

72155-14 4.3.2009

1/8



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. Charles W. Boyd
Bayer Advanced
2 T.W. Alexander Drive
Research Triangle, NC 27709

APR 3 2009

Subject: Label Notification(s) for Pesticide Registration Notice 2007-4 and 2008-1

Dear Registrant:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 and 2008-1 dated March 23, 2009 for:

EPA Registration 72155-14 Tebuconazole 2.9%^{SE} Concentrate

The Registration Division (RD) has conducted a review of this request for applicability under PRN 2007-4 and 2008-1, and finds that the label change(s) requested falls within the scope of PRN-2007-4 and 2008-1. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on nonrefillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact me directly at 703-305-6249 or Banza Djapao of my staff at 703-305-7269.

Sincerely,

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

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



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: 72155-14	2. EPA Product Manager Mary Waller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Tebuconazole 2.9% Concentrate	PM# 21	
5. Name and Address of Applicant (Include ZIP Code) Bayer Advanced 2 T.W. Alexander Drive Research Triangle Park, 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. <u>NOTIFICATION</u> Product Name <u>APR 03 2009</u>	

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.)

See Attached

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container:	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt	No. per container
					<input type="checkbox"/> Glass
					<input type="checkbox"/> Paper
					Other (Specify) _____
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container 32 Ounce		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 checked="" type="checkbox"/> Other Pressure sensitive			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Charles W. Boyd	Title Registrations Manager	Telephone No. (Include Area Code) (919) 549-2422
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>Charles W. Boyd</i> <small>Digitally signed by Charles Boyd DN: cn=Charles Boyd, c=US, o=Bayer CropScience, ou=Consumer, email=charles.boyd@bayercropscience.com Date: 2009.03.23 10:48:53 -0400</small>	3. Title Registrations Manager	
4. Typed Name Charles W. Boyd	5. Date March 23, 2009	

Section II - Explanation

Bayer Advanced is submitting a **Notification** to add the text prescribed by PR Notice 2001-1, 2007-4 and 2008-1 to the label for the above-mentioned product:

We have reformatted the first aid statements in accordance with PR Notice 2001-1.

In the disposal section, we have added the statement "Non-refillable container." Also we have added "refill or" to the statement Do not refill or reuse empty container.

We have also added the following statement "To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours, will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treatment area will help avoid run off to water bodies or drainage systems.

Enclosed is one copy of the label with the changes highlighted.

Notification of label changes per PR Notice 2001-1, 2007-4, and PR Notice 2008-1. This notification is consistent with the guidance of PR Notice 2001-1, 2007-4, 2008-1 and EPA regulations at 40 CFR § 156.10, 156.80, 156.140, 156.144, 156.146, 156.156, and 152.46. 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 2007-4, 2008-1 and 40 CFR § 156.10, 156.80, 156.140, 156.144, 156.146, 156.156, and 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.

4/8

(FRONT PANEL)

Tebuconazole 2.9% SE Concentrate

Systemic Fungicide

This label contains two separate label statements for, **Outdoor Residential Pump Sprayer/Hose-end Sprayer Concentrate** product use and **Outdoor Residential Ready-To-Spray** product use.

- One quart makes up to 42 gallons diluted spray
- For control of diseases on plants
- Cures, stops and prevents listed common diseases on roses, flowers, trees and shrubs
- Controls all major fungal diseases that harm roses, flowers, trees and shrubs
- Rescues plants from diseases
- Systemic fungicide works through the leaves and stems to protect and cure
- Provides up to 2 weeks protection
- Rainproof Protection - won't wash off once it is dry
- Leaves no white residue
- Protects from the inside out
- Cures diseases and restores beauty to plants
- 100% Satisfaction Guaranteed
- Systemic formula cures and Prevents diseases

ACTIVE INGREDIENT:

Tebuconazole 2.9%

OTHER INGREDIENTS

97.1%

Net Contents: 16 fl. oz. (473 mL) or 32 fl. oz. (946 mL)

KEEP OUT OF REACH OF CHILDREN
CAUTION

See Back Panel Booklet for Additional Ingredients and Precautionary Statements

NOTIFICATION

APR 03 2009

(Pump Sprayer/Hose-end Sprayer label)
(FRONT PANEL)

