

241-331

06/16/2005

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Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 2-28-15



United States  
Environmental Protection Agency  
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number  
277003

### Application for Pesticide - Section I

1. Company/Product Number 241-331	2. EPA Product Manager J. Tompkins	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) PURSUIT PLUS EC Herbicide	PM# 25	
5. Name and Address of Applicant (Include ZIP Code) BASF Corporation 26 Davis Drive Research Triangle Park, NC 27709-3528 <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"/> Final printed labels in response to Agency letter dated _____	<b>NOTIFICATION</b>  JUN 16 2005
<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.)

Notification to add pinto bean to already approved dry bean uses per PR Notice 98-10. " 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 penalties under sections 12 and 14 of FIFRA."

### Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
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	Metal Plastic Glass Paper Other (Specify) _____		
* Certification must be submitted		If "Yes" Unit Packaging wgt.    No. per container			
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
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 Rebecca L. Johnston	Title Senior Regulatory Affairs Manager	Telephone No. (Include Area Code) 919-547-2609
<b>Certification</b> 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.		8. Date Application Received  <b>(Stamped)</b>
2. Signature 	3. Title Senior Regulatory Affairs Manager	
4. Typed Name Rebecca L. Johnston	5. Date May 19, 2005	



# Supplemental Labeling

EPA Reg. No. 241-331

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

**NOTIFICATION**

**JUN 16 2005**

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

**OBSERVE ALL PRECAUTIONARY STATEMENTS AND SPRAYING AND APPLICATION INFORMATION IN THE PURSUIT® PLUS EC HERBICIDE 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 herbicide** 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** 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.

### 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**.

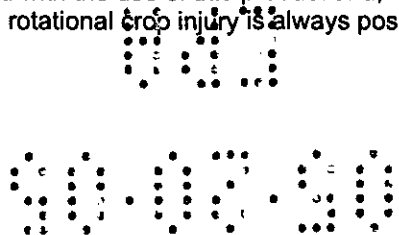
Spray equipment used for **PURSUIT PLUS EC** application must be drained and thoroughly cleaned with water before being used to apply other products.

**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, pinto 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 herbicide** 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	<b>PURSUIT PLUS EC Use Rate (oz/acre)</b>
Sands, loamy sands in Michigan	<b>DO NOT USE</b>
Sandy loams and all other soils with ≤ 2% O.M. in Michigan and North Dakota	20 (1.25 pts)
All other soils with > 2% O.M in Michigan and any soil type in Iowa, Illinois, Minnesota, and Wisconsin. <b>Not for use in North Dakota at this rate.</b>	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:

- Mustard, wild
- 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
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** herbicide 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 inbreeds 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 inbreeds 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 herbicide**. 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.

97

**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 and Prowl are registered trademarks of BASF*

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Supercedes NVA 2005-04-131-0092

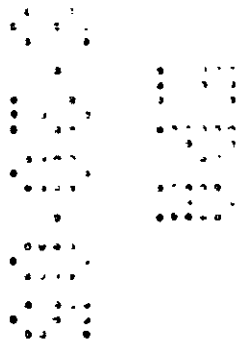
BASF Corporation  
Agricultural Products  
26 Davis Drive  
Research Triangle Park, NC 27709

  
The Chemical Company



The Chemical Company

May 19, 2005



Mr. James Tompkins  
Product Manager (25)  
Registration Division (H7505C)  
Office of Pesticide Programs  
U. S. Environmental Protection Agency  
Crystal Mall, Bldg. 2, Room 266A  
1801 South Bell Street  
Arlington, VA 22202

Re: **PURSUIT<sup>®</sup> PLUS Herbicide, EPA Reg. No. 241-331  
Notification of Minor Change to Supplemental Label  
For Use in English Peas, Lima Beans, Navy, Great  
Northern, Red Kidney, Black Turtle, Cranberry, and  
Small White Type Dry Beans Only  
Approved March 1, 2005  
OPP. Id. No. 277003**

Dear Mr. Tompkins:

BASF hereby notifies EPA of the following minor revision to a PURSUIT PLUS (EPA Reg. No. 241-331) supplemental label for Use in English Peas, Lima Beans, Navy, Great Northern, Red Kidney, Black Turtle, Cranberry, and Small White Type Dry Beans Only. The change to the label includes the addition of the dry bean "pinto" to the crop uses, both in the label title and in the section indicating PHI. Support for this change is located in Exhibit 1 and consists of a copy of the 40 CFR published tolerance for crop group 6 for imazethapyr and pertinent pages from the pendimethalin RED demonstrating that a tolerance for beans (succulent and dry) has been accepted by EPA.

In support of this notification, an application form and a copy of the proposed label are enclosed. A copy of the current stamp-approved label is also enclosed as the Approved Label. For your convenience, 5 copies of the proposed supplemental label are included for your files.

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

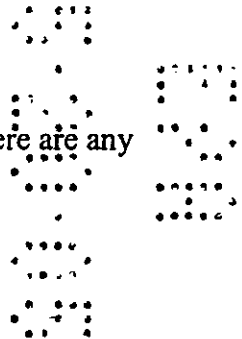
Helping Make Products Better™

7/7



The Chemical Company

Thank you for your continued assistance with the registration issues of this product. If there are any questions regarding this application, I can be reached at (919)-547-2609 or by email at [johnstrl@basf.com](mailto:johnstrl@basf.com).

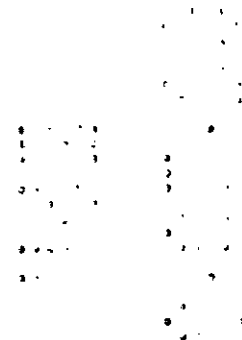


Sincerely,

A handwritten signature in cursive script that reads "Rebecca L. Johnston".

Rebecca L. Johnston  
Senior Regulatory Affairs Manager  
Global Regulatory Affairs

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3528  
Tel: (919) 547-2612

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