

264-682



06/07/2007
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

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JUN 7 2007

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Nang-Ly Chow, Ph.D.
Registration Manager
Bayer CropScience
P.O. Box 12014, 2 Alexander Drive
Research Triangle Park, NC 27709

Dear Dr. Chow:

Subject: Ricestar® Herbicide
EPA Registration No. 264-682
Application and Letter Dated May 24, 2007,
Request To Add Aerial Application Directions and a
Precaution on Reduced Spray Volume as a Possible
Negative Effect on the Performance of Product

Your request to amend the registration of "Ricestar® Herbicide" has been reviewed and found acceptable under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, provided that you:

1. On page 6, revise the "Conditions" section by adding the phrase "To the extent consistent with applicable law" to preface the statement "All such risks shall be assumed by the user or buyer". Note: All disclaimers of liability on labeling must be modified by that phrase.
2. Submit one copy of the final printed labeling prior to Shipping under the revised labeling.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA, section 6(c). Your release for shipment of this product under the revised labeling constitutes acceptance of these conditions. A stamped copy of the accepted labeling is enclosed for your records.

Sincerely yours,
Joanne I. Miller
Joanne I. Miller
Product Manager (23)
Herbicide Branch
Registration Division (7505P)

Enclosure

Ricestar® Herbicide

ACCEPTED
with COMMENTS
In EPA Letter Dated:
JUN 7 2007
Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.

264-682

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For the Selective Postemergence Control of Annual Grasses in Rice

ACTIVE INGREDIENT: fenoxaprop-p-ethyl: (+)-ethyl 2-[4-[(6-chloro-2-benzoxazolyl)oxy] phenoxy]propanoate† 6.70%*

INERT INGREDIENTS: 93.30%**

*Equivalent to 0.58 pound of fenoxaprop-p-ethyl (d-isomer) per gallon.

TOTAL 100.00%

**Contains petroleum distillates

† Protected by U.S. Patent No. 5,254,527

EPA Reg No. 264-682

EPA Est. No. 000264-CAN-001

KEEP OUT OF REACH OF CHILDREN WARNING - AVISO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand the label, find someone to explain it to you in detail.)

For MEDICAL And TRANSPORTATION Emergencies ONLY Call 24 Hours A Day 1-800-334-7577

For PRODUCT USE Information Call 1-866-99BAYER (1-866-992-2937)

FIRST AID

| | |
|---|---|
| IF SWALLOWED: | <ul style="list-style-type: none">• Immediately call a poison control center or doctor for treatment advice.• Do not induce vomiting unless told to do so by a poison control center or doctor.• Have person sip a glass of water if able to swallow.• Do not give anything by mouth to an unconscious person. |
| IF IN EYES: | <ul style="list-style-type: none">• Hold eye open and rinse slowly and gently with water for 15-20 minutes.• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing.• Call a poison control center or doctor for treatment advice. |
| <p>For <u>MEDICAL</u> Emergencies Call 24 Hours A Day 1-800-334-7577. Have the product container or label with you when calling a poison control center or doctor or going for treatment.</p> | |

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

WARNING

Causes substantial but temporary eye injury. Harmful if swallowed. Do not get in eyes, or on clothing. Wear protective eyewear (goggles, face shield, or safety glasses). Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category G on an EPA chemical resistance category selection chart.

Applicators and other handlers must wear:

Long-sleeved shirt and long pants, protective eyewear, shoes and socks.

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

ENGINEERING CONTROL STATEMENT

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [(40 CFR 170.40(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

USER SAFETY RECOMMENDATIONS

Users should:

- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Remove PPE immediately after handling this product. Wash the pesticide off of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish, shrimp and oysters. Do not apply directly to water or to areas where surface water is present or to intertidal areas below the mean high water mark **except as indicated in the directions for use on rice**. Do not contaminate arable land and/or water when disposing of equipment wash water or rinsate.

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. Keep container tightly closed when not in use. Avoid cross contamination with other pesticides.

Do not store over 100°F or below 32°F. Do not use or store near heat or open flame.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the hazardous waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: Empty containers must be triple rinsed into the spray tank during the spray operation; then offer for recycling or reconditioning; or puncture and dispose of in a sanitary landfill, or by incineration; or, if allowed by State and local authorities, by burning. If burned, stay out of smoke.

GENERAL INFORMATION

Ricestar® Herbicide is an emulsifiable concentrate for the selective postemergence control of annual grass weeds in rice. Thorough spray coverage of emerged grasses is important. Visible effects begin as a general chlorosis (yellowing) followed by death of the weed. Visible injury of the grasses is evident approximately 4 to 10 days after application (dependent upon environmental conditions); but complete kill of the target grass will take up to 21 days.

