



241-285

4-29-2003 114
Form Approved, OMB No. 2070-0060, Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

- Registration
- Amendment
- Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number BASF Corporation/241-285	2. EPA Product Manager Mr. James Tompkins	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) BASF Corporation/ASSERT herbicide	PM# 25	
5. Name and Address of Applicant (Include ZIP Code) BASF Corporation P.O. Box 13528 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. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below. <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below.	<input checked="" type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application <input type="checkbox"/> Other - Explain below.
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NOTIFICATION
NOTIFICATION
APR 29 2003

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification to update self-imposed expiration date (was 4/30/03, now 4/30/05) for supplemental label per PR Notice 98-10. In addition, the registered trademark symbol was added in some instances and the BASF label tracking numbers were updated. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 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 terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and ties 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		4. Size(s) Retail Container	5. Location of Label Directions
<input type="checkbox"/> Label <input type="checkbox"/> Container			
6. Manner in Which Label is Affixed to Product		<input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled <input type="checkbox"/> Other _____	

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Richard L. Braddock	Title Registration Scientist	Telephone No. (include Area Code) 919-547-2608
Certification		8. Date Application Received (Stamped)
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 	3. Title Registration Scientist	
4. Typed Name Richard L. Braddock	5. Date April 22, 2003	

ASSERT

herbicide

Supplemental Labeling

EPA Reg. No. 241-285

FOR USE IN WHEAT AND BARLEY
(Expires April 30, 2005)

FOR DISTRIBUTION AND USE IN TEXAS AND OKLAHOMA

OBSERVE ALL PRECAUTIONARY STATEMENTS AND LIMITATIONS ON THE ASSERT® LABEL AND ON TANK MIX PARTNER LABELS. FOLLOW THE MOST RESTRICTIVE USE PRECAUTIONS, OR DIRECTIONS FOR APPLICATION THAT APPEAR ON ANY PRODUCT LABEL.

SEE THE ASSERT® LEAFLET LABEL FOR USE DIRECTIONS INCLUDING GENERAL INFORMATION, MIXING AND APPLICATION INSTRUCTIONS, USES WITH OTHER PRODUCTS, ROTATIONAL CROP RESTRICTIONS, AND DISCLAIMER STATEMENTS.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. This labeling must be in the possession of the user at the time of pesticide application. **DO NOT** apply this product through any type of irrigation system.

See the ASSERT leaflet label for use directions. Additional instructions are given below.

GENERAL INFORMATION

ASSERT is a selective herbicide for the postemergence control of wild oats and wild mustard in wheat and barley. Apply ASSERT postemergence to wheat (including durum) and barley from the 2 leaf stage of the crop, but before development of the first internode (jointing). **DO NOT** apply ASSERT when freezing temperatures have occurred or are forecast. Allow at least 2 days of non-freezing temperatures before and after ASSERT application or reduced weed control may occur.

Proper timing of ASSERT application is critical for effective weed control. Grazing wheat or barley prior to treatment can result in improper staging of wild oat populations which, in turn, can result in poor or erratic weed control. Grazing wheat or barley prior to ASSERT application is not recommended.

Wild oats will be controlled when treated in the 1 to 4 true leaf stage. Wild mustard will be controlled when treated in the rosette stage prior to bloom.

If unfavorable growing conditions exist, ASSERT may cause slight discoloration and delayed growth of durum wheat. The crop will recover under normal growing conditions and yields will not be affected.

ASSERT alone or in combination can be applied by ground equipment or aircraft.

Maximum weed control with ASSERT alone or in combination is obtained when temperature, moisture, fertility and cultural practices provide favorable conditions for active plant growth. **FOR HIGH POPULATIONS OF WILD OATS (IN EXCESS OF 25 PLANTS PER SQUARE FOOT), USE A MINIMUM SPRAY VOLUME OF 15 GALLONS PER ACRE BY GROUND OR 5 GALLONS PER ACRE BY AERIAL APPLICATION. THOROUGH UNIFORM SPRAY COVERAGE IS REQUIRED TO MAXIMIZE WEED CONTROL.**

ASSERT rapidly inhibits growth of susceptible weeds; however, typical symptoms (discoloration) of dying weeds may not be noticeable until 2-4 weeks after application. Weeds hardened by cold weather or drought stress may not be fully controlled and regrowth may occur; increase spray solution (gallons per acre) and surfactant under these conditions.

MIXING INSTRUCTIONS

A NON-IONIC SURFACTANT CONTAINING AT LEAST 80% ACTIVE INGREDIENT MUST BE USED WITH ASSERT HERBICIDE. See the ASSERT leaflet label for all mixing and applications instructions.

Crop oil can be added to an ASSERT application at a rate of 2 pints (1 quart) per acre of spray solution. When using crop oil as an adjuvant, it is required to also add an approved non-ionic surfactant (NIS) to the tank, unless the crop oil includes a NIS at a concentration which will give a final spray solution concentration of at least 0.25% NIS.

