

352-541

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
TOXIC SUBSTANCES

AND

MAY -7 2009

Ms. Rebecca M. Ashley
E.I. DuPont de Nemours & Company
DuPont Crop Protection
Stine-Haskell Research Center
P. O. Box 30
Newark, DE 19714-0030

Dear Ms. Ashley:

Subject: DuPont Assure II Herbicide (Use In Propagation of DuPont ACC-ase Tolerant Sorghum Seed)
EPA Registration No. 352-541
Application Dated September 18, 2008

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act as amended is acceptable. A stamped copy of labeling is enclosed for your records.

Supplemental labeling must be incorporated into master labeling and copies of master labeling submitted to the Agency for our files at your next printing or within two (2) years from the date of acceptance of supplemental labeling, whichever comes first. The Agency will consider a convincing argument as to why a supplemental label should not appear on a master label on a case by case basis.

Sincerely,

Vickie K. Walters for
James A. Tompkins
Product Manager 25
Herbicide Branch
Registration Division (7505P)



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Supplemental Labeling DuPont™ Assure® II Herbicide

ACCEPTED
MAY -7 2009
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended for the pesticide
registered under
EPA Reg. No. 352-541

For Use in Propagation of
DuPont ACCase Tolerant Sorghum Seed

DUPONT™ ASSURE® II HERBICIDE EPA Reg. No. 352-541

For Use Exclusively To Eliminate Non-ACCase Tolerant Sorghum Plants and to
Control Certain Weeds in ACCase Tolerant Seed Propagation Fields

DIRECTIONS FOR USE

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

Do not use this product 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.

GENERAL INFORMATION

DuPont™ Assure® II Herbicide, referred to below as “Assure® II”, is liquid applied as a foliar spray to selectively eliminate plants that do not carry a gene that imparts tolerance to quizalofop p-ethyl herbicides in sorghum ACCase trait seed production fields.

Assure® II may be applied to remove susceptible “segregates”, i.e., undesirable sorghum plants that do not contain the ACCase tolerance trait, during seed propagation.

- **Inbred lines or breeding material not possessing the ACCase tolerance trait will be severely injured or killed if treated with Assure® II.**

For product information call 1-888-6-DUPONT

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APPLICATION DIRECTIONS FOR USE OF ASSURE® II FOR SORGHUM SEED PROPAGATION

USE RATE

For detection and control of susceptible sorghum "segregates", apply Assure® II at 5 - 12 ounces/acre to sorghum crops containing the ACCase tolerance trait. Do not make more than 2 applications per season.

TANK MIXING

Refer to the labels of all tank mix products for information regarding use information (such as rates, timing, application information, and sprayer cleanup) and product precautions and restrictions. The most restrictive provisions apply. If those instructions conflict with this label, do not tank mix the herbicide with Assure® II.

Always conduct a jar test to evaluate physical compatibility before applying a particular mixture to crops for the first time.

APPLICATION TIMING

Apply Assure® II to emerged sorghum that is up to 20 inches tall. Do not apply to sorghum taller than 20 inches.

Best results are obtained when applications are made to actively growing plants. Assure® II is rainfast 1 hour after application.

SPRAY ADJUVANTS

Applications of Assure® II must include either a crop oil concentrate or a nonionic surfactant. Consult local DuPont fact sheets, technical bulletins, and service policies prior to using other adjuvant systems. If another herbicide is tank mixed with Assure® II, select adjuvants authorized for use with both products. Products must contain only EPA-exempt ingredients (40 CFR 1001).

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Petroleum Crop Oil Concentrate (COC)

- Petroleum-based crop oil concentrates are the preferred adjuvant system in arid areas.
- Apply at 1% v/v (1 gallon per 100 gallons spray solution) or 2% under arid conditions. Note – In soybeans and sunflowers, up to 2% v/v may be used based on local recommendations.
- Oil adjuvants must contain at least 80% high quality, petroleum (mineral) or modified vegetable seed oil with at least 15% surfactant emulsifiers.
- For aerial applications apply 0.5% v/v (2 quarts product per 100 gallons spray solution).

Nonionic Surfactant (NIS)

- Apply at 0.25% v/v (1 quart per 100 gallons spray solution) or 0.5% under arid conditions.
- Surfactant products must contain at least 60% nonionic surfactant with a hydrophilic/lipophilic balance (HLB) greater than 12.

Special Adjuvant Types

- Combination adjuvant products may be used at doses that provide the required amount of NIS, COC, MSO and/or ammonium nitrogen fertilizer. Consult product literature for use rates and restrictions.
- In addition to the adjuvants specified above, other adjuvant types may be used if they provide the same functionality and have been evaluated and approved by DuPont Product Management.

TANK MIX COMPATIBILITY TESTING

Perform a jar test prior to tank mixing to ensure compatibility of Assure® II and other pesticides. Use a clear glass quart jar with lid and mix the tank mix ingredients in their relative proportions. Invert the jar containing the mixture several times and observe the mixture for approximately ½ hour. If the mixture balls-up, forms flakes, sludges, gels, oily film or layers, or other precipitates, it is not compatible.

WEEDS CONTROLLED

Please refer to the Weeds Controlled Section on the Federal Section 3 label for a complete list of weeds controlled.

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IMPORTANT NOTES FOR ASSURE® II APPLICATIONS TO SORGHUM WHICH ARE BEING GROWN FOR PROPAGATION OF SEED CONTAINING THE ACCase TOLERANCE TRAIT:

- 1. Apply ASSURE® II exclusively to sorghum seed production fields in which the desired plants contain the ACCase tolerance trait.
- 2. Seed from treated plants must only be used for breeding purposes or commercial sorghum hybrids. Seed from treated plants must be labeled as follows "Do not use for feed, food or oil purposes".
- 3. Do not use treated sorghum grain, forage, silage or fodder for food, feed or oil purposes.

CROP ROTATION

Please refer to the CROP ROTATION section on the Federal Section 3 label for a complete list of recropping instructions.

GRAZING

Do not graze livestock in treated areas. Do not use treated sorghum grain, forage, silage, fodder, straw, or hay for food, feed, or oil purposes.

**IMPORTANT
BEFORE USING DUPONT™ ASSURE® II HERBICIDE, READ AND FOLLOW ALL APPLICABLE DIRECTIONS, RESTRICTIONS AND PRECAUTIONS ON THE EPA-REGISTERED LABEL.**

This bulletin contains new or supplemental instructions for use of this product which do not appear on the EPA-registered package label. Follow the instructions carefully. This labeling must be in the possession of the user at the time of pesticide application. Read the Limitation of Warranty and Liability on the Section 3 Federal product label before buying or using THIS product. If terms are not acceptable, return the unopened package at once to Seller for full refund of purchase price paid. Otherwise, use by Buyer or any other User constitutes acceptance of the terms of the Limitation of Warranty and Liability on the Section 3 Federal product label.

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