Since many grass crops, including sorghum and corn, are sensitive to Ricestar® Herbicide, avoid all direct or indirect contact to neighboring fields.

Ricestar® Herbicide does not control broadleaf weeds or sedges.

Rice is tolerant to postemergence applications of Ricestar® Herbicide from the 2-leaf to the late tillering stage of rice development.

CHEMIGATION

DO NOT apply this product through any type of irrigation system.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Do not apply until you have read the entire label. Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application.

For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries and greenhouses and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry intervals. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 24 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is: coveralls; waterproof gloves; shoes plus socks.

INFORMATION ON HERBICIDE TOLERANT WEEDS

Repeated use of the same herbicide or related herbicides may result in naturally tolerant weeds multiplying to infestations that will affect yields. In areas with consistent use of the same herbicide or herbicide mode of action, crop rotation and applications of alternative herbicides with different mode of actions are encouraged to prevent and/or reduce grass tolerance. For further information, contact an Bayer CropScience Company representative or your local State extension service. Do not apply to weeds that are tolerant to products that have the same mode of action, i.e., Fusilade® DX Herbicide, Assure® II Herbicide or Select® 2 EC Herbicide.

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DIRECTIONS AND INFORMATION FOR CULTURE OF RICE IN ARKANSAS, LOUISIANA, MISSISSIPPI, MISSOURI AND TEXAS

APPLICATION INFORMATION

Rice fields should be as level as possible and free of large clods to obtain uniform germination of rice and weed grasses and to ensure uniform flood levels. Do not apply when the grass weeds are drought stressed as control will be reduced. If necessary, fields may be flushed prior to treatment. If fields are flushed prior to treatment, flush in sufficient time so that the rice and grass are actively growing at time of treatment.

- A. **Ground Application:** Refer to the *Rates and Weeds Controlled* table for proper application rates. Ricestar® Herbicide should be applied in a minimum of 10 gallons of water per broadcast acre. Flat-fan nozzles are recommended. Do not use air-inducing or flood type nozzles. Use a minimum pressure of 30 psi. Under dense weed/crop canopies, higher spray pressure and increased gallonage are important in obtaining thorough spray coverage.
- B. **Air Application:** Uniformly apply Ricestar® Herbicide or Ricestar® Herbicide tank mixes by aircraft in no less than 10 gallons of water per acre total spray volume. Factors such as reduced spray volume may impact treatment coverage or canopy penetration and can have a negative effect on the performance of Ricestar®. Use nozzle types and arrangements which will provide maximum coverage and minimize the potential for off target movement of spray particles. Droplet size for air applications should be in the "Medium" size category as defined in the August 1999 ASAE S572 publication entitled, *Spray Nozzle Classification by Droplet Spectra*. Refer to the publication for additional information. **DO NOT USE** raindrop nozzles. Aerial applications with this product should be made at a height which provides the most effective swath width for the aircraft, but no lower than 10 feet from the rice crop.

DO NOT APPLY when wind speeds exceed 10 mph. Avoid all direct or indirect contact to neighboring fields.

SPRAY DRIFT MANAGEMENT

Ricestar® Herbicide is not volatile. Damage to sensitive crops can occur as a result of spray drift. Spray drift can be managed by several application factors and by spraying under appropriate climatic conditions. Consequently, avoidance of spray drift is the responsibility of the applicator.

SENSITIVE AREAS: The pesticide should be applied when the potential for drift to adjacent sensitive areas (e.g., residential areas, bodies of water, known habitat for threatened or endangered species, nontarget crops) is minimal (e.g., when wind is blowing away from sensitive areas).

Avoiding spray drift at the application site is the responsibility of the applicator. The interactions of many equipment and weather-related factors determine the potential for spray drift. The applicator and the grower are responsible for considering all these factors when making decisions.

The following drift management requirements must be followed to avoid off-target drift movement from aerial applications to agricultural field crops.

1. The distance of the outermost nozzles on the boom must not exceed the length of the wingspan or rotor.
2. Nozzles must always point backward, parallel with the air stream, and never be pointed downward more than 45 degrees.
3. All aerial and ground application equipment must be properly maintained and calibrated using appropriate carriers.

Where states have more stringent regulations, they should be observed.

The applicator should be familiar with, and take into account, the information covered in "*Aerial Drift Reduction Advisory Information*."