Tebuconazole 2.9% SE Concentrate

Systemic Fungicide

- One quart makes up to 42 gallons diluted spray
- For control of diseases on plants
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ACTIVE INGREDIENT:	
Tebuconazole	2.9%
OTHER INGREDIENTS	97.1%

Net Contents: 16 fl. oz. (473 mL) or 32 fl. oz. (946 mL)

KEEP OUT OF REACH OF CHILDREN
CAUTION

See Back Panel Booklet for Additional Ingredients and Precautionary Statements

NOTIFICATION

APR 03 2009

(BACK PANEL)

TEBUCONAZOLE 2.9% SE CONCENTRATE cures, stops and prevents plant diseases. This systemic formula provides rainproof protection against most common plant diseases such as black spot, powdery mildew, rust and more. Now it is easier than ever to prevent diseases and have beautiful plants.

Read the label first!

QUICK FACTS	
<ul style="list-style-type: none"> • Protects against most common diseases on roses, flowers, trees and shrubs • Cures and prevents major diseases on roses, flowers, trees and shrubs • Cures diseases and restores beauty to plants 	
CONTROLS	Anthrachnose, Black Spot, Flower Blight, Leaf Spot, Petal Blight, Powdery Mildew, Rust, Scab, Southern Blight
WHERE TO USE	<ul style="list-style-type: none"> • Roses and Flowers • Azaleas, Camellias and Rhododendrons • Landscape Trees & Shrubs • Ground Covers & Vines • Houseplants
WHEN TO USE	<ul style="list-style-type: none"> • To treat an existing disease • To prevent and protect against future diseases
COVERAGE	Makes up to 42 gallons of spray solution (1 Qt.)
	For questions or comments, call toll-free 1-877-BayerAG

FOR OUTDOOR RESIDENTIAL USE ONLY

ACTIVE INGREDIENT:

Tebuconazole 2.9%

OTHER INGREDIENTS* 97.1%

TOTAL 100.00%


* Other ingredients include: Water, vegetable oil, propylene glycol, nonionic surfactant, Xanthan gum (thickener to keep the active ingredient suspended), BHT & other preservatives, antifoam, sulfuric acid (as neutralizer)


EPA Reg. No. 72155-14

EPA Est. No. -AA-

DIRECTIONS FOR USE	
It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. For best results, read and follow all label directions.	
BEFORE YOU USE Read and follow directions when using.	<ul style="list-style-type: none"> • Do not apply near lakes, streams, rivers or ponds. • Do not apply to plants grown for food. • Food utensils such as measuring spoons and measuring cups should not be used for food purposes after use with fungicides. • Move indoor houseplants outside before treating.
HOW TO USE Shake Well Before Use	<ul style="list-style-type: none"> • Determine how much spray solution to make up – See "How Much to Use". • Make up spray solution by following directions specific to your sprayer – See "Sprayer Types". • Wet all plant surfaces until evenly coated with spray, but not dripping.
HOW MUCH TO USE	Add ¼ fl. oz. (1 ½ TBS) to 1 gallon of water
Continued on next page	

