



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

JUL 18 2008

Ms. Dawn Walters
Regulatory Administrator
The Andersons Lawn Fertilizer Division, Inc.
d/b/a Free Flow Fertilizer
P.O. Box 119
Maumee, OH 43537

RE: Notification to Revise Warranty Statement and to add statement with a bullet
"For golf course use only"
EPA Registration Number: 9198-111
Date of Submission: June 13, 2008

Dear Ms. Walters:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated June 13, 2008, for the product, The Andersons 1.0% Bayleton Fungicide. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Joyce Edwards of my staff at 703-308-5479.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington
Notifications & Minor Formulations Team Leader
Registration Division (7505P)
Office of Pesticide Programs



The Andersons, Inc.

P.O. Box 119 • Maumee, Ohio 43537 • 419/893/5050

June 13, 2008

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
US Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

RE: Notification of Minor Label Change

SUBJECT: The Andersons 1.0% Bayleton Fungicide
EPA Reg. No. 9198-111

Per PR Notice 98-10 enclosed is EPA Form 8570-1, an application notifying the Agency of a revision to the labeling for the subject registration. A copy of the revised labeling is enclosed with the additions underlined and marked in blue and deletions marked in red strikeout.

We are proposing to revise the warranty statement per Agency's Guidance on Warranty Statements, dated October 10, 2006.

Previous warranty:

WARRANTY DISCLAIMER and LIMITATION of LIABILITY:

Manufacturer warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions. Manufacturer makes NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. Where permissible, it is Manufacturer's intent to LIMIT ANY LIABILITY FOR SPECIAL, CONSEQUENTIAL OR INCIDENTAL ECONOMIC DAMAGES to refund of purchase price or replacement of product, at Buyer's choice. Manufacturer DISCLAIMS ANY LIABILITY FOR COMPENSATORY OR OTHER DAMAGES ARISING OUT OF ANY USE CONTRARY TO LABEL DIRECTIONS. Use contrary to label directions is not permitted.

Revised warranty:

WARRANTY DISCLAIMER and LIMITATION of LIABILITY:

Manufacturer warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions. Manufacturer makes NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. To the extent consistent with applicable law, it is Manufacturer's intent to LIMIT ANY LIABILITY FOR SPECIAL, CONSEQUENTIAL OR INCIDENTAL ECONOMIC DAMAGES to refund of purchase price or replacement of product, at Buyer's choice. To the extent consistent with applicable law, Manufacturer DISCLAIMS ANY LIABILITY FOR COMPENSATORY OR OTHER DAMAGES ARISING OUT OF ANY USE CONTRARY TO LABEL DIRECTIONS. Use contrary to label directions is not permitted.

4/10



United States
Environmental Protection Agency
 Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

| | | |
|--|---|--|
| 1. Company/Product Number 9198-111 | 2. EPA Product Manager Waller | 3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted |
| 4. Company/Product (Name) The Andersons 1.0% Bayleton Fungicide | PM# 21 | |
| 5. Name and Address of Applicant (Include ZIP Code) The Andersons Lawn Fertilizer Division, Inc. d/b/a Free Flow Fertilizer PO Box 119 Maumee, OH 43537 <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: NOTIFICATION EPA Reg. No. _____ Product Name _____ JUL 18 2008 | |

Section - II

| | |
|--|--|
| <input type="checkbox"/> Amendment - Explain below. | <input type="checkbox"/> Final printed labels in response to Agency letter dated _____ |
| <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.)

Notification of Label change per PR Notice 98-10: Revised warranty per EPA guidance and added use cite limitation. See cover letter for details.

This notification is consistent with the guidance of PR Notice 98-10 and the requirements of EPA's regulations at 40 CFR 156.10 and 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 guidance of PR Notice 98-10 and the requirements of 40 CFR 156.10 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.

Section - III

1. Material This Product Will Be Packaged In:

| | | | |
|--|---|--|--|
| 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 | 2. Type of Container <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
 Label Container

4. Size(s) Retail Container

5. Location of Label Directions
 On Label

6. Manner in Which Label is Affixed to Product
 Lithograph
 Paper glued
 Stenciled Other _____

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

| | | |
|-------------------------|-----------------------------------|---|
| Name Dawn L. Walters | Title Regulatory Administrator | Telephone No. (Include Area Code) 419-897-6790 |
|-------------------------|-----------------------------------|---|

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.

