

279-3279

11-17-2004

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Please read instructions on reverse before completing form.

Form Approved, OMB No. 2070-0060, Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

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

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number FMC Corporation/ 279 -3279	2. EPA Product Manager Ms. Joanne I. Miller	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) FMC Corporation/ Stingray Aquatic Herbicide	PM# PM-23	
5. Name and Address of Applicant (Include ZIP Code) FMC Corporation 1735 Market Street Philadelphia, PA 19103 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(ii), my product is similar or identical in composition and labeling to: EPA Reg. No. <u>279 - 3279</u> Product Name <u>Herbicide</u>	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input checked="" type="checkbox"/> Final printed labels in response to Agency letter dated <u>NOV 17 2004</u>
<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 of Minor Label Change 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 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 checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container		
3. Location of Net Contents Information <input type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input checked="" type="checkbox"/> on label/container	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph Paper glued 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 Callista O. Chukwunye, PhD	Title Manager, Product Registrations	Telephone No. (Include Area Code) (215)299-6502
Certification 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.		6. Date Application Received (Stamped)
2. Signature <i>Callista Chukwunye</i>	3. Title Manager, Product Registrations	
4. Typed Name Callista O. Chukwunye, PhD	5. Date November 4, 2004	

Philadelphia PA 19103

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Stingray™

NOTIFICATION
NOV 17 2004

AQUATIC HERBICIDE

EPA Reg. No 279-3279

EPA Est. 279-

Active Ingredient:	By Wt.
Carfentrazone-ethyl: Ethyl α,2-dichloro-5-[4-(difluoromethyl)-4,5-dihydro-3-methyl-5-oxo-1H-1,2,4-triazol-1-yl]-4-fluorobenzenepropanoate.....	21.3%
Inert Ingredients:	78.7%
	100.0%

This product contains 1.9 pounds active ingredient per gallon

Contains Petroleum Distillates
U.S. Patent No. 5,125,958

KEEP OUT OF REACH OF CHILDREN CAUTION

See other panels for additional precautionary information.

FIRST AID

IF INHALED: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.

IF ON SKIN OR CLOTHING: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.

IF IN EYES: 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 eye. Call a poison control center or doctor for treatment advice.

IF SWALLOWED: Immediately call a poison control center or doctor. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give any liquid to the person. Do not give anything by mouth to an unconscious person.

HOTLINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-331-3148 for emergency medical treatment information.

Note to Physician: This product is expected to have low oral and dermal toxicity, and moderate inhalation toxicity. It is expected to be slightly irritating to the skin and minimally irritating to the eyes. Treatment is otherwise controlled removal of exposure followed by symptomatic and supportive care. This product may pose an aspiration pneumonia hazard.

For Information Regarding the Use of this Product Call 1-800-321-1FMC (1362).

Active ingredient made in China, formulated and packaged in U.S.A.



FMC Corporation
Agricultural Products Group
Philadelphia PA 19103

PRECAUTIONARY STATEMENTS Hazards to Humans (and Domestic Animals)

CAUTION

Harmful if swallowed, absorbed through the skin or inhaled. Causes moderate eye irritation. Avoid breathing spray mist. Avoid contact with eyes, skin or clothing. Wash thoroughly with soap and water after handling.

Personal Protective Equipment (PPE)

Applicators and other handlers must wear: long-sleeved shirt and long pants, waterproof gloves, and shoes plus socks.

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product. Do not reuse them. 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.

User Safety Recommendations:

Users should:

- Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Environmental Hazards

This product is very toxic to certain species of algae and moderately toxic to fish.

For aquatic uses, apply to water only as specified on this label.

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 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.

Non-Agricultural Use Requirements

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

Re-entry Statement for aquatic uses: Do not enter treated areas while treatments are in progress.

STORAGE AND DISPOSAL

Pesticide Storage

Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use, replace lids and close tightly. Do not put concentrate or dilute material into food or drink containers. Do not contaminate other pesticides, fertilizers, water, food, or feed by inappropriate storage or disposal.

In case of spill, avoid contact, isolate area and keep out unprotected persons and animals. Confine spills. Call FMC: (800) 331-3148.

