



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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

September 16, 2020

Peko Rasic
Team Leader, Federal Registrations
BASF Corporation
26 Davis Drive
Research Triangle Park, NC 27709

Subject: Labeling Notification per Pesticide Registration Notice (PRN) 98-10 and Pesticide Registration Notice (PRN) 2007-4 – Notification of Minor Revisions and Changes in Warranty Statement (as per PRN 98-10); Notification of storage and disposal update (as per PRN 2007-04)
Product Name: BAFI SDN (MUP)
EPA Registration Number: 7969-439
Application Date: 08/18/2020
Request Case Code: 00142014

Dear Mr. Rasic:

The U.S. Environmental Protection Agency (EPA) is in receipt of your application for notification under Pesticide Registration Notice (PRN) 98-10 and Pesticide Registration Notice (PRN) 2007-4 for the above referenced product. The Biopesticides and Pollution Prevention Division (BPPD) has conducted a review of this request for its applicability under PRN 98-10 and PRN 2007-4 and finds that the action requested falls within the scope of PRN 98-10 and PRN 2007-4.

The labeling submitted with this application has been stamped “Notification” and will be placed in our records. Please be reminded that 40 CFR § 156.140(a)(4) requires that a batch code, a lot number, or other code identifying the batch of the product distributed and sold be placed on nonrefillable containers. The code/number may appear either on the label (and can be added by non-notification via PRN 98-10) or durably marked on the container itself. You must submit one (1) copy of the final printed labeling with the modifications.

Should you wish to add/retain a reference to your company’s website on your label, then please be aware that the website becomes labeling under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and is subject to review by the EPA. If the website is false or misleading, the product will be considered to be misbranded and sale or distribution of the product is unlawful under FIFRA section 12(a)(1)(E). 40 CFR § 156.10(a)(5) lists examples of statements the EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product’s label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the EPA find or if it is brought to our attention that a website contains false

Page 2 of 2
EPA Reg. No. 7969-439
Request Case Code 00142014

or misleading statements or claims substantially differing from the EPA-approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance Assurance.

If you have any questions, please contact Monica Thapa by phone at (703)-347-8688 or via email at Thapa.Monica@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Kendrick', written in a cursive style.

Cody Kendrick, Risk Manager
Microbial Pesticides Branch
Biopesticides and Pollution
Prevention Division (7511P)
Office of Pesticide Programs

Enclosure

BAFI SDN (MUP)

FOR THE FORMULATION OF BIO-NEMATICIDE AND PLANT GROWTH PROMOTING PRODUCTS

Active Ingredient:

Bacillus firmus (strain I-1582)* 100.00%
TOTAL: 100.00%

* Contains a minimum of 1×10^{11} cfu/gram

EPA Reg. No. **264-11137969-439**

EPA Est. No.

KEEP OUT OF REACH OF CHILDREN

CAUTION/**PRECAUCIÓN**

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand the label, find someone to explain it to you in detail.)

NOTIFICATION

7969-439

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)

The applicant has certified that no changes, other than those reported to the Agency have been made to the labeling. The Agency acknowledges this notification by letter dated:

09/16/2020

~~Please refer below for precautionary statements and directions for use. Please refer to [back panel] [booklet] for additional precautionary statements, directions for use, and First Aid. [Note to reviewer: Location of additional precautionary statements and directions for use will vary between those listed, depending on container type/size.]~~

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Causes moderate eye irritation. Avoid contact with eyes or clothing. Wear protective eyewear. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet.

FIRST AID

If in eyes:

- Hold eye 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.

HOT LINE NUMBER

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

You may also contact BASF Corporation for emergency medical treatment information:
1-800-832-HELP (4357)

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 to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

IMPORTANT: Read the entire label before using this product.

Directions For Use

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

For manufacturing use only in formulating bio-nematicide and plant growth promoting products. The formulator is responsible for obtaining EPA registration of its products.

Storage and Disposal

DO NOT contaminate water, food or feed by storage or disposal.

Pesticide Storage: Avoid freezing. Store in original container only. Store in dry place.

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: [Dilutable Manufacturing Use Products in Nonrefillable Plastic Containers]: Nonrefillable container. DO NOT reuse or refill this container. Clean container promptly after emptying. For any dilutable pesticides in rigid, nonrefillable containers too large to shake (i.e., with capacities more than 5 gallons or 50 pounds): "Triple Rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. **Bottom Discharge IBC (e.g., – Schuetz Caged IBC or Snyder Square Stackable):** Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank. Hold container upside down over application equipment or a mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip. Then offer for recycling if available or reconditioning if appropriate or puncture and dispose of in a sanitary landfill, or by incineration. **Top Discharge IBC, Drums, and Kegs (e.g., – Snyder 120 Next Gen, Bonar B120, Drums, and Kegs)** Triple Rinse as follows: Empty remaining contents into application equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times. Then offer for recycling if available or puncture and dispose of in a sanitary landfill or by other procedures approved by state and local authorities. **[Manufacturing Use Products in Nonrefillable Supersack Containers]** Nonrefillable container. DO NOT reuse or refill this container. Completely empty bag into application equipment; then offer for recycling if available or dispose of empty bag in a sanitary landfill or by incineration. **[Manufacturing Use Products in Refillable Containers]** Refillable container. Refill this container with pesticide only. **DO NOT** reuse this container for any other purpose. After emptying product from container, either return container to **Bayer CropScience BASF Corporation** per instructions from **Bayer CropScience BASF Corporation** Customer Service Center (**+1-800-527-4781**) or rinse and either recycle or dispose of the container 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. Cleaning before refilling is the responsibility of the refiller. To pressure rinse the container before final disposal, empty the remaining contents from the IBC into manufacturing equipment. Raise the bottom of the IBC by 1.5 inches on the side that 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 manufacturing equipment 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, and Kegs (e.g., – Snyder 120 Next Gen, Bonar B120, Drums, and Kegs)** Triple rinsing the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To triple rinse the containers before final disposal, empty the remaining contents from this container into manufacturing equipment. 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 manufacturing equipment. 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. End users are authorized to remove tamper evident cables as required to remove the product from the container unless the container is equipped with one way valves and refilling or returning is planned. If this is the case, end users are not authorized to remove tamper evident cables, or one way valves or to clean the container.

Conditions of Sale and Warranty

BASF warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the Directions For Use. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BASF MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S EXCLUSIVE REMEDY AND BASF'S EXCLUSIVE LIABILITY, WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE, SHALL BE LIMITED TO REPAYMENT OF THE PURCHASE PRICE OF THE PRODUCT. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BASF AND THE SELLER DISCLAIM ANY LIABILITY FOR CONSEQUENTIAL, EXEMPLARY, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. BASF and the Seller offer this product, and the Buyer and User accept it, subject to the foregoing Conditions of Sale and Warranty which may be varied only by agreement in writing signed by a duly authorized representative of BASF.

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 SELECTION, THE REPLACEMENT OF PRODUCT.~~

Net Contents: 220 lbs (100 kg); 44 lbs (20 kg)

© 2020 BASF Corporation. All rights reserved

Bayer CropScience LP
P.O. Box 12014, 2 T.W. Alexander Drive
Research Triangle Park, North Carolina 27709
1-866-99BAYER (1-866-992-2937)

BASF Corporation
26 Davis Drive,
Research Triangle Park, NC 27709

007969-00439.20200818.NVA 2020-13-636-0107

BAFI SDN (PENDING) 03/19/2018, 11/29/2018