

432-1522

9/23/2013

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

September 23, 2013

Bayer Environmental Science
2 T.W. Alexander Drive
RTP, North Carolina 27709
Attn: Richard M. Gorrell

Subject: Notification to add an additional Alternate Brand Name, and make other minor revisions to the product label, consistent with PR Notice 98-10.

Product Brand Name: **ESTC006A.**

Additional Alternate Brand Name: **FIATA™ STRESSGARD™**

EPA Registration Number: 432- 1522

Your Submission dated August 21, 2013.

Dear Mr. Gorrell:

The Biopesticides and Pollution Prevention Division is in receipt of your application for Notification under Pesticide Registration Notice (PRN) 98-10 dated above. A screen of this request has been conducted for its applicability under PRN 98-10, and it has been determined that the actions requested fall within the scope of this Notice. Our records have been duly noted, and the label submitted with this application has been stamped "Notification Accepted" and will be placed accordingly in our records.

Three (3) copies of final printed labeling must be submitted to the Agency before your product as modified, may be sold or distributed [PR Notice 82-2 and 40 CFR 156.10(a) (6)].

If you have any questions regarding this action, you may contact Mr. Sylvester George at (703) 603-0688 or via e-mail at george.sylvester@epa.gov.

Sincerely,

Linda A. Hollis

Linda A. Hollis, Chief
Biochemical Pesticide Branch
Biopesticides and Pollution
Prevention Division (7511P)

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United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 432-1522	2. EPA Product Manager Linda A. Hollis, Chief	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) ES TC006A (ABNs: Fiata and Fiata StressGard)	PM#	
5. Name and Address of Applicant (Include ZIP Code) Bayer Environmental Science 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. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input checked="" type="checkbox"/> Final printed labels in response to Agency letter dated _____	Notification Accepted Date: 9/23/2013 Reviewer: Sylvester George
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.	
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.	

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
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 sections 12 and 14 of FIFRA.
- ABN and minor text changes
See attachment for more information

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	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____	
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions c c c c c c c c c c c c c c c	
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 _____ c c c c c c c c c c c c c c c	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Richard M. Gorrell	Title Manager, Registrations	Telephone No. (Include Area Code) 919-549-2423 c c c c c

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 Richard M. Gorrell	3. Title Manager, Registrations	
4. Typed Name Richard M. Gorrell	5. Date August 21, 2013	

A collection of 15 small, stylized line drawings of various birds, including shorebirds, waterfowl, and songbirds, arranged in a grid-like fashion.

Bayer CropScience



August 21, 2013

EPA13RMG0821ESTC006A_ABNNotif
FEDEX

Mr. Andy Bryceland
Biochemical Pesticides Branch
U.S. Environmental Protection Agency
Office of Pesticide Programs (7504P)
Document Processing Desk
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

Bayer CropScience
2 T.W. Alexander Drive
RTP, NC 27709
Phone : 919.549.2000

RE: ESTC006A(432-1522) (ABN: Fiata): Submitting New ABN "Fiata StressGard" and Some Other Minor Label Text Changes

Dear Mr. Bryceland:

Bayer Environmental Science (BES) is notifying the Agency of minor revisions to the ESTC006A label. Bayer is adding a new Alternate Brand Name: Fiata StressGard. The other minor changes are various text changes and are highlighted in yellow. As per the EPA's Label Review Manual Chapter 13 revision, the Storage and Disposal was revised to change the Container Disposal heading in the text box to Container Handling.

The following information accompanies this letter:

- 8570-1 application form
- 53 copies of the revised label; one shaded copy

If you have any questions, contact me at (919) 549-2423 or email me at mike.gorrell@bayercropscience.com.

Sincerely,

Mike Bond

Richard M. Gorrell
Manager, Registrations

Incl.
Cc Karen Shearer
Mike Hirvella

A collection of 15 small, stylized line drawings of various birds, including sparrows, finches, and songbirds, arranged in a grid-like fashion.

Date:

9/23/2013

Reviewer:

Sylvester George

ES TC006A

(ABN: FIATA™; FIATA™ StressGard™)**A SYSTEMIC FUNGICIDE AND BOOSTER OF PLANT DEFENSE MECHANISMS THAT PROMOTES DROUGHT TOLERANCE AND HELPS CONTROL LISTED DISEASES OF TURFGRASS****ACTIVE INGREDIENT:** Mono- and di-potassium salts of phosphorous acid *25.85%**OTHER INGREDIENTS:** 74.15%**TOTAL:** 100.00%

* Contains 2.64 lb active ingredient per gallon; equivalent to 1.73 lb phosphorous acid per gallon (17.0% w/w)

EPA Reg. No. 432-1522**EPA Est. No. XXXX**

KEEP OUT OF REACH OF CHILDREN

For MEDICAL and TRANSPORTATION Emergencies ONLY Call 24 Hours A Day 1-800-334-7577**For PRODUCT USE Information, Call 1-800-331-2876**

FIRST AID

If swallowed:

- Immediately call a poison control center or doctor for treatment advice.
- Do not induce vomiting unless told to do so by a poison control center or doctor.
- Have person sip a glass of water if able to swallow.
- Do not give anything by mouth to an unconscious person.

