

7501-173

09/06/2004

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Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95



United States  
Environmental Protection Agency  
Washington, DC 20460

- Registration
- Amendment
- Other

OPP Identifier Number

501-23

Application for Pesticide - Section I

1. Company/Product Number <i>7501-173</i>	2. EPA Product Manager <i>L. Arrington</i>	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) <i>GAUCHO 600 Flowable</i>	PM# <i>61</i> <i>Notifications</i>	
5. Name and Address of Applicant (Include ZIP Code) <i>Gustafson LLC 1400 Preston Rd., Suite 400 Plano, TX 75093</i> <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.	<b>NOTIFICATION</b>	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated <i>SEP 06 2004</i>		<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.)

*Notification of alternate brand name, "GAUCHO Grande Seed-Applied Insecticide" per PR Notice 98-10.*

"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 it may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA."

*Dennis McFadden*

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 <input type="checkbox"/>	
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 _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name <i>Dennis McFadden</i>	Title <i>Mgr. Tox &amp; Reg Affairs</i>	Telephone No. (include Area Code) <i>972-985-8877</i>
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 <i>Dennis McFadden</i>	3. Title <i>Mgr. Tox &amp; Reg Affairs</i>	
4. Typed Name <i>Dennis McFadden</i>	5. Date <i>8/30/04</i>	

# GAUCHO<sup>®</sup> Grande

## Seed-applied insecticide

**ACTIVE INGREDIENTS:**

Imidacloprid: 1-[(6-Chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine ..... 48.7%

**OTHER INGREDIENTS:** ..... 51.3%

**TOTAL** ..... 100.0%

Contains 5 lbs. active per gallon (600 grams per liter) @ 20°C

EPA Reg. No. 7501- 173  
EPA Est.

**NOTIFICATION**

SEP 0 6 2004

NET CONTENTS:

**KEEP OUT OF REACH OF CHILDREN**

**CAUTION**

**PRECAUTIONARY STATEMENTS  
HAZARDS TO HUMANS AND  
DOMESTIC ANIMALS**

**SEE ADDITIONAL PRECAUTIONARY STATEMENTS**

A quality product manufactured by:



Gustafson LLC  
1400 Preston Rd., Suite 400  
Plano, TX 75093  
Questions? (972) 985-8877

**CAUTION****PRECAUTIONARY STATEMENTS  
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 (PPE):** Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for Category C on an EPA chemical resistance category selection chart.

Applicators and other handlers must wear: Long-sleeved shirt and long pants, socks and shoes and chemical-resistant gloves (such as nitrile, butyl, neoprene, barrier laminate, polyvinyl chloride or Viton). 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.

**USER SAFETY RECOMMENDATIONS:** Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet. Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change clothing.

**FIRST AID**

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

<b>If swallowed</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>
<b>If on skin or clothing</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15 - 20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If inhaled</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>

**IN CASE OF AN EMERGENCY ENDANGERING LIFE OR PROPERTY INVOLVING THIS  
PRODUCT CALL:**

**CHEMTREC: (800) 424-9300 (Toll free – US)**

**CHEMTREC: (703) 527-3887 (Domestic and International)**

**ENVIRONMENTAL HAZARDS**

This product is highly toxic to birds and aquatic invertebrates. 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. Cover or incorporate spilled treated seeds.

**DIRECTIONS FOR USE:** It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

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For use in commercial seed treaters only, with the exception of application to canola, cotton (delinted seed), field corn, sorghum, wheat and barley, which may be made either by commercial seed treatment or as an end-use seed treatment on agricultural establishments at, or immediately before, planting. This product is to be used in liquid or slurry treaters.

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 the agency responsible for pesticide regulation.

Mix thoroughly before use or use entire container at one time. All tank mixes should be pre-tested to determine physical compatibility between formulations. Observe all cautions and limitations on labeling of all products used in mixtures.

**AGRICULTURAL USE REQUIREMENTS**

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40CFR 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 12 hours. Exception: If the seed is treated with the product and the treated seed 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 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, protective eyewear.

**Stored Seed Protection:**

Applied at labeled rates equal to or above 0.8 fl. oz. per hundredweight, GAUCHO® Grande seed-applied insecticide will provide protection to seed against injury from the following insects: Indian Meal Moth (*plodia interpunctella*), Rice Weevil (*Sitophilus oryzae*), Red Flour Beetle (*Tribolium castaneum*), and Lesser Grain Borer (*Rhizopertha dominica*). It is recommended that seed with existing populations of stored grain pests be fumigated prior to treating and bagging seed.

**For Early Season Protection Against Certain Sucking Insects:**

GAUCHO Grande seed-applied insecticide will aid in the protection of seeds and seedlings against injury by certain early season insects.

