



432-1405

10/17/2007
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

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OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Mr. Richard M. Gorrell
Manager, Registration
Bayer Environmental Science
2 T.W. Alexander Drive
Research Triangle Park, NC 27709

OCT 17 2007

Dear Mr. Gorrell:

SUBJECT: Oxadiazon Technical
EPA Registration No. 432-1405
Application and Letter Dated: May 30, 2007,
Request To Amend Registration by Changing
the Source to Unregistered Sources; and
Resubmission Application and Letter Dated June 29,
2007 Requesting "Additional Label Changes as Per
the EPA Letter Dated 06-20-07"

Your application to amend the registration of Oxadiazon Technical by replacing its sources and increasing the content of active ingredient from a nominal concentration of 95.0% to 99.0% have been reviewed and found acceptable under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended.

The basic Confidential Statement of Formula (CSF), dated May 14, 2007 has been reviewed and found acceptable and replaces the existing basic CSF dated July 20, 2004. No further shipment of this pesticide product is allowed under the replaced formula.

The alternate Confidential Statement of Formula, dated May 15, 2007 has been reviewed and found acceptable under the FIFRA as amended.

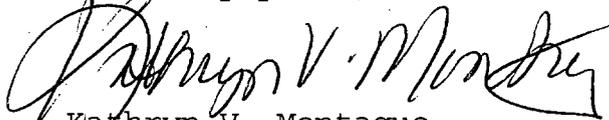
A copy of these new CSFs have been placed in this Agency's record for this pesticide product registration.

The proposed labeling submitted to reflect the increased concentration of active ingredient, oxadiazon, has been reviewed and is acceptable as an amendment to the registration of "Oxadiazon Technical" provided that you:

1. Revise the second statement prefacing the ingredient statements to read: "Formulators who use this product are responsible for obtaining EPA registration of their formulated products"; or delete the statement.
2. Replace the signal word "Caution" with "Warning" to reflect the enclosed June 28, 2006 acute toxicity review. And, add a "Note to Physician" which addresses the Toxicity Category II, based on primary dermal irritation. The information to be given is described in the review.
3. Revise the "Precautionary Statements" following the signal word: WARNING, to read: "Causes skin irritation. Harmful if absorbed through skin. Harmful if inhaled. Do not get on skin or on clothing. Avoid contact with eyes. Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet."
4. Revise the "Storage and Disposal", Pesticide Disposal by describing how "this product may be disposed of on site" or delete this direction. Under "Container Disposal" delete the direction: "Completely empty bag into application equipment"; and revise the directions to read: "Completely empty bag and then dispose of empty bag in a sanitary landfill or,".
5. Submit (1) copy of the final printed label prior to your shipment of this pesticide product under the enclosed revised labeling.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA, section 6(e). Your release for shipment under this labeling constitutes acceptance of these conditions.

Sincerely yours,



Kathryn V. Montague
 Acting Product Manager (23)
 Herbicide Branch
 Registration Division (7505P)

Enclosure

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OXADIAZON TECHNICAL

For Formulation of Herbicides Only.

Formulators who use this product are responsible for obtaining EPA supplemental distributor registration for their formulated products. Products containing oxadiazon are not for use on home lawns.

ACTIVE INGREDIENT:

Oxadiazon 3-[2,4-dichloro-5-(1-methylethoxy)phenyl]-5-(1,1-dimethylethyl)-1,3,4-oxadiazol-2(3H)-one..... 99.0%

INERT INGREDIENTS:

1.0%

100.0%

EPA Reg. No. 432-1405

EPA Est. No.

KEEP OUT OF REACH OF CHILDREN CAUTION

For EMERGENCY Information ONLY Call 24 Hours A Day 1-800-334-7577

First Aid

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 In Eyes:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lense, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

PRECAUTIONARY STATEMENTS

CAUTION

HAZARD TO HUMANS AND DOMESTIC ANIMALS

Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling.

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.

For use only by manufacturers in the formulation of herbicides. This product requires further mixing before reuse.

Only For Formulation Into a Herbicide, for (1) The Following Uses: Turf, ornamentals, nursery trees and landscape plantings. This product may not be formulated into products intended for residential consumer use.

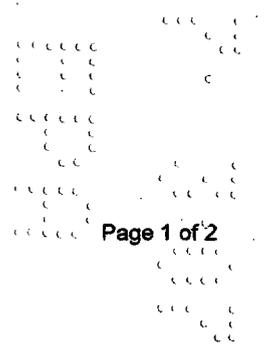
(2) Uses for Which US EPA has Accepted the Required Data and/or Citations of Data that the Formulator has Submitted in Support of Registration and (3) Uses for Experimental Purposes that are in compliance with US EPA Requirements.

**ACCEPTED
with COMMENTS
In EPA Letter Dated:**

OCT 17 2007

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

432-1405



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STORAGE AND DISPOSAL

STORAGE

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

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

Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or, if allowed by government regulations, by burning or incineration. If bag is burned, stay out of smoke.

Consult Federal, State or Local disposal authorities for approved alternative procedures.

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 LP 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.

Produced for



Bayer Environmental Science

Bayer Environmental Science
A Business Group of Bayer CropScience LP
PO Box 12014, 2 T. W. Alexander Drive
Research Triangle Park, NC 27709

OXADIAZON TECHNICAL (PENDING) Submitted 06/28/07

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