

 <p style="text-align: center;">U.S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Registration Division (7505C) Ariel Rios Building 1200 Pennsylvania Ave., NW Washington, D.C. 20460</p>	EPA Reg. Number:	Date of Issuance:
	264-1049	JUN 30 2008
	Term of Issuance: Conditional	
<p>NOTICE OF PESTICIDE:</p> <p><input checked="" type="checkbox"/> Registration <input type="checkbox"/> Reregistration (under FIFRA, as amended)</p>	Name of Pesticide Product: Spirotetramat Technical	
<p>Name and Address of Registrant (include ZIP Code):</p> <p>Bayer CropScience 2 T.W. Alexander Drive P.O. Box 12014 Research Triangle Park, NC 27709</p>		
<p>Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.</p>		
<p>On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.</p> <p>This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A) and (B) provided that you:</p> <ol style="list-style-type: none"> 1. Submit and/or cite all data required for registration of your product under FIFRA sec. 3(c)(5) when the Agency requires all registrants of similar products to submit such data; and submit acceptable responses required for reregistration of your product under FIFRA section 4. 2. Make the following label changes before you release the product for shipment: <p style="margin-left: 40px;">Add the phrase "EPA Registration Number 264-1049".</p> 3. Submit the following data: <ol style="list-style-type: none"> a. A new soil photodegradation study (OPPTS Guideline 835.2410), conducted on a 		
Signature of Approving Official: <i>Rita Kumar</i>		Date: JUN 30 2008

sterile soil is required. in order to obtain an adequate description of the role of soil photodegradation. Refer to the risk assessment document for details. This study must be submitted within 12 months from the date of this Notice.

b. Provide the soil taxonomy for the 'Saskatoon' loam soil (from Saskatchewan, Canada), one of the five soils used in the batch equilibrium for leaching and adsorption/desorption studies (Guideline numbers 835.1230 and 835.1240). Refer to the risk assessment document for details. This information must be submitted within 6 months from the date of this Notice.

c. Avian Reproduction Study with the Mallard Duck (*Anas platyrhynchos*) (OPPTS Guideline 850.2300). Refer to the risk assessment document for details. This study must be submitted within 24 months from the date of this Notice.

d. Field Testing for Pollinators (OPPTS Guideline 850.3040). A study design must be developed in collaboration with the Environmental Fate and Effects Division. Refer to the risk assessment document for details. This study must be submitted within 24 months from the date of this Notice.

e. Freshwater Fish Toxicity with Fathead Minnows (*Pimephales promelas*) (OPPTS Guideline 850.1075). Refer to the risk assessment document for details. This study must be submitted within 12 months from the date of this Notice.

f. Avian Oral Toxicity Study with a Passerine Species (OPPTS Guideline 850.2100). Refer to the risk assessment document for details. This study must be submitted within 12 months from the date of this Notice.

g. Full-scale five-batch preliminary analysis of the technical material (OPPTS Guideline 830-1700). Refer to the product chemistry review sent to you on 3/12/2008 for details. This study must be submitted within 12 months from the date of this Notice.

h. One year storage stability and corrosion characteristic studies (OPPTS Guideline 830-6317 and 630.6320) . These studies can be run concurrently, and must be submitted within 12 months from the date of this Notice.

4. Submit two (2) copies of your final printed labeling before you release the product for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(a). Your release for shipment of the product constitutes acceptance of these conditions. A stamped copy of the label is enclosed for your records. Electronic copies of the human health and environmental fate and effects risk assessment documents will be sent to you via e-mail.

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If you have any questions, please contact me at (7030) 308-8291, or send an e-mail.

Sincerely,



Rita Kumar
Senior Regulatory Specialist
Insecticide Rodenticide Branch
Registration Division (7505P)

Enclosure

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

264-1049

Spirotetramat Technical

An Insecticide for Formulating Use Only

ACTIVE INGREDIENT:

Spirotetramat: *cis*-3-(2,5-dimethylphenyl)-8-methoxy-2-oxo-1-azaspiro[4.5]dec-3-en-4-yl-ethyl carbonate 97.37%

INERT INGREDIENTS: 2.63%

100.0%

EPA Reg. No. 264-RNUO

EPA Est. No.

STOP - Read the label before use KEEP OUT OF REACH OF CHILDREN WARNING

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 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 five minutes, then continue rinsing. • Call a poison control center or doctor for treatment advice.
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 to 20 minutes. • Call a poison control center or doctor for treatment advice.
<p>For emergency medical treatment information, call toll free the Bayer Emergency Response Telephone No. 1-800-334-7577. Have the product container or label with you when calling a poison control center or doctor, or going for treatment.</p>	
<p>Note To Physician: No specific antidote is available. Treat patient symptomatically.</p>	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS WARNING

Causes substantial but temporary eye injury. Harmful if swallowed or absorbed through the skin. Do not get in eyes or on clothing. Wear protective eyewear (goggles, face shield or safety glasses). Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse. Avoid contact with skin, eyes, or clothing. Wear long sleeved shirt and long pants, socks, shoes, and gloves.

Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Formulators and handlers must wear long sleeved shirt and long pants, socks and shoes, chemical resistant gloves, and protective eyewear.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to aquatic invertebrates and oysters. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product into sewer systems without previously notifying the sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA.

This chemical has properties and characteristics associated with chemicals detected in ground water. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in ground-water contamination.

DIRECTIONS FOR USE

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

For use as an insecticide for the following:

I. Terrestrial Food and Feed Crops: Hops; Potato and Other Tuberous and Corn Vegetables (Crop Subgroup 1C); Leafy Non-Brassica Vegetables (Crop Group 4); Leafy Brassica Vegetables (Crop Group 5); Fruiting Vegetables (Crop Group 8); Cucurbit Vegetables (Crop Group 9); Citrus (Crop Group 10); Pome Fruit (Crop Group 11); Stone Fruit (Crop Group 12); Grape (Crop Subgroup 13F); and Tree Nuts (Crop Group 14).

II. Terrestrial Nonfood Crops: Christmas Trees;

III. Uses for which US EPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration, and:

IV. Uses for experimental purposes that are in compliance with US EPA requirements.

Detailed information on chemical and physical properties and other formulating recommendations for Spirotetramat Technical are available upon request from Bayer CropScience. Obtain and read this information before undertaking the formulation of Spirotetramat Technical in order to avoid formulation hazards and insure a satisfactory finished product.

Labeling for products formulated from this product must conform to that which is currently registered with the U.S. Environmental Protection Agency. For specific information on federally registered uses, contact Bayer CropScience. Any variance from the federally registered labeling for products containing Spirotetramat will have to be supported by data provided by the formulator.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Store in original container and out of the reach of children, in a locked storage area.

Handle and open container in a manner as to prevent spillage. If container is leaking, invert to prevent leakage. If the container is leaking or material is spilled for any reason or cause, carefully dam up spilled material to prevent runoff. Refer to Precautionary Statements on label for hazards associated with the handling of this material. Do not walk through spilled material. Absorb spilled material with absorbing type compounds and dispose of as directed for pesticides below. In spill or leak incidents, keep unauthorized people away. You may contact the Bayer Emergency Response Team for decontamination procedures or any other assistance that may be necessary. The Bayer Emergency Response Telephone No. is (800) 334-7577, or contact Chemtrec at (800) 424-9300.

Pesticide Disposal: Pesticide wastes are toxic. Improper disposal of excess pesticide 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 liner by shaking and tapping sides and bottom to loosen clinging particles. Empty residue into application equipment. Then dispose of liner in a sanitary landfill or by incineration if allowed by state and local authorities. If drum is contaminated and cannot be reused, dispose of it in a manner required for its liner.

DISCLAIMER AND INDEMNITY FOR FORMULATORS' USES

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE MANUFACTURER EXPRESSLY DISCLAIMS ALL LIABILITY FOR CLAIMS AND ACTIONS (WHETHER BASED ON CONTRACT, TORT, STRICT LIABILITY OR BREACH OF WARRANTY) ARISING OUT OF, RESULTING FROM OR CONNECTED WITH A FORMULATION CONTAINING THIS PRODUCT WHEN USED FOR ANY PURPOSE OTHER THAN THOSE USES SET FORTH IN (1) ABOVE. THE MANUFACTURER HAS NOT DEVELOPED SCIENTIFIC DATA TO SUPPORT, NOR HAS IT EXPLICITLY OR IMPLICITLY APPROVED, ANY USES OTHER THAN THOSE IN (1) ABOVE.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, ANY FORMULATOR OR BUYER WHO USES THIS PRODUCT IN FORMULATIONS FOR ANY USE OTHER THAN THOSE STATED IN (1) ABOVE ASSUMES ALL LIABILITY FOR CLAIMS AND ACTIONS ARISING OUT OF, CONNECTED WITH OR RESULTING FROM SUCH USE AND AGREES BY SO USING THIS PRODUCT TO INDEMNIFY AND HOLD HARMLESS THE MANUFACTURER FROM SUCH CLAIMS AND ACTIONS. THIS DISCLAIMER AND INDEMNITY IS IN ADDITION TO, NOT IN LIEU OF, THE BELOW DISCLAIMER AND LIMITATIONS.

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.

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.

NET CONTENTS:

PRODUCED FOR



Bayer CropScience

**Bayer CropScience
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Research Triangle Park, North Carolina 27709
1-866-99BAYER (1-866-992-2937)**

Spirotetramat Technical (PENDING) Submitted 05/21/08