

34147-3

12/29/2003



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

DEC 29 2003

Mr. Jamin Huang, Ph.D.  
Bayer CropScience  
2 T.W. Alexander Drive  
Research Triangle Park, NC 27709

Subject: Amendment Updating First Aid per PR Notice 2001-1  
Scout X-TRA® Insecticide  
EPA Reg. No. 34147-3  
Your Submission Dated August October 1, 2003

Dear Dr. Huang:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable subject to the comments below. Two copies of the finished labeling must be submitted prior to releasing the product for shipment. A stamped copy of the label is enclosed for your records.

1. Since this product contains > 10% petroleum distillates, you should revise the oral First Aid statements as follows, in accordance with PR Notice 2001-1:

<b>If swallowed:</b>	<ul style="list-style-type: none"><li>• Immediately call a poison control center or doctor.</li><li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li><li>• Do not give any liquid to the person.</li><li>• Do not give anything by mouth to an unconscious person.</li></ul>
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You should also add the following "Note To Physician" at the end of the First Aid statements: "Contains petroleum distillate - vomiting may cause aspiration pneumonia."

2. In the last sentence of the paragraph under "Disclaimer of Warranties," delete the word "whatsoever". As currently written ("Bayer CropScience disclaims any liability whatsoever for special, incidental or consequential damages, ...") the statement negates and/or detracts from labeling requirements as set forth by the Agency in 40 CFR Part 156, and is, therefore, considered misbranding.

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If you have any questions regarding this action, please contact Susan Stanton of my team at (703) 305-5218.

Sincerely,

A handwritten signature in cursive script that reads "Susan L. Stanton, for".

George T. LaRocca  
Product Manager (13)  
Insecticide Branch  
Registration Division (7505C)

Enclosure

**RESTRICTED USE PESTICIDE****DUE TO TOXICITY TO FISH AND AQUATIC ORGANISMS**

For retail sale to and use only by certified applicators or persons under their direct supervision and only for those uses covered by the certified applicator's certification.

ACCEPTED  
with COMMENTS  
In EPA Letter Dated:

DEC 29 2003

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act,  
as amended, for the pesticide  
registered under EPA Reg. No.  
34147-3**Scout X-TRA<sup>®</sup> INSECTICIDE****For Insect Control on Broccoli, Cotton, Lettuce, Soybeans, and Sunflowers****ACTIVE INGREDIENTS:** (1R,3S)3[(1'RS)(1',2',2',2',-tetrabromo-ethyl))-2,2-dimethylcyclopropane-carboxylic acid(S)-alpha-cyano-3-phenoxybenzyl ester ..... **11.40%\*****INERT INGREDIENTS:\*\*** ..... **88.60%**

\*Equivalent to 0.9 pound of active ingredient per U.S. gallon

**TOTAL 100.00%**

\*\*Contains petroleum distillate

**EPA Reg. No. 34147-3****EPA Est. No. 10370-TX-1****KEEP OUT OF REACH OF CHILDREN****DANGER — PELIGRO**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.)For **MEDICAL** And **TRANSPORTATION** Emergencies **ONLY** Call 24 Hours A Day 1-800-334-7577For **PRODUCT USE** Information Call 1-866-99BAYER (1-866-992-2937)**FIRST AID**

<b>IF SWALLOWED:</b>	<ul style="list-style-type: none"> <li>• Immediately call a poison control center or doctor for treatment advice.</li> <li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• Have person sip a glass of water if able to swallow.</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 IN EYES:</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing.</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>
<b>For MEDICAL Emergencies Call 24 Hours A Day 1-800-334-7577.</b> <b>Have the product container or label with you when calling a poison control center or doctor for treatment.</b>	

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

Corrosive, causes irreversible eye damage. Can cause irritation to skin such as burning and tingling. Do not get in eyes or on skin or on clothing. May be fatal if swallowed. Harmful if inhaled or absorbed through the skin. Do not breathe vapor.

## PERSONAL PROTECTIVE EQUIPMENT

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category G on an EPA chemical resistance category selection chart.

### Applicators and Other Handlers Must Wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves, such as barrier laminate, or Viton® ≥14 mils
- Shoes plus socks
- Protective eyewear

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. 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.

## 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 clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

## ENVIRONMENTAL HAZARDS

This pesticide is extremely toxic to fish and other aquatic organisms, including crab and shrimp. Use with care when applying in areas adjacent to any body of water. 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 apply when weather conditions favor drift from treated area. Drift or runoff from treated fields may kill fish and other aquatic organisms. Do not contaminate water when disposing of equipment washwaters.

This pesticide is highly toxic to bees exposed to direct treatment. Do not apply it or allow it to drift to crops or weeds on which bees are actively foraging.

Notify State and/or Federal authorities and Bayer CropScience immediately if you observe any adverse environmental effects due to the use of Scout X-TRA® Insecticide.

**NOTICE:** It is a Federal offense to use any pesticide in a manner that results in the death of a member of an endangered species.

## PHYSICAL AND CHEMICAL HAZARDS

Do not use or store near heat or open flame.

## STORAGE AND DISPOSAL

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

Do not store over 100°F or below 10°F.

