



241-306

6-14-2004

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Use read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060. Approval expires 2-28-95

|  |   |  |                       |
|--|---|--|-----------------------|
|  | United States<br><b>Environmental Protection Agency</b><br>Washington, DC 20460 | <input type="checkbox"/> Registration<br><input type="checkbox"/> Amendment<br><input checked="" type="checkbox"/> Other | OPP Identifier Number |
|--|---|--|-----------------------|

### Application for Pesticide - Section I

|   |  |  |
|---|--|--|
| 1. Company/Product Number<br>241-306  | 2. EPA Product Manager<br>James Tompkins   | 3. Proposed Classification<br><input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted |
| 4. Company/Product (Name)<br>Scepter 70 DG herbicide  | PM#<br>PM 25   |  |
| 5. Name and Address of Applicant (Include ZIP Code)<br>BASF Corporation<br>26 Davis Drive (P.O. Box 13528)<br>Research Triangle Park, NC 27709<br><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:<br><b>NOTIFICATION</b><br>EPA Reg. No. _____<br>Product Name _____<br>JUN 14 2004 |  |

### 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.)

Add the state of Maine to list of states where label may be distributed

### Section - III

|  |  |   |                                      |   |   |
|--|--|---|--------------------------------------|---|---|
| 1. Material This Product Will Be Packaged In:  |  |   |                                      | 2. Type of Container  |   |
| Child-Resistant Packaging<br><input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No  | Unit Packaging<br><input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | Water Soluble Packaging<br><input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | If "Yes" Unit Packaging wgt.         | No. per container   | <input type="checkbox"/> Metal<br><input checked="" type="checkbox"/> Plastic<br><input type="checkbox"/> Glass<br><input type="checkbox"/> Paper<br><input type="checkbox"/> Other (Specify) _____ |
| * Certification must be submitted  |  | If "Yes" Package wgt  | No. per container                    |   |   |
| 3. Location of Net Contents Information<br><input checked="" type="checkbox"/> Label <input type="checkbox"/> Container                            |  | 4. Size(s) Retail Container<br>2 1/2 gallons  |                                      | 5. Location of Label Directions<br><input checked="" type="checkbox"/> On container |   |
| 6. Manner in Which Label is Affixed to Product<br><input checked="" type="checkbox"/> Lithograph Paper glued<br><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<br>Karen R. Blundell  | Title<br>Product Registration Manager    | Telephone No. (Include Area Code)<br>(919) 547-2679 |
| <b>Certification</b><br>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<br>   | 3. Title<br>Product Registration Manager |   |
| 4. Typed Name<br>Karen R. Blundell   | 5. Date<br>May 12, 2004                  |   |



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# Supplemental Labeling

EPA Reg. No. 241-306

REGISTRATION  
JUN 14 2004

**FOR USE IN EASTERN COTTONWOOD (*Populus deltoides*) AND HYBRID POPLAR CLONES INCLUDING GROSSES BETWEEN *Populus deltoides*, *Populus maximowiczii*, *Populus nigra* and *Populus trichocarpa* GROWN ON FIBER FARMS**

**ONLY FOR DISTRIBUTION AND USE IN THE FOLLOWING STATES**

|          |             |                |                |
|----------|-------------|----------------|----------------|
| Alabama  | Kansas      | Missouri       | South Carolina |
| Arkansas | Kentucky    | Nebraska       | South Dakota   |
| Florida  | Louisiana   | New Jersey     | Tennessee      |
| Georgia  | Maine       | North Carolina | Texas          |
| Idaho    | Maryland    | Ohio           | Virginia       |
| Illinois | Michigan    | Oklahoma       | West Virginia  |
| Indiana  | Minnesota   | Oregon         | Washington     |
| Iowa     | Mississippi | Pennsylvania   | Wisconsin      |

OBSERVE ALL PRECAUTIONARY STATEMENTS IN THE **SCEPTER® 70 DG HERBICIDE** LABELING BEFORE USING. SEE THE **SCEPTER 70 DG** LEAFLET LABEL FOR PRECAUTIONS, WORKER PROTECTION STANDARD REQUIREMENTS, APPLICATION INFORMATION, WEEDS CONTROLLED, USES WITH OTHER PRODUCTS AND ROTATIONAL CROP RESTRICTIONS.

### DIRECTIONS FOR USE

It is violation of Federal law to use this product in a manner inconsistent with its labeling. The use of **SCEPTER 70 DG** not consistent with this labeling may result in injury to crops. DO NOT apply this product through any type of irrigation system.

This labeling must be in the possession of the user at the time of herbicide application.

### GENERAL INFORMATION

**SCEPTER® 70 DG herbicide** applied preplant incorporated, preemergence or postemergence provides early season weed control and residual activity on broadleaf weeds and grass weeds in eastern cottonwood and hybrid poplars, grown on fiber farms or tree plantations.

**When tank-mixing herbicides, always follow the most restrictive label.**

### APPLICATION INSTRUCTIONS

**Applications prior to planting trees:** Apply 2.8 to 5.6 oz **SCEPTER 70 DG** per acre preplant incorporated, preemergence or postemergence to control labeled weeds. For any of these methods tank mix with 1.2 to 4.8 quarts **PENDULUM® 3.3 EC herbicide** to improve preemergence control of weeds listed on the **PENDULUM 3.3 EC** label.