To confine spill: If liquid, dike surrounding area or absorb with sand, cat litter, commercial clay or gel absorbents. If dry material, cover to prevent dispersal. Place damaged package in a holding container. Identify contents.

Pesticide Disposal

Waste resulting from the use of this product may be disposed of at an approved waste disposal facility.

Container Disposal

Triple rinse (or equivalent). Then offer for approved pesticide container recycling program, or puncture and dispose of in an approved waste disposal facility. Provided on site incineration is allowed by state and local authorities, stay out of smoke.

GENERAL INFORMATION

STINGRAY Aquatic Herbicide is a liquid formulation which is emulsifiable in water. It is designed to be mixed with water and applied to aquatic areas for control of floating and emerged weeds. Weed control is more effective on immature, actively growing weeds than on mature, less actively growing weeds. This product is a contact herbicide with little or no residual activity at recommended use rates.

This product is rapidly absorbed through the foliage of plants. The herbicide is rainfast within one hour after application. Within a few hours following application, the foliage of susceptible weeds may show signs of desiccation, and in subsequent weeks necrosis and death of the plant.

Extremes in environmental conditions (e.g. temperature and pH), may affect the activity of this product. Under warm conditions, herbicide symptoms may be accelerated.

Use of dirty or muddy water when preparing spray mixtures to apply this product may result in reduced herbicidal activity.

Applications made to moving bodies of water must be made while traveling upstream to prevent concentration of this herbicide in water. When making any bankside applications, do not overlap more than 1 foot into open water. Do not spray in bodies of water where weeds do not exist. Avoid applying under conditions of high wind or wave action. The maximum application rate of 13.5 fluid ounces per acre (0.2 lbs ai per acre) must not be exceeded in any single broadcast application that is being made over water.

Tank Mix Recommendations

This product may be tank mixed with other aquatic herbicides (e.g. 2,4-D, diquat, triclopyr, imazapyr and glyphosate) to control weeds not listed on this label. Refer to the companion herbicide label for use directions, precautions and restrictions on use. Stingray Aquatic Herbicide is believed to be compatible with most other aquatic herbicides. However, when preparing a new tank mix, always conduct a physical compatibility test by mixing proportional amounts of all spray ingredients in a test vessel (jar). Shake the mixture vigorously and allow it to stand for five to ten minutes. Rapid precipitation of the ingredients and failure to re-suspend when shaken indicates that the mixture is incompatible and should not be applied.

AQUATIC USE DIRECTIONS

Necessary approval and/or permits should be obtained prior to application if required. Consult the responsible State Agencies (i.e., Fish and Game agencies or Department of Natural Resources).

For applications to aquatic sites such as, ponds, lakes, reservoirs, marshes, wetlands, bayous, drainage ditches, canals, streams, rivers, and other slow-moving or quiescent bodies of water for control of aquatic weeds. For use by:

1. Corps of Engineers.
2. Federal or State Public Agencies (i.e., Water Management District personnel, municipal officials).
3. Applicators and/or Licensees (Certified for aquatic pest control) that are authorized by the State or local government.

Treatment of dense weed areas may result in oxygen loss from decomposition of dead weeds. This loss of oxygen may cause fish suffocation.

Therefore, treat up to a maximum of half of the water body area at one time. Wait a minimum of 14 days before retreatment or treatment of the remaining half of the water body.

Floating mats of vegetation may require retreatment. Avoid wash-off of sprayed foliage by spray boat or recreational boat backwash or by rainfall within 1 hour of application. Wait a minimum of 14 days between retreatment of the same body of water. Do not exceed 13.5 fluid ounces per acre (0.2 lb a.i per acre) in any single application.

For treatments after drawdown of water or in dry ditches, allow 7 or more days after treatment before reintroduction of water to achieve maximum weed control. Apply this product within 1 day after drawdown to ensure application to actively growing weeds.

