

241-310

6-20-2006

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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

WASHINGTON, D.C. 20460

JUN 20 2006

OFFICE OF  
PREVENTION, PESTICIDES  
AND TOXIC SUBSTANCES

Ms. Rebecca Johnston  
BASF Corporation  
26 Davis Drive  
P.O. Box 13528  
Research Triangle Park, NC 27709-3528

Subject: Pursuit Herbicide  
EPA Registration No. 241-310  
Supplemental Labeling for Snap Beans submitted on March 27, 2006

Dear Ms. Johnston:

The supplemental labeling referred to above is acceptable provided that you make the following change:

Add "To the extent permitted by law," immediately prior to "ALL RISKS AND CONSEQUENCES..." (in two places on page 4 of the label).

. This supplemental labeling expires on June 20, 2007, and amended labeling for the main product label incorporating the supplemental label directions use should be submitted before then. A stamped copy of the label is enclosed for your records.

If you have any questions about this letter, you may call Tobi Colvin-Snyder at 703-305-7801.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Tompkins".

Jim Tompkins  
Product Manager (25)  
Herbicide Branch  
Registration Division (7505C)

ACCEPTED  
with COMMENTS  
in EPA Letter Dated

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JUN 20 2006

**BASF**  
The Chemical Company

Under the Federal Insecticide,  
Fungicide, and Rodenticide Act  
as amended, for the pesticide  
registered under EPA Reg. No.

241-310

**Pursuit**  
herbicide

**Supplemental  
Labeling**

**FOR PREPLANT INCORPORATED AND PREEMERGENCE  
USE IN SNAP BEANS GROWN IN WISCONSIN, ILLINOIS, INDIANA,  
IOWA, MINNESOTA AND MICHIGAN ONLY**

**EPA Reg. No. 241-310**

**Active Ingredient:**

Ammonium salt of imazethapyr (±)-2-[4,5-dihydro-4-methyl-4-(1-methylethyl)-  
5-oxo-1H-imidazol-2-yl]-5-ethyl-3-pyridinecarboxylic acid\* ..... 22.87%

**Inert ingredients:** ..... 77.13%

**Total** ..... 100.00%

\* Equivalent to 21.6% (±)-2-[4,5-dihydro-4-methyl-4-(1-methylethyl)-5-oxo-1H-imidazol-2-yl]-5-ethyl-3-pyridinecarboxylic acid

(1 gallon contains 2.0 pounds of active ingredient as the free acid.)

**OBSERVE ALL PRECAUTIONARY STATEMENTS AND SPRAYING AND APPLICATION  
INFORMATION IN THE PURSUIT® HERBICIDE MAIN LABEL BEFORE USING.  
APPLY WITH GROUND EQUIPMENT ONLY.**

**DISCLAIMER**

**THIS PRODUCT WHEN USED ON EDIBLE LEGUME VEGETABLE CROPS MAY LEAD TO CROP  
INJURY, LOSS, OR DAMAGE. BASF CORPORATION RECOMMENDS THAT THE USER AND/OR  
GROWER TEST THIS PRODUCT IN ORDER TO DETERMINE ITS SUITABILITY FOR SUCH  
INTENDED USE. BASF MAKES THIS PRODUCT AVAILABLE TO THE USER AND/OR GROWER  
SOLELY TO THE EXTENT THAT THE BENEFIT AND UTILITY, IN THE SOLE OPINION OF THE  
USER AND/OR GROWER, OUTWEIGH THE EXTENT OF POTENTIAL INJURY ASSOCIATED WITH  
THE USE OF THIS PRODUCT. THE DECISION TO USE OR NOT TO USE THIS HERBICIDE MUST BE  
MADE BY EACH INDIVIDUAL PURSUIT USER AND/OR GROWER ON THE BASIS OF POSSIBLE  
CROP INJURY FROM PURSUIT, THE SEVERITY OF WEED INFESTATION, THE COST OF  
ALTERNATIVE WEED CONTROLS, AND OTHER FACTORS. BASF INTENDS THAT BECAUSE OF  
THE RISK OF FAILURE TO PERFORM OR CROP DAMAGE, ALL SUCH USE IS AT THE USER'S  
AND/OR GROWER'S RISK.**