AERIAL DRIFT REDUCTION ADVISORY INFORMATION

The most effective way to reduce drift potential is to apply large droplets. The best drift management strategy is to apply the largest droplets that provide sufficient coverage and control. Applying larger droplets reduces drift potential, but will not prevent drift if applications are made improperly, or under unfavorable environmental conditions. (See "*Wind*," "*Temperature and Humidity*," and "*Temperature Inversions*.")

CONTROLLING DROPLET SIZE

- **Volume** - Use high flow rate nozzles to apply the highest practical spray volume. Nozzles with higher rated flows produce larger droplets.
- **Pressure** - Do not exceed the nozzle manufacturer's recommended pressures. For many nozzle types lower pressure produces larger droplets. When higher flow rates are needed, use higher flow rate nozzles instead of increasing pressure.
- **Number of Nozzles** - Use the minimum number of nozzles that provide uniform coverage.
- **Nozzle Orientation** - Orienting nozzles so that the spray is released parallel to the airstream produces larger droplets than other orientations and is the recommended practice. Significant deflection from horizontal will reduce droplet size and increase drift potential.
- **Nozzle Type** - Use a nozzle type that is designed for the intended application. With most nozzle types, narrower spray angles produce larger droplets. Consider using low-drift nozzles. Solid stream nozzles oriented straight back produce the largest droplets and the lowest drift.

BOOM LENGTH

- For some use patterns, reducing the effective boom length to less than that of the wingspan or rotor length may further reduce drift without reducing swath width.

APPLICATION HEIGHT

- Applications should not be made at a height greater than 10 feet above the top of the largest plants unless a greater height is required for aircraft safety. Making applications at the lowest height that is safe reduces exposure of droplets to evaporation and wind.

SWATH ADJUSTMENT

- When applications are made with a crosswind, the swath will be displaced downwind. Therefore, on the up and downwind edges of the field, the applicator must compensate for this displacement by adjusting the path of the aircraft upwind. Swath adjustment distance should increase, with increasing drift potential (higher wind, smaller drops, etc.).

WIND

- Drift potential is lowest between windspeeds of 2 to 10 m.p.h.. However, many factors, including droplet size and equipment type determine drift potential at any given speed. Application should be avoided below 2 m.p.h. due to variable wind direction and high inversion potential.

NOTE: Local terrain can influence wind patterns. Every applicator should be familiar with local wind patterns and how they affect spray drift.

TEMPERATURE AND HUMIDITY

- When making applications in low relative humidity, set up equipment to produce larger droplets to compensate for evaporation. Droplet evaporation is most severe when conditions are both hot and dry.

TEMPERATURE INVERSIONS

- Avoid applications during a temperature inversion because drift potential is high. Temperature inversions restrict vertical air mixing, which causes small suspended droplets to remain in a concentrated cloud. This cloud can move in unpredictable directions due to the light variable winds common during inversions. Temperature inversions are characterized by increasing temperatures with altitude and are common on nights with limited cloud cover and light-to-no wind. They begin to form as the sun sets and often continue into the morning. Their presence can be indicated by ground fog; however, if the fog is not present, inversions can also be identified by the movement of smoke from a ground source or an aircraft smoke generator. Smoke that layers and moves laterally in a concentrated cloud (under low wind conditions) indicates an inversion, while smoke that moves upward and rapidly dissipates indicates good vertical air mixing.

TIMING OF APPLICATION

Preflood

When recommended water management practices are followed (see *Water Management -Important Instructions* section), optimal conditions for controlling grass usually occur when the rice is in the 2-leaf to early tillering stage of development (but prior to panicle initiation). However, applications should be made according to the following chart:

Rates and Grass Weeds Controlled

Fluid Ounces of Ricestar® Herbicide Per Acre

Grass Species

| | 1-to 2-leaf stage of grass weeds | 3-to 4-leaf stage of grass weeds |
|--|----------------------------------|----------------------------------|
| Barnyardgrass, (watergrass) (<i>Echinochloa crusgalli</i>) | | |
| Broadleaf signalgrass (<i>Brachiaria platyphylla</i>) | | |
| Fall panicum (<i>Panicum dichotomiflorum</i>) | 13 | 17 |
| Johnsongrass, seedling (<i>Sorghum halepense</i>) | | |
| Sprangletop (<i>Leptochloa spp.</i>) | | |

WATER MANAGEMENT – IMPORTANT INSTRUCTIONS

THE FOLLOWING PADDY FLOOD PROGRAM MUST BE USED:

Rice fields must be level. If desirable, fields may be flushed prior to treatment. To expose existing grasses, allow sufficient time for water to drain from the field before the Ricestar® Herbicide application. The treated field can be flushed at a minimum of 48 hours or the permanent flood can be applied to rice with at least 3 true leaves and a minimum of 48 hours following the Ricestar Herbicide application. Rice should not be submerged following a Ricestar® application.

