



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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

February 21, 2007

Dr. Rafael Herrera
Regulatory Manager
Dow AgroSciences LLC
9330 Zionsville Road
Indianapolis, IN 46268

RE: AI - PENOXsulAM : AMENDED MAIN LABEL REQUESTS FOR PRODUCTS WITH EPA REG. NOS. 62719-501, 62719-503, AND 62719-514, ADMIN. LETTERS DATED 11/13/2006, 11/28/2006, AND 11/15/2006, RESPECTIVELY. AMENDED SUPPLEMENTAL LABEL REQUEST FOR PRODUCT WITH EPA REG. NO. 62719-514, ADMIN. LETTER DATED 11/16/2006.

Your amended main label requests for products with EPA Reg. Nos. 62719-501 (GRANITE GR), 62719-503 (GRASP GR), and 62719-514 (GRANITE SC), accompanied by Administrative Letters dated 11/13/2006, 11/28/2006, and 11/15/2006, respectively, are approved with comments.

- The statement **"Do not apply where runoff or irrigation water may flow directly onto agricultural land other than rice fields"** will remain on the **amended main labels.**
- Under "Limitation of Remedies", change "To the extent permitted by law" to "To the extent consistent with applicable law." The change is to conform to language as allowed by EPA's Office of General Counsel.

For Product with EPA Reg. No. 62719-514, under "General Use Precautions and Restrictions", add back "Do not permit spray mists containing Granite SC to drift onto desirable broadleaf plants." This restriction was removed by Notification received November 15, 2005, which limited restriction to commercial crops/plants only.

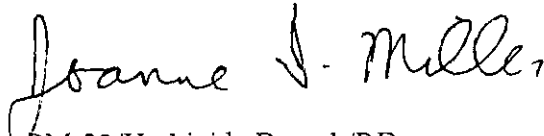
Your amended supplement label with EPA Reg. No. 62719-514, accompanied by Administrative Letter dated 11/16/2006 is also approved.

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A stamped copy of the approved labels with comment are enclosed for your records.

For additional assistance in this matter, please contact Phil Errico at 703-305-6663.

Regards,

A handwritten signature in cursive script that reads "Joanne J. Miller". The signature is written in black ink and is positioned above the typed name.

Joanne Miller, PM-23/Herbicide Branch/RD

(Label):

(logo) Dow AgroSciences

Grasp™ GR

Herbicide

For selective weed control in rice

Active Ingredient:

penoxsulam: 2-(2,2-difluoroethoxy)-N-(5,8-dimethoxy[1,2,4] triazolo[1,5c]pyrimidin-2-yl)-6-(trifluoromethyl)benzenesulfonamide0.24%

Other Ingredients 99.76%

Total 100.00%

Contains 0.24 lb of active ingredient per 100 lb bag

Keep Out of Reach of Children

**ACCEPTED
with COMMENTS
In EPA Letter Dated
February 21, 2007**
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
62719-503

Precautionary Statements

Hazards to Humans and Domestic Animals

Personal Protective Equipment (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Shoes plus socks

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 Controls

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.

Environmental Hazards

Except when treating rice fields as specified in this product label, 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 washwater or rinsate.

Agricultural Use Requirements

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. Refer to label booklet under "Agricultural Use Requirements" in the Directions for Use section for information about this standard.

Refer to back panel of label for Directions for Use including Storage and Disposal.

Notice: Read the entire label. Use only according to label directions. **Before using this product, read Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies elsewhere on the label. If terms are unacceptable, return at once unopened.**

In case of emergency endangering health or the environment involving this product, call 1-800-992-5994. If you wish to obtain additional product information, visit our web site at www.dowagro.com.

Agricultural Chemical: Do not ship or store with food, feeds, drugs or clothing.

EPA Reg. No. 62719-503

EPA Est. _____

TMTrademark of Dow AgroSciences LLC
Dow AgroSciences LLC • Indianapolis, IN 46268 USA

Net Weight _____

Directions for Use

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Read all Directions for Use carefully before applying.

