regarding this label, please contact Autumn Metzger at (703) 305-5314 or metzger.autumn@epa.gov.

Sincerely,

A handwritten signature in cursive script that reads "Venus Eagle".

Venus Eagle
Product Manager 01
Insecticide-Rodenticide Branch
Registration Division (7505P)

OCT 07 2009

Under the Federal Insecticide, Fungicide
and Rodenticide Act, As amended, for the
pesticide Registered under EPA Reg. No:

264-978

GAUCHO[®]-MZ ~~Potato Seed Piece Treatment~~

ACTIVE INGREDIENTS:

Imidacloprid (1-[(6-chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine)	1.25%
Mancozeb: A coordination product of zinc ion and manganese ethylene bisdithiocarbamate	6.0%
In which the ingredients are:	
Manganese++	1.2%
Zinc++	0.15%
Ethylene bisdithiocarbamate ion (C ₄ H ₆ N ₂ S ₄)	4.65%
OTHER INGREDIENTS:	92.75%
	TOTAL 100.0%

EPA Reg. No. 264-978

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"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by a poison control center or doctor. • 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.
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.

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.

PERSONAL PROTECTIVE EQUIPMENT

Applicators and other handlers (other than mixers and loaders) must wear: Coveralls over long-sleeved shirt and long pants, waterproof gloves, shoes plus socks and a NIOSH approved respirator with any N, R, P, or HE filter.

Mixers and loaders must wear: Coveralls over long-sleeved shirt and long pants, waterproof gloves; shoes plus socks, protective eyewear and chemical-resistant apron when mixing/loading. **For exposures in enclosed areas,** mixers and

loaders must wear a NIOSH approved respirator with an organic vapor (OV) cartridge or canister with any N, R, P, or HE prefilter; **for exposures outdoors**, 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.

When handlers use closed systems in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)4-6]), the handler PPE requirements may be reduced or modified as specified in the WPS.

USER SAFETY RECOMMENDATIONS

Users should: Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. 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 and toxic to fish. 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. Exposed treated seed-pieces may be hazardous to birds. Dispose of all excess treated seed-pieces and seed packaging by burial away from bodies of water.

DIRECTIONS FOR USE

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

This labeling must be in the possession of the user at the time of application. Do not use this product at higher than recommended rate.

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 you State or Tribe, consult the agency responsible for pesticide regulation.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE

Store in cool, dry location. Do not store in direct, hot sunlight. Protect from freezing temperatures.

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 instruction, contact your State Pesticide or Environmental Control Agency, or Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL

Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Completely empty bag into application equipment by tapping sides to dislodge residues. Then dispose of empty bag in a sanitary landfill or by 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 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 over long-sleeved shirt and long pants, waterproof gloves, shoes plus socks, and protective eyewear.

RESISTANCE MANAGEMENT

NOTE: 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. Consult your agricultural advisor for resistance management strategies and recommended pest management practices for your area.

PESTS CONTROLLED

Potato Seed-Piece – To aid in control of insects including aphids, Colorado potato beetle, flea beetles, potato leafhopper, psyllids and *wireworms (*Limoniussp.*, and *Melanotus sp.*) (seed-piece protection only) and *Fusarium* (dry rot).

*GAUCHO-MZ when used at the label rate can reduce wireworm damage in seed-pieces, and can also reduce the amount of damage in the daughter tubers.

RESTRICTIONS

Do not use treated seed-pieces for food, feed, or fodder.

Regardless of the type of application (seed-piece treatment, soil or foliar) do not apply more than 0.25 pounds ai (imidacloprid) per acre per year.

Apply only in areas with adequate ventilation or dust collection and control equipment installed. Do not substitute fans for ventilation in areas where application is made to cut potatoes.

APPLICATION INSTRUCTIONS

Apply at 0.5 – 0.75 pounds of this product per 100 pounds of cut seed-pieces. Apply using a seed dust metering applicator so that cut seed-pieces are thoroughly covered with the mixture. Thoroughly clean and sanitize cutting machines, knives, trays, tables, barrels, equipment, trucks and planters before cutting and planting seed-pieces. Plant seed-pieces as soon as possible after cutting and treating in accordance with the recommendation of your local extension potato specialist. Do not expose treated seed-pieces to sunlight for prolonged periods of time.

The length of control will vary depending on the rate used. Consult your local Bayer CropScience representative or dealer for information relevant to your area.

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.

For crops not listed on an imidacloprid label, or for crops for which no tolerances for the active ingredient have been established, a 12-month plant-back interval must be observed.

ROTATIONAL PLANT-BACK INTERVALS ¹				
IMMEDIATE PLANT-BACK			30-DAY PLANT-BACK	12-MONTH PLANT-BACK
Artichokes	Gound cherry	Popcorn	Cereals	All Other Crops
Barley	Leaf Petiole Veg.	Potato	(Including buckwheat, millet, oats, rice, rye, and triticale)	
Brassica (cole) leafy veg.	Leafy Veg.	Rapeseed	Soybeans	
Canola	Legume veg.	Sorghum	Safflower	
Cilantro	(succulent or dried, except soybean)	Strawberry		
Corn, Field	Lettuce	Sugar beet		
Corn, Sweet	Mustard seed	Tomatillo		
Cotton	Okra	Tomato		
Cranberry	Pepino	Turnip greens		
Cucurbit	Pepper	Watercress		
Eggplant		Wheat		
		Veg. root & tuber		

¹Cover crops for soil building or erosion control may be planted anytime, but do not graze or harvest for food or feed. Notification of the crop rotational restrictions must be conveyed to the grower through the distribution of this label on all commercially treated seed.

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 specified rates.

This pesticide is to be sold ONLY in this original unbroken package.

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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 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® -MZ Potato Seed-Piece Treatment (PENDING) 07/08/09, resub 09/25/09