Directions For Use (continued)			
SPRAYER TYPES	Pump Style Sprayers		
	<ol style="list-style-type: none"> 1. Add the appropriate amounts of concentrate and water to the sprayer tank. 2. Close sprayer, shake well and pressurize. 3. Adjust nozzle to a coarse spray pattern and apply. 4. Occasionally re-pressurize the sprayer if needed to maintain a good spray pattern. 		
	Dial Style Hose-End Sprayers		
	<ol style="list-style-type: none"> 1. Fill sprayer jar with enough concentrate to cover plants to be treated. Close sprayer and set dial. <p>TIP: The numbers on Dial-Style Hose-End Sprayers are ounces of concentrate per gallon of spray.</p> <ol style="list-style-type: none"> 2. Attach sprayer to hose and apply. 		
PLANTS	CONROLS		
	WHEN TO APPLY		
		To Treat Existing Disease	To Prevent Diseases
	Roses	Black Spot Powdery Mildew Rust	Apply every 7-14 days for a total of 3 applications beginning at the first sign of disease.
Flowers	Leaf Spot Powdery Mildew Rust Southern Blight	Apply every 7-14 days during the growing season, starting when leaves first appear.	
Crabapples (Ornamental), Dogwoods and Other Landscape [Ornamental] Trees	Anthrachnose Leaf Spot Powdery Mildew Rust Scab	Apply at least 3 times per year, 7-14 days apart, beginning with Spring bud break.	
Azaleas, Camellias, Rhododendrons and Other Landscape [Ornamental] Shrubs,	Anthrachnose Black Spot Leaf Spot Petal Blight Powdery Mildew	Petal Blight – Apply 2-3 times per week into the flowers as they open and develop color.	
Ground Covers and Vines	Rust Southern Blight		
Houseplants	Leaf Spot Powdery Mildew	Apply at least 3 times per year, 7-14 days apart.	
FOR BEST RESULTS	<ul style="list-style-type: none"> • Apply at the shorter interval specified under "Directions for Use" when disease or conditions favorable to disease (generally cloudy, wet and warm weather) are present. • Prevent damage to your plants caused by disease by starting a spray schedule when diseases are likely in your area. • For more information on what you can do to control plant diseases, contact your local County Extension Service (usually found in the White Pages of the phone book under the name of your county.) 		
HOW TEBUCONAZOLE 2.9% SE CONCENTRATE WORKS	This product provides 3-way action: it kills existing fungi, forms a protective barrier on the outside of the plant and is absorbed into the plant to keep on protecting regardless of weather conditions.		

	Do not allow children and pets to enter the treated area until it has dried.
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IMPORTANT: Directions for Storage and Disposal	
Storage Conditions:	Store in original container in a cool, dry place, out of the reach of children, preferably a locked storage cabinet. Protect from freezing.
Disposal:	 <p>If Empty:</p> <ul style="list-style-type: none"> • Non-refillable container. Do not refill or reuse empty container. • Place in trash. <p>If Partly Filled:</p> <ul style="list-style-type: none"> • It is best to use all of the product in accordance with label directions. • If it is necessary to dispose of unused product, please call your local solid waste agency or you may call toll-free 1-877-229-3724 for disposal instructions. • Never place unused product down any indoor or outdoor drain.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS	
CAUTION	
<ul style="list-style-type: none"> • Harmful if swallowed, inhaled or absorbed through skin. • Washing hands thoroughly with soap and water after handling and before eating, drinking, chewing gum or using tobacco will reduce exposure. • Avoid contact with skin, eyes or clothing. • Removing and washing contaminated clothing before reuse may reduce exposure. • Avoid breathing vapor or spray mist. • When using this product, wear long-sleeved shirt, long pants, socks, shoes and rubber gloves. 	

FIRST AID	
If Swallowed	<ul style="list-style-type: none"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.
If on Skin or Clothing	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 to 20 minutes. • Call a poison control center or doctor for treatment advice.
If Inhaled	<ul style="list-style-type: none"> • If breathing is affected, move person to fresh air. • If not breathing, call an ambulance and give artificial respiration. • Contact doctor or poison control center for further treatment advice.
<p>NOTE: When calling poison control center, have this product label accessible. If seeking treatment at an emergency room or doctor's office, bring this product label to show medical personnel. You may call toll-free 877-229-3763 for medical emergency information. Active Ingredient: 2.9% Tebuconazole (CAS #107534-96-3).</p>	

ENVIRONMENTAL HAZARDS
<ul style="list-style-type: none"> • This product is toxic to aquatic invertebrates. • Drift or runoff may harm aquatic invertebrates. • To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems.

NOTICE: Research and testing have determined that the "Directions For Use" are appropriate for the proper use of **TEBUCONAZOLE 2.9% SE CONCENTRATE SYSTEMIC FUNGICIDE** under expected conditions. The Buyer assumes responsibility for lack of performance or safety if not used according to the directions.

Money Back Guarantee: If you are not satisfied with this product, we will gladly refund your original purchase price.