

241-331

07/29/2002

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

JUL 29 2002

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Dr. Rodney Akers PHD.
BASF Corporation
P.O. Box 13528
Research Triangle Park, NC 27709

Dear Dr. Akers:

Subject: Request for Approval of supplemental labeling

PURSUIT PLUS EC
EPA registration number 241-331
Your submission dated July 29, 2002

The Labeling referred to above submitted in connection with the application under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable, provided that the changes are made to the second page of the disclaimer section .

- * Delete the last paragraph of the disclaimer section
As indicated in enclosed label

A stamped copy of the of the label is inclosed for your records.

Submit one (1) copy of your final printed labeling before you release the product for shipment.

Sincerely Yours,

James A. Tompkins
Product Manager 25
Herbicide Branch
Registration Division (7505C0)



Supplemental Labeling

EPA Reg. No. 241-331

**FOR USE IN ENGLISH PEAS, LIMA BEANS, NAVY,
GREAT NORTHERN, RED KIDNEY, BLACK TURTLE, CRANBERRY,
AND SMALL WHITE TYPE DRY BEANS ONLY**

**USE ONLY IN ILLINOIS, IOWA, MICHIGAN,
MINNESOTA (south of highway # 210), AND WISCONSIN**

**OBSERVE ALL PRECAUTIONARY STATEMENTS AND SPRAYING AND APPLICATION INFORMATION IN
THE PURSUIT PLUS EC LEAFLET LABEL BEFORE USING. APPLY WITH GROUND EQUIPMENT ONLY.**

GENERAL INFORMATION

Reduced crop growth, quality, yield and/or delayed maturity may result from a PURSUIT PLUS EC application to edible legume vegetables. Since crop maturity may be delayed, timing of harvest may need to be adjusted accordingly. **DO NOT** apply PURSUIT PLUS EC if planting is delayed and chance of frost prior to maturity is likely.

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

USE PURSUIT PLUS EC 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 PLUS EC herbicide in accordance with labeling 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.

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 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 PLUS EC USER AND/OR GROWER ON THE BASIS OF POSSIBLE CROP INJURY FROM PURSUIT PLUS EC, 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 THAT 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, JUDGMENTS, AND EXPENSES ARISING OUT OF OR RELATING TO INJURY TO PERSONS, CROPS, OR PROPERTY RESULTING FROM THE USE OF PURSUIT PLUS EC 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.

BASF DOES NOT MAKE OR AUTHORIZE ANY AGENT OR REPRESENTATIVE TO MAKE ANY OTHER WARRANTIES, EXPRESS OR IMPLIED AND EXPRESSLY EXCLUDES AND DISCLAIMS ALL IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

DISCLAIMER (continued)

~~BUYER'S EXCLUSIVE REMEDY AND AMERICAN BASF'S EXCLUSIVE LIABILITY, WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL BE LIMITED TO REPAYMENT OF THE PURCHASE PRICE OF PURSUIT PLUS EC. In no case shall BASF or the seller be liable for consequential, special or indirect damages resulting from the use or handling of this product.~~

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 the possession of the user at the time of herbicide application.

DO NOT apply by air.

DO NOT apply PURSUIT PLUS EC in any manner not specifically described in this label.

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

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

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

DO NOT apply to Domino variety black turtle beans.

DO NOT apply PURSUIT PLUS EC after June 30.

Allow at least 60 days between application and harvest of navy, great northern, red kidney, cranberry, black turtle, and small white dry beans. Allow at least 30 days between application and harvest of lima beans and English peas.

Preplant Incorporated Applications. Apply PURSUIT PLUS EC within 1 week before planting. Applied preplant incorporated, PURSUIT PLUS EC may be tank-mixed with other registered herbicides. Refer to the following table for use rate.

Soil Type	PURSUIT PLUS EC Use Rate (oz/acre)
Sands, loamy sands in Michigan	DO NOT USE
Sandy loams and all other soils with ≤ 2% O.M. in Michigan	20 (1.25 pts)
All other soils with > 2% O.M. in Michigan and any soil type in Iowa, Illinois, Minnesota, and Wisconsin	30

For control of the annual grass weed species listed on the PROWL® 3.3 EC herbicide label, add 0.75 to 1 pt/acre of PROWL 3.3 EC to the 20 oz/acre rate of PURSUIT PLUS EC, and 0.25 to 0.5 pt/acre of PROWL 3.3 EC to the 30 oz/acre rate of PURSUIT PLUS EC.

WEEDS CONTROLLED

PURSUIT PLUS EC applied to low organic matter soils at the broadcast rate of 20 ounces per acre preplant incorporated will control light to moderate infestations of:

- Nightshade, black
- Nightshade, Eastern black
- Pigweed, redroot

PURSUIT PLUS EC applied at the broadcast rate of 30 ounces per acre preplant incorporated will control:

- Mustard, wild
- Nightshade, black
- Nightshade, Eastern black
- Nightshade, hairy
- Pigweed, redroot

ROTATIONAL CROP GUIDELINE

The following crops may be planted after applying PURSUIT PLUS EC as recommended in this label:

1. Anytime:
 - Soybeans
 - Peanuts
 - Edible bean and pea types listed on this label (Refer to heading on page 1)
2. Two Months after PURSUIT PLUS EC application:
 - Snap Beans

ROTATIONAL CROP GUIDELINE (continued)

3. Four months after PURSUIT PLUS EC application:
 - Barley
 - Edible bean and pea types not listed on this label (Refer to heading on page 1)
 - Wheat
4. Eight and one-half months after PURSUIT PLUS EC application:
 - Field corn
 - Field corn grown for seed*
5. Nine and one-half months after PURSUIT PLUS EC application:
 - Alfalfa
 - Tobacco
6. Eighteen months after PURSUIT PLUS EC application:

Cotton	Popcorn	Sunflower
Lettuce	Safflower	Sweet Corn
Oats	Sorghum	
7. Twenty-six months after PURSUIT PLUS EC application:
 - Potatoes
8. Forty months after PURSUIT PLUS EC application:

All crops not listed elsewhere in this ROTATIONAL CROP GUIDELINE. Following forty months after a PURSUIT PLUS EC application, and before planting any crop not 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.

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

In the event of a crop loss, the bean or pea crop may be replanted.

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

*** Several seed companies have tested a wide range of inbreds for sensitivity to PURSUIT PLUS EC 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 PLUS EC 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 PLUS EC shall be assumed by the user.**

CONSULT THE PURSUIT PLUS EC LEAFLET LABEL FOR OTHER PRECAUTIONS.

EXCEPTIONS TO ROTATIONAL CROP GUIDELINE

Sweet corn and popcorn varieties: (States of Iowa, Illinois, Michigan, Minnesota, and Wisconsin only). Sweet corn and popcorn varieties may be planted the year following an application of PURSUIT PLUS EC. Some sweet corn and popcorn varieties may be injured when planted at less than 18 months following an application of PURSUIT PLUS EC 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 PLUS EC the previous year. **DO NOT** plant fresh market sweet corn varieties prior to 18 months after PURSUIT PLUS EC use. Before planting popcorn, contact the popcorn company for information and recommendations regarding the tolerance of popcorn varieties planned for fields treated with PURSUIT PLUS EC 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 PLUS EC 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 PLUS EC use.

BASF Corporation
P.O. Box 13528
Research Triangle Park, NC 27709

Agricultural Products



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NVA 2002-04-130-0017
01/16/02

**ACCEPTED
with COMMENTS
in EPA Letter Dated**

JUL 29 2002

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

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