POST-FLOOD: SUPPRESSION PROGRAMS

Ricestar® Herbicide will **suppress** annual grass weeds after the first tiller stage when applied post-flood. For post-flood applications, the rice plants should have at least one tiller and the water level should cover no more than 25% of the annual grass weed foliage. The flood may be increased to a normal depth 2 to 3 days after the application. Thorough coverage is essential.

MIXING INSTRUCTIONS

Fill the spray tank half full with water while the agitator is running. Add the recommended amount of Ricestar® Herbicide followed by the appropriate amount of the tank mix component (if used). Then add the remaining amount of water.

SEQUENTIAL APPLICATIONS

In pre-flood applications, a new flush of weeds may occur before the field receives the permanent flood; therefore, other herbicide applications may be required. DO NOT make a second application of Ricestar® Herbicide within 14 days of the first application.

Tankmix Recommendation

For broad spectrum weed control, Ricestar® Herbicide may be tankmixed with other herbicides. Refer to the tankmix partner list that identifies potential mixture partners. Apply tankmixes with Ricestar® Herbicide before the annual grasses have passed the 3 leaf stage of growth. Do not tankmix Ricestar® Herbicide with any other product when the grasses have exceeded the 3 leaf stage. When tankmixing, follow the directions for use on the label of the mixing partner.

Tankmix Partners

Product

Aim™ Herbicide
 Basagran® Herbicide
 Bolero® 8EC Herbicide
 Command 3ME Herbicide
 Facet 75 DF Herbicide
 Londax® Herbicide
 Permit® Herbicide
 Prow® 3.3 EC Herbicide
 Storm® Herbicide
 Whip® 360 Herbicide

When tankmixing Ricestar® Herbicide and Whip® 360 Herbicide do not exceed a combined total of 17 fl. oz/A per application or a combined total of 30 fl. oz/A per crop year. Do not apply when the weed grasses are drought stressed as their control will be reduced. Increase pressure and volume of spray for thorough coverage when weed grasses are dense.

ROTATIONAL CROP RESTRICTION

Rice fields treated with Ricestar® may only be replanted with rice any time after application or with soybeans not earlier than 9 months after the last application of Ricestar®.

USE PRECAUTIONS

- Rainfall within one hour of an application may reduce grass weed control.
- Do not apply more than 30 fl. Ozs/A Ricestar® Herbicide per crop year. Do not apply more than 2 applications per crop year.
- A second application of Ricestar® Herbicide may be made 14 days after the first application if necessary.
- When tankmixing Ricestar® Herbicide and Whip® 360 Herbicide do not exceed a combined total of 17 fl. oz/A per application; and a combined total of 30 fl. oz/A per crop year.
- Ricestar® Herbicide can be applied to rice from the 2-leaf stage to the late tillering stage of development but before panicle initiation.
- ALWAYS clean spray system thoroughly with clean water before and after any pesticide application.
- Do not graze or feed rice straw to livestock.
- Do not apply Ricestar® Herbicide to fields where catfish and crayfish are commercially cultured.
- Do not use water treated with Ricestar® Herbicide to irrigate crops not registered for use with Ricestar® Herbicide within 14 days of the last application of this product.
- Do not apply Ricestar® Herbicide within 65 days of harvesting rice.
- Applications of Ricestar® Herbicide made during periods of low humidity (below 50%) or to grass weeds under drought stress may result in reduced control.
- Tank mixing of Ricestar® Herbicide is restricted to only the products listed under the "Tankmixing Partners" section of this label. Mixing with any other pesticide product or liquid fertilizers may result in reduced weed control or crop injury.
- Do not apply Ricestar® Herbicide within 48 hours of an application of methyl parathion.
- Do not apply Ricestar® Herbicide to soils with high alkalinity or salinity content.
- Do not apply Ricestar® Herbicide to short-grain and aromatic rice varieties.

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IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

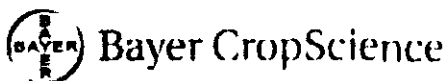
CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Bayer CropScience LP. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE LP MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. No agent of Bayer CropScience LP is authorized to make any warranties beyond those contained herein or to modify the warranties contained herein. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE LP DISCLAIMS ANY LIABILITY WHATSOEVER FOR SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

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Net Contents: 2.5 Gallons

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Basagran, Blazer, Prowl, Storm and Facet are registered trademarks of BASF Corporation.
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Ricestar Herbicide (PENDING) SUBMITTED TO EPA 05/24/07.