For MEDICAL Emergencies Call 24 Hours A Day 1-800-334-7577.**Have the product container or label with you when calling a poison control center or doctor or going for treatment.**

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Harmful if swallowed. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet.

ENVIRONMENTAL HAZARDS

For Terrestrial Uses

Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of rinsate or equipment washwaters.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear long-sleeved shirt and long pants, and shoes plus socks.

Follow manufacturer's instructions for cleaning/maintaining personal protective equipment (PPE). If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

ENGINEERING CONTROL STATEMENT

When handlers use closed systems, enclosed cabs, or aircraft 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 PPE clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing.

DIRECTIONS FOR USE

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

Read entire label before using this product.

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 agency responsible for pesticide regulation.

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 of 4 hours.

PPE required for early entry 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, waterproof gloves, shoes plus socks, and protective eyewear.

NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

Do not enter treated areas without protective clothing until sprays have dried.

PLANT HEALTH RESPONSES

ES TC006A, when applied at the prescribed rates and intervals, promotes healthier roots, and increases plant drought tolerance and improves plant water utilization. This leads to a reduction in the need for hand watering and a general saving of water use. The resulting improvement in function of these healthier roots leads to more efficient uptake of plant nutrients. Improving cell turgidity results in a healthier and sturdier plant structure, reducing the impact of traffic or mechanical damage. These effects are consistent with the properties of anti-oxidants. A property of ES TC006A is to act as an inducer of systemic resistance in plants resulting in production of plant metabolites responsible for improving plant processes and increasing resistance to diseases.

Cool-season grasses such as tall fescues, bluegrasses, and bentgrasses are prone to damage during summer heat and summer decline leading to reduced root mass in the summer months. Turf treated with ES TC006A retains turf quality through summer stress by alleviating plant stresses, enhancing disease resistance through induced system resistance, and protecting the plant from the adverse effects of solar radiation.

Warm-season grasses, such as Bermudagrass and Zoysiagrass, influenced by the effects of insufficient sunlight during the spring and fall, are prone to losing chlorophyll and premature senescence. ES TC006A reduces the negative effects on plant growth promoting earlier spring green-up, turf fill-in, and extended turf quality in the fall.

PRODUCT INFORMATION

ES TC006A must be applied as a foliar spray. Apply ES TC006A with sufficient water volumes for adequate coverage of foliage, according to the turf growth stage.

STAINING PRECAUTION

This product may cause staining. Avoid off-target sites such as sidewalks, patios, driveways, pavers, or similar materials. Do not enter treated areas until spray has dried. Rinse spray equipment thoroughly with warm water and detergent.

MIXING INSTRUCTIONS

1. Fill the spray tank with 1/4 - 1/2 of the required volume of water before adding ES TC006A.
2. Add ES TC006A slowly to the tank and agitate by hydraulic or mechanical means.
3. Continue to fill the tank with water to the desired volume while agitating.
4. Continue agitation when applying.

COMPATIBILITY:

ES TC006A is compatible with most products used on turf; however, turfgrass sensitivity to these mixtures may vary. In particular, certain foliar fertilizers and copper products may not be compatible with ES TC006A and the combined use may cause phytotoxicity to certain plants. If these combinations or others have not been used before, do not tank mix without first testing the mixture's compatibility nor apply it without assessing its safety to the turfgrass (phytotoxicity).

To determine the compatibility of ES TC006A with other products, use a jar compatibility test. Add the correct proportions of each product and the appropriate quantity of water to clean container, thoroughly mix, then let stand for 3 - 5 minutes. If the mixture remains in solution or can be remixed readily, the products are considered compatible. To determine if a combination is phytotoxic to a specific turf, spray a small area and then evaluate 3 - 7 days later for visual effects.

TURF

ES TC006A is a systemic fungicide and booster of plant defense mechanisms that is used for the suppression of Pythium blight and damping-off diseases of turfgrass on sod farms, golf courses, sport fields, parks, residential and commercial sites. Begin preventative applications when conditions first favor disease and repeat at prescribed intervals. Use higher rates under severe disease conditions.

DISEASE	APPLICATION METHOD	RATE	APPLICATION PROGRAM
Pythium	Foliar Spray	5 to 15 fl. oz./1,000 sq. ft.	Apply approved amount in 1 to 5 gallons of water per 1,000 square feet. Thoroughly wet the foliage. Apply at 14 to 28 day intervals as needed. Do not mow or irrigate treated area until sprays have completely dried.