**BASF DISCLAIMS ANY LIABILITY FOR CLAIMS, CAUSES OF ACTION, FINES, PENALTIES,  
DAMAGES, INCLUDING CONSEQUENTIAL INCIDENTS AND DAMAGES, LOSSES, LIABILITIES,  
JUDGEMENTS, AND EXPENSES ARISING OUT OF OR RELATING TO INJURY TO PERSONS,  
CROPS, OR PROPERTY RESULTING FROM THE USE OF PURSUIT HERBICIDE ON EDIBLE  
LEGUMES CONTRARY TO THE LABEL INSTRUCTIONS. BASF WARRANTS ONLY THAT THE  
MATERIAL CONTAINED HEREIN CONFORMS TO THE CHEMICAL DESCRIPTION ON THE LABEL  
AND IS REASONABLY FIT FOR THE USE THEREIN DESCRIBED WHEN USED IN ACCORDANCE  
WITH THE DIRECTIONS FOR USE, SUBJECT TO THE RISKS REFERRED TO ABOVE.**

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### GENERAL INFORMATION

Reduced crop growth, quality, yield and/or delayed maturity may result from a **PURSUIT® herbicide** application to snap beans. Since crop maturity may be delayed, timing of harvest may need to be adjusted accordingly.

**DO NOT** apply **PURSUIT** if planting is delayed and chance of frost prior to maturity is likely.

**DO NOT** apply **PURSUIT** if cold and/or wet conditions are present or predicted to occur within one week of application.

**USE PURSUIT ONLY** if proper agronomic practices have been utilized, including good soil fertility, proper crop rotation, disease and insect management and tillage practices that eliminate compaction and hardpans.

Use of **PURSUIT** in accordance with label directions is expected to result in normal growth of rotational crops in most situations, however, various environmental and agronomic factors make it impossible to eliminate all risks associated with the use of this product and, therefore, rotational crop injury is always possible.

### DIRECTIONS FOR USE

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

**DO NOT** apply by air.

**DO NOT** apply **PURSUIT** in any manner not specifically described in this labeling.

Sensitive crops such as sugar beets, canola, and leafy vegetables may be injured by spray drift or other indirect contact with **PURSUIT**.

Spray equipment used for **PURSUIT** applications must be drained and thoroughly cleaned with water before being used to apply other products.

Allow at least 30 days between application and harvest.

**DO NOT** make more than one application of **PURSUIT** per year.

**DO NOT** apply **PURSUIT** AFTER July 31.

When **PURSUIT** is used in combination with another herbicide, refer to the respective label for rates, methods of application, proper timing, weeds controlled, restrictions and precautions. Always use in accordance with the more restrictive label restrictions and precautions. No label dosages should be exceeded. **PURSUIT** cannot be mixed with any product containing a label prohibiting such mixtures.

### APPLICATION INSTRUCTIONS

#### Preplant Incorporated Applications:

Apply **PURSUIT** at 1.5 oz per acre within 1 week of planting. Applied preplant incorporated, **PURSUIT** may be tank mixed with a registered grass herbicide.

#### Preemergence Applications:

Apply **PURSUIT** at the broadcast rate of 1.5 oz per acre immediately after, or up to 1 day after planting. **PURSUIT** may be applied in a tank mix with a registered grass herbicide or applied preemergence following a preplant incorporated application of a registered grass herbicide.

### WEEDS SUPPRESSED

**PURSUIT** applied at the broadcast rate of 1.5 oz/A preplant incorporated or preemergence will suppress or reduce competition of the following weeds:

- Eastern black nightshade
- Redroot pigweed
- Wild mustard

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## ROTATIONAL CROP GUIDELINES

The following crops may be planted after applying **PURSUIT<sup>®</sup> herbicide** as recommended in this label:

### 1. Anytime:

CLEARFIELD\* corn seed hybrids (resistant/tolerant to **PURSUIT**)

Peanuts	Snap beans	Soybeans
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Edible beans and peas (navy, great northern, red kidney, black turtle, cranberry, pinto, lima, and small white type dry beans, lentils, white lupins, chickpeas [garbanzo beans], dry edible peas, English and Southern peas)

### 2. Four months after **PURSUIT** application:

Alfalfa	Rye
All edible beans and peas not listed above	Wheat

### 3. Eight and one-half months after **PURSUIT** application:

Field corn	Field corn grown for seed
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### 4. Nine and one-half months after **PURSUIT** application:

Barley	Tobacco
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### 5. Eighteen months after **PURSUIT** application:

Cotton	Safflower
Lettuce	Sorghum
Oats	Sunflower
Popcorn	Sweet corn

### 6. Twenty-six months after **PURSUIT** application:

Flax	Potatoes
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### 7. Forty months after **PURSUIT** application:

All crops not listed elsewhere in this **ROTATIONAL CROP GUIDELINE**.