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. 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.

### Returnable Container Return Procedure

Return the container clean (**outside only**) to the place of business from which the Scout X-TRA® Insecticide was purchased.

This returnable container is the sole property of Bayer CropScience and must not be opened or discarded.

## DIRECTIONS FOR USE

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

Do not apply until you have read the entire label. 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.

**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 intervals. 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 24 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
- Chemical-resistant gloves, such as barrier laminate or Viton  $\geq 14$  mils
- Shoes plus socks
- Protective eyewear.

Dilute Scout X-TRA® Insecticide in water or at least once-refined crop oil according to the directions shown, and use as a foliar spray on cotton, soybeans, broccoli, lettuce (head and leaf), and sunflowers at the rates listed. Uniform coverage is essential. Begin application when economic infestations occur based on local information, and repeat as needed.

## USE AND DOSAGE RECOMMENDATIONS

Crop	Insect	lb ai/A	fl oz/A*	Dilution Requirements
Cotton	Lygus bug	0.016 – 0.020	2.28 – 2.84	<b>Minimum gallonage requirements:</b>
	Cotton leafperforator			For aerial applications use a minimum of 1 gallon of water per acre or 1 quart of at least once-refined crop oil per acre.
	Leafhoppers			
	Cotton fleahoppers			
	Plant bugs			<b>NOTE:</b> In California, use a minimum of 2 gallons of water per acre for aerial application. Do not mix with once-refined crop oil.
	Cotton leafworm			
	Cutworms (except in Calif.)			
	Thrips (except in Calif.)			
	Cotton bollworm	0.018 – 0.024	2.56 – 3.41	<b>Optimum gallonage requirements:</b>
	Tobacco budworm			For aerial applications under hot, dry environmental conditions or when the crop canopy is dense, gallonage requirements may need to be increased to 3–5 gallons of water plus crop oil concentrate at 1 pint to 1 quart per acre.
	Pink bollworm			
	Boll weevil			
	Cabbage looper			
	Soybean looper**			For ground applications use a minimum of 4 gallons of water per acre for thorough coverage of the foliage.
	Fall armyworm**			
	Beet armyworm**			
	European corn borer			
	Stink bugs			
	Aphids**			
	Saltmarsh caterpillar			
	Mites** (except in Calif.)			
	Whitefly** (except in Calif.)			
Broccoli and Lettuce (Head & Leaf)	Cabbage looper	0.016 – 0.020	2.28 – 2.84	<b>Minimum gallonage requirements: *</b>
	Imported cabbageworm			For aerial applications use a minimum of two (2) gallons of water per acre.
	Diamondback moth			
	Corn earworm			
	Saltmarsh caterpillar			
	Flea beetle			For ground applications use a minimum of five (5) gallons of water per acre for thorough coverage of the foliage.
	Leafhopper			
	Stink bugs			
	Grasshoppers			
	Green cloverworm			
	Alfalfa looper			
	Cutworms			
	Beet armyworm	0.018 – 0.024	2.56 – 3.41	
	Fall armyworm			
	European corn borer			
	Aphid**			

<b>Soybeans (Except in California)</b>	Mexican bean beetle			<b>Minimum gallonage requirements:</b> For aerial applications use a minimum of 1 gallon of water per acre or 1 quart of at least once-refined crop oil per acre.
	Green cloverworm	0.012 – 0.016	1.71 – 2.28	
	Velvetbean caterpillar			<b>Optimum gallonage requirements:</b> For aerial applications under hot, dry environmental conditions or when the crop canopy is dense, gallonage requirements may need to be increased to 3–5 gallons of water plus crop oil concentrate at 1 pint to 1 quart per acre.
	Leafhopper			
	Corn earworm			For ground applications use a minimum of 5 gallons of water per acre for thorough coverage of the foliage.
	Three-cornered alfalfa hopper			
	Fall armyworm			
	Beet armyworm			
	Stink bugs			
	Soybean looper**	0.016 – 0.024	2.28 – 3.41	
<b>Sunflowers (Except in California)</b>	Cabbage looper			
	Cutworms			
	Grasshoppers			
	Sunflower Beetle	0.005 – 0.010	0.71 – 1.42	<b>Minimum gallonage requirements:</b> For aerial applications use a minimum of two (2) gallons of water per acre. Do not apply as an Ultra Low Volume (ULV) spray.
	Banded sunflower moth			
	Cabbage looper			For ground applications use a minimum of five (5) gallons of water per acre for thorough coverage of the foliage.
	Corn earworm			
	Leafhoppers			
	Potato flea beetle	0.014 – 0.0164	2.00 – 2.33	
	Sunflower seed weevil			
	Sunflower stem weevil (moth)			
	Sunflower maggot			
	Sunflower moth			
	Cutworms			
	Grasshoppers (except lubber grasshoppers)	0.0164 – 0.019	2.33 – 2.67	

\*Make the first application as required before insect populations increase to economic significance. Additional applications may be made if insect populations rebuild.

\*\*Suppression only.