(see other side)

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DO NOT use a surfactant that also acts as a buffering agent, or ASSERT may precipitate. If a precipitate forms due to incompatible tank-mix partners, contact your BASF representative. If test of clean water supply indicates that a precipitate forms due to highly-buffered alkaline or hard water, precondition your water with sodium bisulfate. Contact your BASF representative for instructions.

When applying ASSERT using a non-phosphorous liquid fertilizer (such as 28-0-0) as a carrier, contact your BASF representative for instructions for preconditioning the carrier.

HERBICIDE COMBINATIONS

Buctril ¹	Express ³
Amber ²	Finesse ³
Ally ³	Harmony ³
Glean ³	Harmony Extra ³

NOTE: DO NOT tank mix ASSERT with any product not registered in specific states of intended use. Follow the most restrictive precautions, directions and recropping/rotation limitations that appear on the respective product labels. Tank mixtures must be applied prior to the development of the first internode (jointing) of the crop.

DO NOT tank mix ASSERT with any product not specifically listed under the HERBICIDE COMBINATIONS section of this label.

DO NOT tank mix ASSERT with Banvel², any product containing dicamba⁴, MCPA⁴ amine, or 2,4-D⁴ amine formulations. A waiting period of 4 days should be observed before applying any herbicide not listed as a tank-mix partner.

SPRAYING INSTRUCTIONS

Refer to the ASSERT leaflet label for equipment application instructions.

Uniformly apply the recommended ASSERT or ASSERT tank mixture in 10 or more gallons of water per acre with ground equipment or in 5 or more gallons of water per acre by aircraft. **FOR HIGH POPULATIONS OF WILD OATS (IN EXCESS OF 25 PLANTS PER SQUARE FOOT), USE A MINIMUM SPRAY VOLUME OF 15 GALLONS PER ACRE BY GROUND OR 5 GALLONS PER ACRE BY AERIAL APPLICATION. THOROUGH UNIFORM SPRAY COVERAGE IS REQUIRED TO MAXIMIZE WEED CONTROL.**

¹ Buctril is a trademark of Rhone Poulenc.

² Amber and Banvel are trademarks of Novartis.

³ Ally, Glean, Harmony, Harmony Extra, Express, and Finesse are trademarks of E.I. du Pont de Nemours and Co., Inc.

⁴ Dicamba, MCPA and 2,4-D are active ingredients sold under various brand names.

© Registered trademark of BASF

Avoid overlapping, and shut off spray booms while starting, turning, slowing or stopping, or injury to the crop or a rotational crop could result. DO NOT allow spray to drift onto adjacent crops as injury may occur. For optimum weed control, ASSERT must absorb into plant leaves for 3 hours prior to overhead irrigation or rainfall.

DO NOT apply ASSERT when freezing temperatures have occurred or are forecast. Allow at least 2 days of non-freezing temperatures before and after ASSERT application or reduced weed control may occur.

For optimum weed control under cool conditions, it is recommended to apply ASSERT using the following additional instructions:

1. Use a minimum spray volume of 15 gallons per acre by ground or 5 gallons per acre by aerial application.
2. Use non-ionic surfactant plus crop oil concentrate.

IMPORTANT

DO NOT make more than one application of ASSERT per growing season. DO NOT graze treated fields or cut treated forage for silage or hay. Wheat and barley straw may be fed or used for bedding.

FOLLOW CROP RESTRICTIONS

See the ASSERT leaflet label for follow crop restrictions.

WEEDS CONTROLLED

Wild oats	(<i>Avena fatua</i>)
Wild mustard	(<i>Brassica kaber</i>)

TIMING AND RATES OF APPLICATION

For wild oat control apply ASSERT at 1.5 pints per acre when the wild oats are in the 1-4 true leaf stage. A rate of 1.2 pints per acre may be used for wheat planted after November 15.

For optimum control of wild mustard apply ASSERT at 1.5 pints per acre when mustard plants are in the rosette stage (1-6 leaves) and prior to bloom.

Refer to the ASSERT leaflet label for instructions for broadleaf herbicides which may be tank mixed with ASSERT to obtain maximum wild oat and broadleaf control.

BASF Corporation
26 Davis Drive
Research Triangle Park, NC 27709



April 22, 2003

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U. S. Environmental Protection Agency
Room 266A, Crystal Mall 2
1921 Jefferson Davis Highway
Arlington, VA 22202-4501

ATTN: Mr. James Tompkins (Team #25)
Registration Division (7505C)
RE: **ASSERT[®] herbicide EPA Reg. No. 241-285**
Notification of Change in Expiration Date to Supplemental Labeling

Dear Mr. Tompkins:

In accordance with PR Notice 98-10, BASF notifies the US EPA of a minor change to the ASSERT herbicide supplemental label for use in wheat and barley in the states of Texas and Oklahoma. The revision to the supplemental label is a change in the self-imposed expiration date from April 30, 2003 to April 30, 2005.

This notification includes an application form (Application), highlighted revised supplemental label (Proposed Label), five copies of the revised supplemental label (Label), and the most recent supplemental label (Approved Label).

If any questions, please call me at (919) 547-2608.

Thank you.

Sincerely,



Richard L. Braddock
Registration Scientist

[®]Registered Trademark of BASF