2. Signature
Dawn L. Walters

3. Title
Regulatory Administrator

4. Typed Name
Dawn L. Walters

5. Date
6/13/08

6. Date Application Received (Stamped)

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(FRONT PANEL)
COMMERCIAL USE ONLY
(The above is for internal use only and will not appear on the final label copy)

THE ANDERSONS 1.0% BAYLETON® FUNGICIDE

FOR CONTROL OF CERTAIN DISEASES ON TURF

For golf course use only

ACTIVE INGREDIENT:

Triadimefon* 1.0%

OTHER INGREDIENTS 99.0%

TOTAL 100.0%

*CAS No. 43121-43-3

Bayleton® is a Registered Trademark of Bayer AG

KEEP OUT OF REACH OF CHILDREN
CAUTION
SEE BACK PANEL FOR ADDITIONAL PRECAUTIONS

NET WT. ____ LBS.
TREATS UP TO ____ SQ. FT.

EPA Reg. No. 9198-111
EPA Est. 9198-OH-1M, 9198-OH-2B, 9198-AL-001A
Underlined letter is first letter used in run code on bag

NOTIFICATION
JUL 18 2008



(BACK PANEL)
COMMERCIAL USE ONLY

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THE ANDERSONS 1.0% BAYLETON® FUNGICIDE

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if swallowed, inhaled or absorbed through the skin. Causes moderate eye irritation. Avoid breathing vapor or dust. Avoid contact with skin, eyes or clothing. Do not contaminate feed or food. Keep out of reach of children. Wash thoroughly with soap and warm water after handling. Wash contaminated clothing with soap and hot water before reuse.

FIRST AID

- | | |
|--------------|---|
| If swallowed | Call a poison control center or doctor 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. Do not give anything by mouth to an unconscious person. |
| If on skin | 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 | Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contacts, if present, after the first 5 minutes, then continue rinsing. Call a poison control center or doctor for treatment advice. |
| If inhaled | 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 treatment advice. |

Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-800-757-8951 for emergency medical treatment information.

NOTE TO PHYSICIAN: No specific antidote is available. Treat symptomatically.

ENVIRONMENTAL HAZARDS

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.

DIRECTIONS FOR USE

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

Not for use on turf being grown for sales or other commercial use as sod, or for commercial seed production, or for research purposes.

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APPLICATION

BAYLETON® fungicide is absorbed rapidly and works systematically from within the plant. Rainfall or sprinkler irrigation soon after application will assure rapid systemic uptake. Control will be less effective on turf suffering from drought stress. Therefore, in order to achieve maximum control, plants should be maintained in a vigorously growing state through good cultural practices.

Apply when the turf is fully established and actively growing. Application should be applied at recommended intervals to maintain disease control.

RECOMMENDED APPLICATIONS TURF GRASS DISEASE CONTROL:

| DISEASE | Lbs. of The Andersons 1.0% Bayleton® Fungicide Per 1,000 sq. ft.* | | REMARKS |
|--|---|----------|---|
| | PREVENTATIVE | CURATIVE | |
| Dollar Spot | 1.5 | - | PREVENTIVE RATE: Apply recommended rate on 30-day intervals. Protective activity of Bayleton fungicide may extend for as long as 60 days dependent upon environmental conditions |
| | 0.75 | - | PREVENTATIVE RATE: Apply recommended rate on 14-day intervals. Protective activity of Bayleton fungicide may extend for as long as 30 day dependent on environmental conditions. |
| | - | 3 | CURATIVE RATE: To control existing infections, apply the curative rate. Re-application should be no closer than 14 days. When infections have been controlled, refer to the preventative rate schedules for rates and timing. |
| Copper Spot Powdery Mildew Red Thread (Laetisara fuciformis) Rusts Brown Patch (Rhizoctonia solani) (Suppression) | 1.5 | - | PREVENTATIVE RATE: Apply at 15 to 30 day intervals. When environmental conditions favor light-to-moderate disease development, use a longer interval. Protective activity of Bayleton fungicide can be greater than 30 days depending on environmental conditions. |
| | - | 3 | CURATIVE RATE: To control existing infections, apply the curative rate. Reapplications should be no closer than 14 days. When infections have been controlled, refer to the preventative rate schedule for rates and timing. |