### CONVERSION TABLE FOR SCOUT X-TRA® INSECTICIDE

Pounds ai per acre	Fluid ounces per acre	Acres treated per gallon
0.005	0.71	180.3
0.010	1.42	90.1
0.012	1.71	75.0
0.014	2.00	64.0
0.016	2.28	56.0
0.018	2.56	50.0
0.020	2.84	45.0
0.024	3.41	37.5

### RESISTANCE

Some insects are known to develop resistance to products used repeatedly for control. Because the development of resistance cannot be predicted, the use of this product should conform to resistance management strategies established for the use area. Consult your local or State agricultural authorities for details.

If resistance to this product develops in your area, this product, or other products with a similar mode of action, may not provide adequate control. If poor performance cannot be attributed to improper application or extreme weather conditions, a resistant strain of insect may be present. If you experience difficulty with control and resistance is a reasonable cause, immediately consult your local Company representative or agricultural advisor for the best alternative method of control for your area.

## TANK MIX RECOMMENDATIONS

Scout X-TRA® Insecticide may be applied in tank mixtures with other products approved for use on cotton, soybeans, broccoli, lettuce, and sunflowers. Observe all restrictions and precautions which appear on the labels of these products.

## SUPPLEMENTAL SPRAY RECOMMENDATIONS AND PRECAUTIONS FOR COTTON, BROCCOLI, LETTUCE, SOYBEANS, AND SUNFLOWERS

- Do not make more than a total of 10 synthetic pyrethroid applications (of one product or combination of products) to a cotton crop in one growing season. Synthetic pyrethroid products include: Ambush®, Ammo® 2.5EC, Asana® XL, Baythroid® 2, Capture® 2EC, Cymbush®, Danitol® 2.4EC, Decis®, Fury® 1.5EC, Karate®, Mustang®, Pounce® 3.2EC, Scout X-TRA® and SynerGin™ 2.
- All aerial and ground application equipment must be properly maintained and calibrated using appropriate carriers.

**Observe the following precautions when spraying in the vicinity of aquatic areas such as lakes; reservoirs; rivers; permanent streams, marshes, potholes, or natural ponds; estuaries and commercial fish farm ponds.**

- Do not apply by ground within 25 feet or by air within 150 feet of lakes; reservoirs; rivers; permanent streams, marshes, potholes, or natural ponds; estuaries and commercial fish farm ponds. Increase the buffer zone to 450 feet when ultra low volume (ULV) application is made.
- For aerial applications, the spray boom should be mounted on the aircraft so as to minimize drift caused by wing tip vortices. The minimum practical boom length should be used, and must not exceed 75% of wing span or rotor diameter.
- Use the largest droplet size consistent with pest control. Formation of very small droplets may be minimized by appropriate nozzle selection, by orienting nozzles away from the air stream as much as possible, and by avoiding excessive spray boom pressure.
- Spray should be released at the lowest height consistent with good pest control and flight safety. Applications more than 10 feet above the crop canopy should be avoided.
- Make aerial or ground applications when the wind velocity favors on-target product deposition (approximately 3 to 10 mph). Do not apply when wind velocity exceeds 15 mph. Avoid applications when wind gusts approach 15 mph.
- Risk of exposure to aquatic areas can be reduced by avoiding applications when wind direction is toward the aquatic area.
- Do not cultivate within 10 feet of the aquatic area so as to allow growth of vegetative filter strip.
- Low humidity and high temperatures increase the evaporation rate of spray droplets and therefore the likelihood of increased spray drift to aquatic areas.
- Do not make aerial or ground applications during temperature inversions. Inversions are characterized by stable air and increasing temperatures with height above the ground. Mist or fog may indicate the presence of an inversion in humid areas. The applicator may detect the presence of an inversion by producing smoke and observing a smoke layer near the ground surface.

## NOTES:

1. **DO NOT** graze or harvest treated soybean forage, straw or hay for livestock feed. **DO NOT** graze or feed treated sunflower foliage.
2. **DO NOT** apply more than 27 fluid ounces per acre (0.19 lb ai/A) on cotton, broccoli, and lettuce, and 17.1 fluid ounces per acre (0.12 lb ai/A) on soybeans in one growing season. **DO NOT** apply more than 8.53 fluid ounces per acre (0.06 lb ai/A) on sunflowers per growing season.
3. **DO NOT** apply within 28 days of harvest for cotton, within 5 days of harvest for broccoli, within 3 days of harvest for head and leaf lettuce, within 21 days of harvest for soybeans, within 21 days of harvest for sunflowers.
4. **DO NOT** apply this product through any type of irrigation system.
5. **DO NOT** apply this product to sunflowers as an Ultra Low Volume (ULV) spray.



**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.

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SynerGin is a trademark of Bayer.

Ambush, Cymbush, and Karate are registered trademarks of Zeneca, Inc.

Ammo, Capture, Fury, Mustang, and Pounce are registered trademarks of FMC Corporation.

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Danitol is a registered trademark of Valent USA Corporation.



**Bayer CropScience**

**Bayer CropScience LP**

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**Research Triangle Park, North Carolina 27709**

**1-866-99BAYER (1-866-992-2937)**

Scout X-Tra Insecticide (PENDING) Submitted 10/1/03.