

432-1300

01/11/2008

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Charles W. Boyd
Bayer Environmental Science
2 T.W. Alexander Drive
Raleigh, NC 27709

JAN 11 2008

Subject: Bayleton 216 Concentrate
EPA Registration No. 432-1300
Your Label Amendment: Use cancellation order per Triadimefon RED,
application dated October 1, 2007

Dear Mr. Boyd:

The amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, has been reviewed. The label is acceptable provided that the conditions herein are observed in a revised final printed label, and resubmitted to the Agency within 45 days of the date on this letter. A copy of the label stamped "Accepted with Comments" is enclosed.

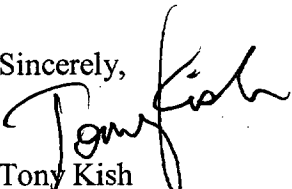
1. To the "Ingredient Statement" insert the active ingredient name "*Triadimefon*" to precede the chemical formula.
2. "First Aid" statement must be reordered, beginning with category: "*If in eyes,*" "*If swallowed,*" "*If on skin,*" "*If inhaled.*"
2A. In addition, the "First Aid" statement requires an additional sentence to be added to the subsection "If swallowed." To this subsection, insert as the final sentence: "*Do not give anything by mouth to an unconscious person.*"
3. In the label section 'Direction for Use', pursuant to the Triadimefon RED, *insert* the following label language:
Only for formulation into a fungicide for the following use(s): golf course turfgrass, outdoor – and greenhouse-grown ornamentals (trees, shrubs, flowering plants,

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Bayleton 216 Concentrate
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including roses), azaleas (for control of pine-twisting rust only), pine trees (including Christmas trees), pine seedlings, pine seeds, and pineapple (preplant dip and postharvest dip only). "This product can not be formulated into end-use products with directions for use in residential or commercial settings on apples, grapes, pears, raspberries, azaleas (except to control pine-twisting rust only), or turfgrass (except for turfgrass on golf courses or sodfarms)."

- 4. "Storage and Disposal" section requires "Pesticide" to be appended to "Storage" so that it reads "Pesticide Storage."
- 5. To the subsection 'Conditions', on page 6, revise its final sentence to read "To the extent consistent with applicable law all such risks shall be assumed...buyer."

If you have any questions, please contact Bryant Crowe by phone at (703) 305-0025 or via email at crowe.bryant@epa.gov.

Sincerely,

Tony Kish
Product Manager (22)
Fungicide Branch
Registration Division (7505P)

Enclosure

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Bayleton[®] 216 Concentrate Fungicide

For use in the manufacturing of fungicides.

ACTIVE INGREDIENT:

1-(4-Chlorophenoxy)-3,3-dimethyl-1-(1H-1,2,4-triazol-1-yl)-2-butanone 22%

INERT INGREDIENTS 78%

100%

EPA Reg. No. 432-1300

EPA Est. No.

**STOP - Read The Label Before Use
KEEP OUT OF REACH OF CHILDREN
DANGER**

For **MEDICAL** and **TRANSPORTATION** Emergencies **ONLY** Call 24 Hours A Day 1-800-334-7577
For **PRODUCT USE** Information Call 1-800-331-2867

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 by a poison control center or doctor.
If in eyes:	<ul style="list-style-type: none"> • Hold eyes 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. • Call a poison control center or doctor for treatment advice.
If on skin:	<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>Have the product container or label with you when calling a poison control center or doctor or going for treatment.</p> <p>Symptoms of Poisoning: No specific symptoms. Acute poisoning is accompanied by hyperactivity followed by sedation. In case of poisoning, call a physician or Poison Control Center. Have patient lie down and keep quiet.</p> <p>To Physician: No specific antidote. Treat symptomatically.</p>	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER

Corrosive. Causes irreversible eye damage. Harmful if inhaled, swallowed, or absorbed through the skin. Avoid breathing vapors. Avoid contact with eyes, skin, or clothing. Wear goggles or face shield. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

ENVIRONMENTAL HAZARDS

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 local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

DIRECTIONS FOR USE

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

Do not contaminate feed or food.

Bayleton 216 Concentrate is intended for formulation into end use products for:

Domestic outdoor uses on ornamentals (herbaceous plants, flowers, woody shrubs, trees)

ACCEPTED
with COMMENTS
In EPA Letter Dated
JAN 11 2008

Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No.

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Greenhouse non-food uses on:

Ornamentals (specified above)

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

This product may be used to formulate products for specific use(s) not listed on the MP label if the formulator, user group, or grower has complied with U.S. EPA submission requirements regarding support of such use(s).

STORAGE AND DISPOSAL

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

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, preferably in a locked storage area.

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: Do not use container in connection with food, feed, or drinking water. Completely empty container into formulation equipment. Then dispose of empty container in a sanitary landfill or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

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 LP. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE LP 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 LP 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 LP'S ELECTION, THE REPLACEMENT OF PRODUCT.

NET CONTENTS: Pounds

Bayleton® is a registered trademark of Bayer

PRODUCED FOR



Bayer Environmental Science

**A Business Group of Bayer CropScience LP
2 T.W. Alexander Drive
Research Triangle Park, NC 27709**

BAYLETON 216 (PENDING) 09/27/07