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 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.

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 made of any waterproof material
- Shoes plus socks

Storage and Disposal

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

Pesticide Storage: Store in cool dry place in original container.

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: Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

General Information

Grasp™ GR herbicide is a postflood, postemergence herbicide for selective control of susceptible grass, broadleaf, and sedge weeds in rice. Susceptible weeds at the 1 to 3 leaf stage emerged at the time of application or which germinate soon after application will be controlled. Aerially apply Grasp GR directly into flooded fields when rice is at a minimum 1 1/2 leaf stage of growth. At this stage, the first leaf is fully expanded or unfurled with the second leaf emerged but not expanded (refer to Application Timing section). Average water depth at application should be maintained 4 to 5 inches with a minimum water depth of 3 inches in the shallowest part of the field with completely submerged weeds and no exposed soil (refer to Water Management section). Grasp GR may provide short-term soil residual weed control activity of susceptible weeds. Grasp GR can be applied to rice fields used for crayfish production.

Rice crops grown under adverse environmental conditions, such as extreme cold or heat, may express temporary crop injury when Grasp GR is applied including slight height reduction or root stunting. Any crop stress or environmental factors which decrease plant metabolism and growth may reduce weed control efficacy and crop tolerance. Such effects are transient and do not affect yield. Grasp GR may be used on all rice varieties.

General Use Precautions and Restrictions

- **Preharvest Interval:** Do not apply Grasp GR within 60 days of rice harvest.
- Do not rotate treated land to crops other than rice for 3 months following application.
- Applications made to greater than 3 leaf weeds, dense weed populations, and/or average water depth greater than 6 inches may result in reduced weed control.
- Do not apply Grasp GR following rainfall until the water depth in checks or basins has been adjusted to meet the correct water depth requirements.
- Static water conditions for 7 days following an application of Grasp GR are recommended for best results. It is important not to allow the minimum water depth to drop below 3 inches; therefore, adding water may be required. Water should be trickled in or added very slowly.
- For best results, it is recommended that water not be released for 14 days following an application of Grasp GR. During this time water depth should be maintained or can be increased as rice grows. Early release of water may result in reduced weed control.
- Shallow water conditions can result in reduced weed control as it may promote additional weed flushes and can increase the potential for crop injury.
- Reduced weed control can be expected at field water inlets due to dilution and movement of water.
- Application of Grasp GR to fields which have been leveled (except water leveling) within 12 months prior to application may result in serious rice injury in areas that have been cut or filled.
- Application of Grasp GR to rice grown in soils with pH >7.8 or high salt content may result in serious rice injury.
- Except for crayfish, do not fish or commercially grow fish, shellfish or crustaceans on treated acres during the year of treatment.
- Under poor field preparation practices (i.e., lack of soil aeration, unlevelled ground, large clods, excessive crop residue, weeds emerged prior to flooding, etc.), reduced weed control may occur when using Grasp GR.
- Cold and/or alternating weather conditions during the planting season can result in prolonged weed seed germination resulting in reduced weed control.
- Do not apply Grasp SC to the same field in the same year following an application of Grasp GR.
- Do not make more than 1 application or apply more than 18.5 lb per acre of Grasp GR (0.044 lb ai penoxsulam) during the growing season in both the first and ratoon crops combined.
- **Chemigation:** Do not apply this product through any type of irrigation system.
- Do not use on wild rice.
- Do not apply when runoff or irrigation water may flow directly into agricultural land other than rice fields.