**Cotton (Delinted Seed Only):**

To provide protection of seedlings against injury by early season thrips and aphids, and where the specific application rate is desired on an individual seed basis apply at 0.375mg. ai. per seed (do not apply more than 12.8 fluid ounces per hundredweight of seed) prior to planting as a slurry treatment so as to ensure thorough coverage. Otherwise, apply at 12.8 fluid ounces per hundredweight of seed. Regardless of the type of application (seed treatment, soil or foliar) do not apply more than a total of 0.5 lb. of imidacloprid per acre per cropping cycle.

**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, as soon as practical following the last application. The following plant-back intervals should be observed for listed crops:

ROTATIONAL PLANT-BACK INTERVALS*				
IMMEDIATE PLANT-BACK				30-DAY PLANT-BACK
Artichoke	Cranberry	Mustard Seed	Strawberry	Cereals, including:
Barley	Cucurbits	Okra	Sugarbeet	buckwheat
Brassica (cole) leafy veg.	Eggplant	Pepinos	Tomatillo	millet
Canola	Ground cherry	Pepper	Tomato	oats
Cilantro	Leaf petiole veg.	Popcorn	Triticale	rice
Corn, Field	Leafy veg.	Potato	Veg. Root and Tuber	rye
Corn, Sweet	Legume veg. (succulent	Rapeseed	Watercress	Safflower
Cotton	or dried, except soybean)	Sorghum	Wheat	Soybean

\* Cover crops for soil building or erosion control may be planted any time, but do not graze or harvest for food or feed.  
 \* For all other crops not listed on an Imidacloprid label, or for crops for which no tolerance for the active ingredient has been established, a 12-month plant-back interval should be observed.

NOTIFICATION of the crop rotational restriction must be conveyed to the grower by appropriate seed tag labeling or bag printing on all seed units.

**NOTE:** The purchaser of this product is responsible for ensuring that all seed treated with this product are adequately dyed with a suitable color to prevent its accidental use as food for man or feed for animals. Refer to 21CFR, Part 2.25. Any dye or colorant added to treated seed must be cleared for use under 40CFR, Part 180.1001. 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 recommended rates.

Treated seed must not be used for or mixed with food or animal feed or processed for oil. Seed commercially treated with GAUCHO Grande seed-applied insecticide must be labeled in accordance with all applicable requirements of the Federal Seed Act.

Labels for commercially treated seed should include the following addition to the Environmental Hazards statements:

Exposed treated seed may be hazardous to birds. Dispose of all excess treated seed and seed packaging by burial away from bodies of water. Cover or incorporate spilled treated seeds.

### STORAGE AND DISPOSAL

**STORAGE:** Store in a cool place. Do not store in direct sunlight. Protect from freezing temperatures.

**PROHIBITIONS:** Do not contaminate water, food or feed by storage, disposal, or by cleaning of equipment. Do not reuse empty container. Open dumping is prohibited.

**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:** Contact Gustafson or your chemical supplier for container return instructions. If container is not returned in accordance with instructions, triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

### NOTICE – READ CAREFULLY

#### CONDITIONS OF SALE AND LIMITED WARRANTY STATEMENT

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 Gustafson LLC, no claims are made to guarantee germination of carry-over seed.

As its sole express warranty, Gustafson LLC warrants that this product conforms to the chemical description on the label and is reasonably fit for purposes stated on the label only when used in accordance with directions and instructions specified on the label, subject to the inherent risks set forth above. ONLY AS PERMITTED BY APPLICABLE LAW, IN THE EVENT OF A BREACH OF THIS LIMITED WARRANTY, GUSTAFSON LLC SHALL NOT BE LIABLE FOR CONSEQUENTIAL DAMAGES. SUBJECT TO APPLICABLE LAW, GUSTAFSON LLC NEITHER MAKES NOR AUTHORIZES ANY OF ITS AGENTS OR REPRESENTATIVES TO MAKE ANY WARRANTY OF FITNESS OR MERCHANTABILITY, GUARANTY OR REPRESENTATION, EXPRESS OR IMPLIED, CONCERNING THIS MATERIAL. Buyer assumes the responsibility to handle, use, and store this product in accordance with safety instructions and use directions contained on the label.

Buyer/User purchases this product subject to the foregoing Conditions of Sale and Limited Warranty which, subject to applicable law, may be varied only by a written agreement signed by a duly authorized representative of Gustafson LLC. If these terms are not acceptable, return all products to the place of purchase, unopened for a full refund.

Gustafson (logo) is a registered trademark of Gustafson LLC, Plano, Texas  
GAUCHO is a registered trademark of Bayer Ag, Germany

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August 30, 2004

Linda Arrington, Notifications  
Office of Pesticide Programs  
Document Processing Desk (AMEND)  
1801 S. Bell St.  
Arlington, VA 22202

Subject: GAUCHO 600 Flowable, 7501-173

Dear Ms. Arrington,

Gustafson LLC is submitting a notification of an alternate brand name, GAUCHO Grande Seed-Applied Insecticide, for the above named product per PR 98-10.

Sincerely,

A handwritten signature in cursive script that reads "Dennis McFadden".

Dennis McFadden

Manager, Toxicology and Regulatory Affairs