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| | | | |
|--|--------|-----|---|
| Anthracnose <i>Poa annua</i> decline | 3 | - | PREVENTATIVE RATE: Apply at 30-day intervals and repeat as necessary for seasonal control. Dependent upon environmental conditions, residual control may be extended to 45 days. |
| | 1.5 | - | PREVENTATIVE RATE: Apply at 21-day intervals and repeat as necessary for seasonal conditions, residual control may be extended to 30 days. |
| | - | 3.0 | CURATIVE RATE: To control existing infections, apply the curative rate. Re-applications should be no closer than 14 days. When infections have been controlled, refer to the preventative rate schedule for rates and timing. |
| PREVENTIVE RATES ONLY | | | |
| Stripe Smut | 3 | | Make a single application in spring as grass growth begins. |
| Fusarium Blight (<i>Fusarium culmorum</i>) (<i>Fusarium poae</i>) Summer Patch (<i>Phialophora graminicola</i>) (Except California) | 3 | | Apply first application in mid-June or 30 days prior to time this blight normally becomes evident. Applications should be made at 30-day intervals. |
| Fusarium Blight (<i>Fusarium culmorum</i>) (<i>Fusarium poae</i>) Summer Patch (<i>Phialophora graminicola</i>) (California only) | 3 to 6 | | Apply first application in mid-June or 30 days prior to time this blight normally becomes evident. Applications should be made at the 6 lb. rate on 15-day intervals. |
| Gray Snow Mold (<i>Typhula incarnata</i>) (Except California) | 6 | | Apply in fall 30 days prior to turf dormancy. If turf breaks dormancy during winter months a second application should be made. Do not apply over snow cover or when turf is dormant. |
| Pink Snow Mold Fusarium Patch (<i>Microdochium nivale</i>) Southern Blight (<i>Sclerotium rolfsii</i>) | 3 to 6 | | Apply before conditions favorable for infection occur. Reapplication should be made as needed at 60 to 90-day interval. Do not apply over snow cover or when turf is dormant. Use higher rate in areas with a history of severe disease damage. |

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|--|-------------------------------------|---|
| Gray Snow Mold (Typhula incarnata) Pink Snow Mold (Microdochium nivale) (California Only) | Single Application 7.5 to 12 | Apply in late fall before first snow cover. Do not apply over snow cover. Use the high rate in areas with a history of severe snow mold damage. |
|--|-------------------------------------|---|

NOTE*: Apply the specified amount of The Andersons Tee Time With 1.0% Bayleton(R) Fungicide with a standard granular applicator accurately calibrated to uniformly apply recommended amount of product per 1,000 sq. ft.

Make application when turf is dry and following the mowing operation. Do not mow until a minimum of 0.25 inch of water has been applied to treated area. Do not use clippings for animal feed.

SUGGESTED SPREADER SETTINGS

| SPREADER | MODEL | SETTING |
|----------|-------|---------|
| Cyclone | B1-84 | 4 |
| Lely | W | 5 1/2 |
| Lesco | | 5 1/2 |
| Scotts | R8 | H 1/2 |
| Vicon | 402 | 33 |

NOTE: The above spreader settings are approximate. Differences may occur due to condition of spreader, speed at which applied and roughness of area to be treated. Measure area to be treated. Do not over or under apply. Close spreader when filling, turning or stopping. DO NOT HAND SPREAD.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage and disposal. Keep container closed and away from food, feedstuffs, and domestic water supplies. **PESTICIDE DISPOSAL:** Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate, is a violation of Federal Law and may contaminate groundwater. 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 DISPOSAL:** Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by State or local authorities, by burning. If burned, stay out of smoke.

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IMPORTANT: READ BEFORE USE:

Read the entire Directions for Use and the Warranty Disclaimer and Limitation 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 Warranty Disclaimer and Limitation of Liability:

WARRANTY DISCLAIMER and LIMITATION of LIABILITY:

Manufacturer warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions. Manufacturer makes NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. Where permissible, To the extent consistent with applicable law, it is Manufacturer's intent to LIMIT ANY LIABILITY FOR SPECIAL, CONSEQUENTIAL OR INCIDENTAL ECONOMIC DAMAGES to refund of purchase price or replacement of product, at Buyer's choice. To the extent consistent with applicable law, Manufacturer DISCLAIMS ANY LIABILITY FOR COMPENSATORY OR OTHER DAMAGES ARISING OUT OF ANY USE CONTRARY TO LABEL DIRECTIONS. Use contrary to label directions is not permitted.

LEGAL RIGHTS:

THIS LIMITED WARRANTY GIVES YOU SPECIFIC LEGAL RIGHTS; YOU MAY HAVE OTHER RIGHTS THAT VARY FROM STATE/JURISDICTION TO STATE/JURISDICTION. (APnot061308)

Attention: This product contains a chemical known to the State of California to cause birth defects or other reproductive harm.

Manufactured By:
The Andersons Lawn Fertilizer Division, Inc.
d/b/a Free Flow Fertilizer
P.O. Box 119
Maumee, OH 43537

| | |
|----------------|----------------------------|
| Date Printed: | 6/13/08 |
| Date Approved: | 9/23/02 |
| Supersedes: | 2/19/93 |
| Label change: | Notification -GC, warranty |
| Filename: | 9198-111 |
| Label code: | APnot061308 |