

241-350

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 DG Herbicide
EPA Registration No. 241-350
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)

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ACCEPTED
with COMMENTS
In EPA Letter Dated
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.

Pursuit
DG herbicide

ECO-PAK
WATER-SOLUBLE PACKETS

241-350

**Supplemental
Labeling**

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

EPA Reg. No. 241-350

Active Ingredient:

Imazethapyr (±)-2-[4,5-dihydro-4-methyl-4-(1-methylethyl)-
5-oxo-1H-imidazol-2-yl]-5-ethyl-3-pyridinecarboxylic acid 70.0%

Inert Ingredients: 30.0%

Total: 100.0%

PURSUIT DG® herbicide in a water-soluble bag.
(1 bag contains 0.125 pounds of active ingredient as the free acid.)

**OBSERVE ALL PRECAUTIONARY STATEMENTS AND SPRAYING AND APPLICATION
INFORMATION IN THE PURSUIT DG® herbicide ECO-PAK® WATER-SOLUBLE PACKETS
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 DG USER
AND/OR GROWER ON THE BASIS OF POSSIBLE CROP INJURY FROM PURSUIT DG, 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 DG
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.**

GENERAL INFORMATION

Reduced crop growth, quality, yield and/or delayed maturity may result from a **PURSUIT DG**[®]

herbicide ECO-PAK[®] WATER-SOLUBLE PACKETS application to snap beans. Since crop maturity may be delayed, timing of harvest may need to be adjusted accordingly.

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

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

USE PURSUIT DG 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 DG** herbicide 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 the possession of the user at the time of herbicide application.

DO NOT apply by air.

DO NOT apply **PURSUIT DG** 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 DG**.

Spray equipment used for **PURSUIT DG** 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 DG** per year.

DO NOT apply **PURSUIT DG** after July 31.

When **PURSUIT DG** 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 DG** cannot be mixed with any product containing a label prohibiting such mixtures.

APPLICATION INSTRUCTIONS

Preplant Incorporated Applications:

Apply **PURSUIT DG** at 0.54 oz per acre within 1 week of planting. Applied preplant incorporated, **PURSUIT DG** may be tank mixed with a registered grass herbicide.

Preemergence Applications:

Apply **PURSUIT DG** at the broadcast rate of 0.54 oz per acre immediately after, or up to 3 days after planting. **PURSUIT DG** 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 DG applied at the broadcast rate of 0.54 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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EXCEPTIONS TO ROTATIONAL CROP GUIDELINES

CONSULT THE PURSUIT DG 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 DG® herbicide ECO-PAK® WATER-SOLUBLE PACKETS**. Some sweet corn and popcorn varieties may be injured when planted at less than 18 months following an application of **PURSUIT DG**. 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 DG** the previous year. **DO NOT** plant fresh market sweet corn varieties prior to 18 months after **PURSUIT DG** use. Before planting popcorn, contact the popcorn company for information and recommendations regarding the tolerance of popcorn varieties planned for fields treated with **PURSUIT DG** 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 DG** 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 DG** use.

Corn inbred lines:

Corn inbred seed lines may be planted the year following an application of **PURSUIT DG**. Several seed companies have tested a wide range of inbreds for sensitivity to **PURSUIT DG** 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 DG** 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 DG** 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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Supersedes: NVA 2001-04-130-0019

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


The Chemical Company