For preplant incorporated applications, **SCEPTER 70 DG** may be tank mixed with trifluralin. Refer to the trifluralin label for specific use recommendations, rates and weeds controlled.

For postemergence applications, glyphosate may be used with **SCEPTER 70 DG** alone or in combination with **PENDULUM 3.3 EC**. Refer to the glyphosate label for specific use recommendations, rates and weeds controlled.

**Postplant applications prior to trees breaking dormancy (bud swell stage):** Apply 2.8 to 5.6 oz **SCEPTER 70 DG** per acre preemergence or postemergence to control labeled weeds. Tank mix with 1.2 to 4.8 quarts **PENDULUM 3.3 EC** to improve preemergence control of weeds listed on the **PENDULUM 3.3 EC** label.

**Postplant applications on actively growing trees:** Apply 2.8 to 5.6 oz **SCEPTER 70 DG** per acre preemergence or postemergence to control labeled weeds. Different clonal lines may vary in their tolerance to **SCEPTER 70 DG**. Therefore, before making over the top applications on actively growing trees, spray a few trees and observe for plant damage over a period of six weeks prior to full-scale application. For best crop safety on actively growing trees, do not include a surfactant. Do not tank mix with **PENDULUM® 3.3 EC herbicide**.

**Do not apply more than 5.6 oz SCEPTER 70 DG per acre per year.**

Refer to the **SCEPTER 70 DG** label for additional information on application instructions.

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## WEEDS CONTROLLED

When applied as directed, **SCEPTER® 70 DG herbicide** will provide postemergence control of the following weed species. Refer to **SCEPTER 70 DG** label for weeds controlled by soil applications.

### 5.6 oz. SCEPTER 70 DG per acre

| <u>Common Name</u>        | <u>Scientific Name</u>         |
|---------------------------|--------------------------------|
| <b>Broadleaf Weeds</b>    |                                |
| Carpetweed                | <i>Mollugo verticillata</i>    |
| Cocklebur, common         | <i>Xanthium strumarium</i>     |
| Eclipta                   | <i>Eclipta prostrata</i>       |
| Jimsonweed                | <i>Datura stramonium</i>       |
| Mustard, wild             | <i>Brassica kaber</i>          |
| Nightshade, eastern black | <i>Solanum ptycanthum</i>      |
| Poinsettia, wild          | <i>Euphorbia heterophylla</i>  |
| Prickly sida              | <i>Sida spinosa</i>            |
| Smartweed, ladythumb      | <i>Polygonum persicaria</i>    |
| Smartweed, Pennsylvania   | <i>Polygonum pensylvanicum</i> |
| Sunflower, common         | <i>Helianthus annuus</i>       |
| Pigweed                   |                                |
| Palmer                    | <i>Amaranthus palmeri</i>      |
| Redroot                   | <i>Amaranthus retroflexus</i>  |
| Smooth                    | <i>Amaranthus hybridus</i>     |
| Spiny                     | <i>Amaranthus spinosus</i>     |
| Venice mallow             | <i>Hibiscus trionum</i>        |
| <b>Grasses</b>            |                                |
| Corn, volunteer*          | <i>Zea mays</i>                |
| Foxtail, giant            | <i>Setaria faberi</i>          |
| Foxtail, yellow           | <i>Setaria glauca</i>          |
| Panicum, fall             | <i>Panicum dichotomiflorum</i> |

\* A postemergence application of **SCEPTER 70 DG** will control only those field corn hybrids which DO NOT possess tolerance or resistance to **SCEPTER 70 DG** or other imidazolinone herbicides.

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000241-00306.20040514.NVA 2004-04-136-0102  
Supercedes PE-12331 Rev. 2

BASF Corporation  
26 Davis Drive  
Research Triangle Park, NC 27709

Agricultural Products



The Chemical Company

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May 12, 2004

Document Processing Desk (NOTIF)  
Office of Pesticide Programs (H7504C)  
U.S. Environmental Protection Agency  
Crystal Mall 2, Room 266A  
1921 Jefferson Davis Highway  
Arlington, VA 22202

Subject: Scepter 70 DG herbicide (EPA Registration Number 241-306):  
Notification of a Change in the List of States Approved for Distribution of a  
Supplemental Label for Use in Eastern Cottonwood

Dear Sir or Madam:

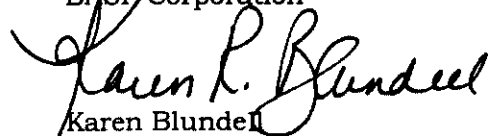
Under cover of this letter, BASF is submitting a notification regarding supplemental labeling for Scepter 70 DG herbicide, EPA Reg. No. 241-306. This supplemental label describes directions for use of the product on eastern cottonwood and hybrid poplar clones grown on fiber farms. The label lists a number of states where use is allowed. When the label was first proposed, there was no need identified for this use in the state of Maine. Maine growers have recently informed us that the product would be useful for tree plantations in their state. Therefore we are adding the state of Maine to the list of states currently on the label.

I have enclosed 5 copies of highlighted labeling (showing the addition to the label) and 1 copy of clean, amended text in the event you would prefer that copy for your files.

A copy of an Application for Pesticide Notification has also been included.

If you have any questions regarding this notification, please do not hesitate to contact me at 919-547-2979.

Sincerely,  
BASF Corporation

  
Karen Blundell  
Product Registration Manager

cc: Mr. James Tompkins, PM 25