Following forty months after a **PURSUIT** application, and before planting any crop listed elsewhere in the **ROTATIONAL CROP GUIDELINE**, a successful field bioassay must be completed. The field bioassay consists of a test strip of the intended rotational crop planted across the previously treated field and grown to maturity. The test strip should include low areas and knolls, and include variations in soil such as type and pH. If no crop injury is evident in the test strip, the intended rotational crop may be planted the following year.

Sugar beet production can be reduced when grown in soil conditions with a pH less than 6.5.

If the field is limed to adjust pH prior to planting rotational crops not listed in the **ROTATIONAL CROPS GUIDELINE**, apply the lime at least 12 months prior to planting the rotational crop.

In the event of a crop loss, snap beans may be replanted.

**DO NOT** feed treated forage, hay, or straw to livestock.

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## EXCEPTIONS TO ROTATIONAL CROP GUIDELINES

CONSULT THE PURSUIT MAIN LABEL FOR  
OTHER PRECAUTIONS.

### **Sweet corn and popcorn varieties: (States of Illinois, Minnesota, and Wisconsin only)**

Sweet corn and popcorn varieties may be planted the year following an application of **PURSUIT**<sup>®</sup>

**herbicide**. Some sweet corn and popcorn varieties may be injured when planted at less than 18 months following an application of **PURSUIT** herbicide.

Before planting sweet corn for processing, contact the processor company for information and recommendations regarding the tolerance of sweet corn varieties planned for fields treated with

**PURSUIT** the previous year. **DO NOT** plant fresh market sweet corn varieties prior to 18 months after **PURSUIT** use. Before planting popcorn, contact the popcorn company for information and recommendations regarding the tolerance of popcorn varieties planned for fields treated with **PURSUIT** the previous year. Since growing conditions, environmental conditions, and grower practices are beyond the control of BASF Corporation, ALL RISKS AND CONSEQUENCES ASSOCIATED WITH PLANTING SWEET CORN OR POPCORN VARIETIES INTO FIELDS TREATED PREVIOUSLY WITH PURSUIT SHALL BE ASSUMED BY THE USER.

Stunting and maturity delay, or other adverse effects may result, when sweet corn or popcorn are planted following **PURSUIT** use.

### **Corn inbred lines:**

Corn inbred seed lines may be planted the year following an application of **PURSUIT**. Several seed companies have tested a wide range of inbreds for sensitivity to **PURSUIT** soil residues and have reported good crop safety. However, due to the proprietary nature of seed production, BASF Corporation has not been given access to the inbred data. Growers are directed to contact the seed company for information and recommendations regarding the planting of corn grown for seed in fields treated with **PURSUIT** the previous year. Since growing conditions, environmental conditions and grower practices are beyond the control of BASF corporation, ALL RISKS AND CONSEQUENCES ASSOCIATED WITH PLANTING SEED CORN INBREDS INTO FIELDS TREATED PREVIOUSLY WITH PURSUIT SHALL BE ASSUMED BY THE USER.

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### Conditions of Sale and Warranty

The **Directions For Use** of this product reflects the opinion of experts based on field use and tests. The directions are believed to be reliable and should be followed carefully. However, it is impossible to eliminate all risks inherently associated with 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 use of the product in a manner inconsistent with its labeling, all of which are beyond the control of BASF CORPORATION ("BASF") or the Seller. All such risks shall be assumed by the Buyer.

BASF warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the **Directions For Use**, subject to the inherent risks, referred to above.

BASF MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY. TO THE EXTENT PERMITTED BY LAW, BASF AND THE SELLER DISCLAIM ANY LIABILITY FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT. BASF and the Seller offer this product, and the Buyer and User accept it, subject to the foregoing **Conditions of Sale and Warranty** which may be varied only by agreement in writing signed by a duly authorized representative of BASF.

*Pursuit is a registered trademark of BASF.*

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