ES TC006A has a plant health component that is used for the prevention or alleviation of stress from drought, solar radiation and other oxidative processes on turfgrasses on sod farms, golf courses, sport fields, parks, residential and commercial sites. Begin preventative applications prior to the occurrence of adverse weather conditions or before watering restrictions are imposed and repeat at prescribed intervals. Use higher rates under severe drought conditions or irrigation reduction. ES TC006A does not replace the use of soil amending adjuvants for soil hydrophobicity and should be used in conjunction with best turf management practices.

DROUGHT TOLERANCE	APPLICATION METHOD	RATE	APPLICATION PROGRAM
Irrigation reduction of 20 to 50% or during periods of low rainfall for up to 4 to 9 weeks	Foliar Spray	5 to 15 fl. oz./1,000 sq. ft.	Apply approved amount in 1 to 5 gallons of water per 1,000 square feet. Thoroughly wet the foliage. Apply at 14 to 28 day intervals as needed to fairway or lawn height cut turf. Do not mow or irrigate treated area until sprays have completely dried.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE:

Keep this product in containers stored upright and secured with the original closure. Do not store this product near heat sources. If transfer to another container becomes necessary, ensure that the container is clearly labeled, the container is a type suitable for the product, and is clean and free of other materials.

PESTICIDE DISPOSAL:

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

CONTAINER HANDLING:

Rigid, Non-refillable containers less than 5 gallons

Non-refillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container $\frac{1}{4}$ full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Offer for recycling, if available, or reconditioning, or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

Rigid Non-refillable containers that are too large to shake (i.e., with capacities greater than 5 gallons or 50 lbs)

Non-refillable containers - Do not reuse or refill this container. Refer to Bottom Discharge IBC or Top Discharge IBC, Drums, Kegs information as follows.

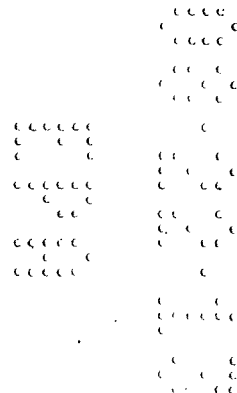
Bottom Discharge IBC (e.g. - Schuetz Caged IBC or Snyder Square Stackable)

Pressure rinsing the container before final disposal is the responsibility of the person disposing of the container. To pressure rinse the container before final disposal, empty the remaining contents from the IBC into application equipment or mix tank. Raise the bottom of the IBC by 1.5 inches on the side which is opposite of the bottom discharge valve to promote more complete product removal. Completely remove the top lid of the IBC. Use water pressurized to at least 40 PSI to rinse all interior portions. Continuously pump or drain rinsate into application equipment or rinsate collection system while pressure rinsing. Continue pressure rinsing for 2 minutes or until rinsate becomes clear. Replace the lid and close bottom valve.

Top Discharge IBC, Drums, Kegs (e.g. - Snyder 120 Next Gen, Bonar B120, Drums, Kegs).

Triple rinsing the container before final disposal is the responsibility of the person disposing of the container. To triple rinse the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container at least 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Rinse all interior surfaces. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this procedure two more times.

Once container is rinsed, offer for recycling if available or puncture and dispose of in a sanitary landfill or by incineration.



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 should 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: 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. BAYER CROPSCIENCE DISCLAIMS ANY LIABILITY WHATSOEVER FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

LIMITATIONS OF LIABILITY: 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.

BATH CODE: _____

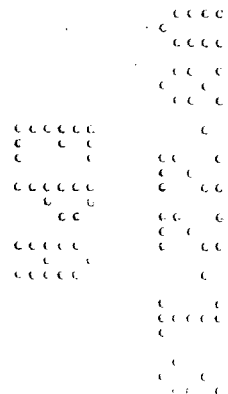
NET CONTENTS: [Various (1 gal to 50 gal)]

PRODUCED FOR



Bayer Environmental Science

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



ES TC006A (PENDING) 08/16/2013

APPENDIX: Optional Marketing Claims:

Better drought tolerance
 Improved water utilization
 Saves water expenses
 Reduce need for hand watering
 Retain turf quality through summer stress
 Reduces plant stress thus requiring less watering
 Reduce afternoon syringing [note: syringing is a light application of water to turf foliage]
 Enhanced disease resistance from a healthier root system
 Provides enhanced plant health to minimize water uptake requirements
 Drought stress protection
 Water optimizing formula
 Innovative formula reduces water needs
 Turf grass exits dormancy for faster green-up
 Provides more efficient root uptake of surrounding soil moisture
 Reduce irrigation budget by [XX]%
 Reduce cost of watering by [XX]%
 Reduce irrigation needs by [XX]%
 Greener lawn with [XX]% water requirements
 Cut your water bill [XX %]