Do not apply this product directly to water within 1/4 mile up-stream of an active potable water intake in flowing water (i.e., river, stream, etc.) or within 1/4 mile of an active potable water intake in a standing body of water such as a lake, pond or reservoir. To make aquatic applications around and within 1/4 mile of active potable water intakes, the water intake must be turned off prior to and for a minimum period of 24 hours after the application. The water intake may be turned on prior to 24 hours if the carfentrazone-ethyl and major degradate level in the intake water is below 0.2 parts per million as determined by analysis by FMC approved laboratory. These aquatic applications may be made ONLY in those cases where there are alternative water sources or holding ponds which would permit the turning off of an active potable water intake for a minimum period of 24 hours after the applications. This restriction does NOT apply to intermittent inadvertent overspray of water in terrestrial use sites.

There is no restriction on the use of treated water for recreation or domestic purposes.

Irrigation

Irrigation from Stingray treated area may result in injury to the irrigated vegetation. Do not use treated water for irrigation in commercial nurseries or greenhouses. For crops, do not use treated water for irrigation purposes until 14 days after treatment where treatment is to 20% or more of the surface area, or until analysis by FMC approved laboratory determines the carfentrazone-ethyl and major degradate level in intake water is less than 5 ppb.

Treated water may be used for irrigation by commercial turf farms and on residential turf and ornamentals without a holding restriction providing the application was made as a spot treatment to 20% or less of the water body surface area. If more than 20% of the water body surface is treated, do not use the water for irrigation by commercial turf farms or on residential turf and ornamentals until 14 days after treatment, or until analysis by FMC approved laboratory determines the carfentrazone-ethyl and major degradate level in intake water is less than 5 ppb.

The following table summarizes water holding periods prior to using treated water.

Water Use Restrictions Following Applications with Stingray Aquatic Herbicide

Water Use	< 20 % of the surface acre treated	20- 50 % of the surface acre treated (spot treatment)
Drinking	0 day	1 day
Fishing and swimming	0 day	0 day
Livestock** consumption	0 day	1 day
Spray tank applications* and Irrigation to Commercial Turf Farms and Residential Turf and Ornamentals	0 day	14 days
Spray tank applications* and Irrigation to Food Crops	0 day	14 days

* For preparing agricultural sprays for food crops, turf, or ornamentals (to prevent phytotoxicity), do not use water treated with Stingray Aquatic Herbicide before the specified time period.

**Treated water may not be used as a water source for livestock until the carfentrazone-ethyl and major degradate level has dropped to less than 0.2 ppm.

ADJUVANTS

Applications of this product require the addition of a spray adjuvant. For best results, use methylated seed oils or nonionic surfactants at recommended manufacturers rates. Adjuvants that improve adherence to the leaf surface will also improve effectiveness.

Do not use with tank additives that alter the pH of the spray solution below pH 5 or above pH 8. Buffer solution to alter the pH range as appropriate.

WEED CONTROL INFORMATION

Apply this product in accordance with the following table:

WEED SPECIES	Pounds Active per Surface Acre	Stingray (fl. oz.) per Acre	Stingray (ml) per 1,000 sq. ft.
Water-lettuce (<i>Pistia stratiotes</i>)	0.05 - 0.2	3.4 - 13.5	2 - 9
Water-hyacinth (<i>Eichhornia crassipes</i>)	0.1 - 0.2	6.7 - 13.5	5 - 9
Salvinia (<i>Salvinia minima</i> , <i>Salvinia molesta</i>)	0.05 - 0.2	3.4 - 13.5	2 - 9
Duckweed (<i>Lemna</i> spp.)	0.2	6.7 - 13.5	5 - 9
Mosquito fern (<i>Azolla caroliniana</i>)	0.2	13.5	9
Water spinach (<i>Ipomoea aquatica</i>)	0.2	13.5	9
Watermeals (<i>Wolffia</i> spp.)	0.2	13.5	9
Alligatorweed (<i>Alternanthera philoxeroides</i>) (Suppression)	0.2	6.7 - 13.5	5 - 9
Water primrose (<i>Ludwigia octovalvis</i>) (Suppression)	0.2	13.5	9

Use higher rates in the rate range when plants are mature, when the weed mass is dense, or for difficult to control species. Retreatment may be necessary for plants missed in previous application and for regrowth.