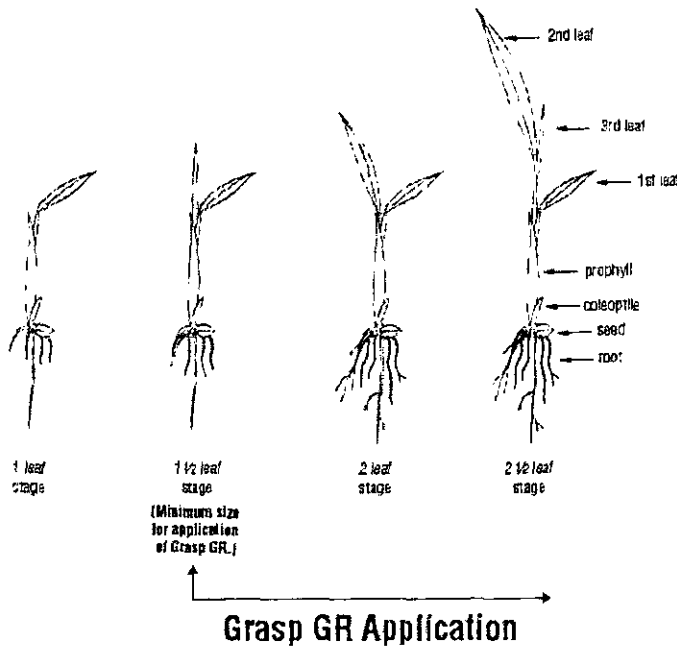
Best Management Practices for Aerial Application

Equipment used in the application of Grasp GR should be carefully calibrated before use and checked frequently during application to be sure it is working properly and delivering a uniform distribution pattern. Avoid overlaps that will increase Grasp GR dosage above recommended limits. Aerial application should be made only when the wind velocity is 0 to 10 mph.

Application Timing

Application timing is dependent upon the proper rice growth stage and optimum timing for weed species present. Grasp™ GR herbicide may be applied to rice from the 1 1/2 leaf stage up to 60 days before harvest (Figure 1). At the 1 1/2 leaf stage the first rice leaf is fully expanded or unfurled with the second leaf emerged.

Figure 1



It is important that the stage of rice be closely monitored prior to application to determine the correct timing for an application of Grasp GR. Under cool growing conditions, rice development can be delayed; therefore, close crop development monitoring is recommended prior to application.

Water Management Recommendations

Apply Grasp GR to shallow flooded rice. Weeds should be completely submerged at time of application. Immediately prior to application:

- Average water depth at application should be maintained at 4 to 5 inches, with a minimum water depth of 3 inches in the shallowest part of the field, with completely submerged weeds and no exposed soil.
- If rainfall occurs prior to application, do not apply Grasp GR until water depth in checks or basins can be adjusted to meet the correct water depth requirements.

First week following application:

- For best results, maintain a static flood for 7 days following application.
- During the static flood period it is important to maintain a minimum water depth of 3 inches. If necessary, water can be slowly added or trickled in to maintain water depth.
- If water is lost from a basin or check, re-flood immediately. Early release of water may result in reduced weed control.
- Failure to maintain the recommended flood depth after an application of Grasp GR may result in reduced weed control or crop tolerance.

Second week following application:

- Following the 7-day static flood period, it is recommended that water not be released for an additional 7 days.
- During this time, water depth should be maintained or increased as rice grows.
- Shallow water conditions can result in reduced weed control as it may promote additional weed flushes.
- If water is lost from a basin or check, re-flood immediately. Early release of water may result in reduced weed control.

At the conclusion of the 2-week treatment period, it is important to manage water flood depth to prevent secondary weed flushes which can occur if water is released or lowered.

Resistance Management

The mode of action of Grasp GR is the inhibition of the acetolactate synthase (ALS) enzyme. Weed populations may develop biotypes that are resistant to different herbicides with the same mode of action. If herbicides with the same mode of action are used repeatedly in the same field, resistant biotypes may eventually dominate the weed population and may not be controlled by these products. Other resistance mechanisms, such as enhanced metabolism, may also exist and may cause reduced weed control. Grasp GR may not reliably control known ALS resistant weed biotypes.

This product should be used as part of an Integrated Pest Management (IPM) program that may include biological, cultural, and chemical practices aimed at preventing economic pest damage. Application of this product should be based on appropriate IPM and resistance management strategies and practices that delay or reduce the development of resistant weed biotypes. Such practices include, but are not limited to, field scouting, use of weed free crop seed, proper water management, correct weed pest identification, following rotational practices outlined on pesticide labels, and treating when target weed populations are at the correct stage and economic thresholds for control. Make only 1 application per acre per year of Grasp GR.

To delay development of herbicide resistance, the following practices are recommended:

- Always use at least 15 lb per acre formulated product and observe all label use rate instructions.
- The use of herbicides with the same mode of action should not be used in sequential applications.
- Herbicides should be used based on an IPM program.
- Monitor treated areas and control escaped weeds.
- Contact local extension or crop advisor for IPM and resistance management information.

Application Rates and Weeds Controlled (Arkansas, Florida, Louisiana, Mississippi, Missouri, and Texas)

| Weeds Controlled ¹ Common name | Application Rate and Stage of Weed Development |
|--|---|
| (scientific name) | 15 lb/acre ² |
| arrowhead (<i>Sagittaria</i> spp) | Up to 3 leaf |
| barnyardgrass (<i>Echinochloa crus-galli</i>) | |
| ducksalad (<i>Heteranthera</i> spp) | |
| eclipta (<i>Eclipta alba</i>) | |
| junglerice (<i>Echinochloa colona</i>) | |
| rice flatsedge (<i>Cyperus iria</i>) | |
| Weeds Suppressed | |

| | |
|--|--------------|
| alligatorweed (<i>Alternanthera philoxeroides</i>) dayflower (<i>Commelina communis</i>) hemp sesbania (<i>Sesbania exaltata</i>) Indian/northern jointvetch (<i>Aeschynomene</i> spp) redstem ³ (<i>Ammannia</i> spp) smartweed spp, annual (<i>Polygonum</i> spp) | Up to 3 leaf |
|--|--------------|

¹Grasp GR may not reliably control known ALS resistant weed biotypes. Weeds that emerge after the treatment period will not be controlled.

²Under conditions of late application when weeds are greater than 3 leaf stage, dense weed populations, or average water depth greater than 6 inches deep, 18.5 lb of Grasp GR (0.044 lb ai penoxsulam) per acre may be applied. Application of Grasp GR under these conditions may result in reduced weed control.

³Redstem (*Ammannia* spp) is effectively controlled if emerged at the time of treatment with Grasp GR.

Terms and Conditions of Use

If terms of the following Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies are not acceptable, return unopened package at once to the seller for a full refund of purchase price paid. Otherwise, use by the buyer or any other user constitutes acceptance of the terms under Warranty Disclaimer, Inherent Risks of Use and Limitation of Remedies.

Warranty Disclaimer

Dow AgroSciences 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, subject to the inherent risks set forth below. Dow AgroSciences MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

Inherent Risks of Use

It is impossible to eliminate all risks associated with use of this product. Crop injury, lack of performance, or other unintended consequences may result because of such factors as use of the product contrary to label instructions (including conditions noted on the label, such as unfavorable temperatures, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of Dow AgroSciences or the seller. All such risks shall be assumed by buyer.

Limitation of Remedies

To the extent permitted by law, the exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories), shall be limited to, at Dow AgroSciences' election, one of the following:

- (1) Refund of purchase price paid by buyer or user for product bought, or
- (2) Replacement of amount of product used.

Dow AgroSciences shall not be liable for losses or damages resulting from handling or use of this product unless Dow AgroSciences is promptly notified of such loss or damage in writing. In no case shall Dow AgroSciences be liable for consequential or incidental damages or losses.

The terms of the Warranty Disclaimer, Inherent Risks of Use, and this Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of Dow AgroSciences or the seller is authorized to vary or exceed the terms of the Warranty Disclaimer or this Limitation of Remedies in any manner.

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