SURFACE APPLICATION

Use a backpack or knapsack sprayer for shoreline applications or a spray boom, handgun or other similar suitable equipment mounted on a boat or vehicle. In mixed weed populations, select the rate from the range corresponding to the most difficult to control weed. Thorough wetting of foliage is essential for maximum effectiveness. Use 20 to 200 gallons of spray mixture per acre. Special precautions such as the use of low spray pressure or large droplet producing nozzles may minimize spray drift in areas near sensitive crops.

IF POSTING IS REQUIRED BY YOUR STATE OR TRIBE - CONSULT THE AGENCY RESPONSIBLE FOR PESTICIDE REGULATIONS FOR SPECIFIC DETAILS.

SUBMERGED WEEDS

For control of Eurasian watermilfoil (*Myriophyllum spicatum*) and other susceptible submerged weeds in ponds, lakes, reservoirs, and in non-irrigation canals or ditches that have little or no continuous outflow, apply Stingray as a subsurface application or as a surface application with a suitable polymer to sink the spray mixture (See Subsurface Application below). The amount of Stingray needed per surface acre can be determined from the chart below to provide an initial carfentrazone-ethyl (active ingredient) concentration of 200 ppb in treated water. Total concentration of carfentrazone-ethyl must not exceed 200 ppb in the treated water area.

Apply in spring or early summer when Eurasian watermilfoil or other submersed weeds are actively growing.

Subsurface Application

Inject desired amount of Stingray spray mixture directly into the water through a boat-mounted application system. Stingray may be applied as a surface spray only in combination with a suitable polymer or similar adjuvant that will ensure rapid sinking and mixing of the spray mix.

Gallons of Stingray per Surface Acre at Specified Depth

Water Depth (feet)	Gallons of F8426 per Surface Acre
1	0.286
2	0.574
3	0.858
4	1.15
5	1.43
6	1.72
7	2.01
8	2.29
9	2.58
10	2.86
15	4.30
20	5.74

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Conditions of Sale and Limitation of Warranty and Liability:

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product should be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness, or other unintended consequences may result because of such factors as manner of use or application, weather or crop conditions beyond the control of FMC or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold FMC and Seller harmless for any claims relating to such factors.

Seller warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the Directions for Use when used in accordance with the directions under normal conditions of use. FMC MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE, NOR ANY OTHER EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE SELECTION, PURCHASE, OR USE OF THIS PRODUCT. Any warranties, express or implied, having been made are inapplicable if this product has been used contrary to label instructions, or under abnormal conditions, or under conditions not reasonably foreseeable to (or beyond the control of) seller or FMC, and buyer assumes the risk of any such use.

To the extent allowed by law, FMC or seller shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product. THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF FMC AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF FMC OR SELLER, THE REPLACEMENT OF THE PRODUCT.

This Conditions of Sale and Limitation of Warranty and Liability may not be amended by any oral or written agreement.

FMC —Trademark of FMC Corporation (09/30/04)

FMC Corporation

Agricultural Products Group
1735 Market Street
Philadelphia Pennsylvania 19103
215 299 6000



November 04, 2004

Document Processing Desk
Office of Pesticide Programs (7505C)
U.S. Environmental Protection Agency
Crystal Mall #2, Room 266
1801 South Bell Street
Arlington, VA 22202-4501

Dear Ms. Miller:

Subject: Resubmission of Final Printed Label for Stingray Aquatic Herbicide (EPA Reg. No.: 279-3279)

FMC is resubmitting the revised final printed label for the subject product. On 10/6/04 FMC submitted a final printed label, however, we have found that the statement that addressed the table on page 2 of the label needed additional wording to be consistent. FMC has added the wording (red text). This change qualifies as notification per PR-Notice 98-10. Enclosed are 2 copies of the label for the EPA records.

Please do not hesitate to call me if you have any questions. My phone number is (215) 299-6592.

Sincerely,

Callista O. Chukwunyenye, PhD
Manager, Product Registrations
Callista_Chukwunyenye@fmc.com

Enclosures:

- This letter
- EPA Form 8570-1
- Stingray Aquatic Herbicide Final Printed Label (Resubmission with added wording, red text) 2 copies

