

3125-534

4/15/2002

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

APR 15 2002

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Mr. Brain Dehart
Bayer Corporation, Agriculture Division
8400 Hawthorn Road
P.O. Box 4913
Kansas City, MO 64120-0013

Subject: Everest 76% Water Dispersible Granular Herbicide in Water Soluble
Packets
Everest 76% Water Dispersible Granular Herbicide
EPA Registration Nos. 3125-534 and 3125-535
Your amended labeling submitted November 8, 2001

Dear Mr. Dehart:

The amended labeling referred to above is acceptable provided you adhere to the following conditions:

1. Make the following changes to your labeling:

- a. In the "Personal Protective Equipment (PPE)" section and the "Agricultural Use Requirements" box, change the gloves statement to the following:

Chemical-resistant gloves (Category A) made of materials such as butyl rubber 14 mils, natural rubber \geq 14 mils, neoprene rubber \geq 14 mils, or nitrile rubber \geq 14 mils.

- b. In the first sentence of the "Application Procedures" section (that begins "Everest should always..."), replace "should" with "must".

c. In the third paragraph of the "Application Procedures" section, delete the following sentence (because it implies that the product may be applied at a wheat growth stage contrary to label directions):

Application beyond this stage may result in yield losses due to weed competition.

d. In the "Application Procedures" section, change the sentence that begins "Do not apply more than 0.61..." to the following:

Do not apply more than 0.018 lb acid equivalent (a.e.)/acre flucarbazone (0.61 ounce/acre of Everest) per growing season.

e. In the "Tank Mixes" section, immediately following the sentence that begins "With all tank mix partners..." add the following:

The tank mix must be used in accordance with the more restrictive label limitations and precautions for all pesticides used.

f. The paragraph that begins "With all tank mix partners...." is included twice. Delete the second paragraph (above the Everest + sulfonylurea + 2,4-D table).

g. In the "Tank Mixes" section, revise the sentence that begins "Do not apply Everest..." to the following (to be consistent with the tank mix partners table):

Do not apply Everest in combination with MCPA/MCPA Ester (MCPE).

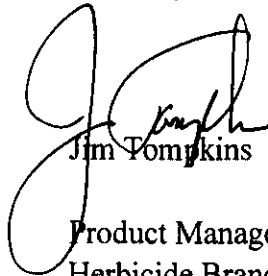
2. Submit two copies of final labeling of this labeling for this product.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product constitutes acceptance of these conditions.

This labeling supercedes all previously accepted labeling for this product (except supplemental labeling). 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", is written over the printed name.

Jim Tompkins

Product Manager (25)
Herbicide Branch
Registration Division (7505C)

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Everest®

70% Water Dispersible Granular Herbicide In Water-Soluble Packets

For post emergence control of wild oat and green foxtail in winter wheat and all types of spring wheat including durum.

ACTIVE INGREDIENT:

Flucarbazone-sodium*,
 4,5-Dihydro-3-methoxy-4-methyl-5-oxo-N-
 -[[2-(trifluoromethoxy)phenyl]sulfonyl]-1H-
 -1,2,4-triazole-1-carboxamide, sodium salt70%

INERT INGREDIENTS30%
 100%

* 66% Flucarbazone acid equivalent

EPA Est. 3125-MO-1

EPA Reg. No. 3125-534 Net Weight__ Pounds

STOP - Read the label before use.
Keep out of reach of children.

CAUTION

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

Caution: Harmful if absorbed through skin. Avoid contact with skin, eyes or clothing.

Personal Protective Equipment (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves made of any water-proof material
- Shoes plus 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.

User Safety Recommendations:

User 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 outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

FIRST AID

If on skin or clothing	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 to 20 minutes. • Call a poison control center or doctor for treatment advice.
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In case of emergency call toll free the Bayer Kansas City Emergency Response Telephone No. 800-414-0244. Have an EVEREST container or label with you when calling a poison control center or doctor.

Note To Physician: No specific antidote is available. Treat the patient symptomatically.

ENVIRONMENTAL HAZARDS

Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not apply when weather conditions favor drift from areas treated. Do not contaminate water when disposing of equipment washwaters.

Do not allow sprays to drift onto adjacent desirable plants.

**ACCEPTED
 with COMMENTS
 in EPA Letter Dated**

APR 15 2002

*Under the Federal Insecticide,
 Fungicide, and Rodenticide Act
 as amended, for the pesticide
 registered under EPA Reg. No.
 3125-534*

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IMPORTANT: Read these entire Directions and Conditions of Sale before using EVEREST.

CONDITIONS OF SALE OR OF DELIVERY FOR USE: THE DIRECTIONS ON THIS LABEL WERE DETERMINED THROUGH RESEARCH TO BE THE DIRECTIONS FOR CORRECT USE OF THIS PRODUCT. THIS PRODUCT HAS BEEN TESTED FOR A RANGE OF WEATHER CONDITIONS SIMILAR TO THOSE WEATHER CONDITIONS THAT ARE ORDINARY AND CUSTOMARY IN THE GEOGRAPHIC AREA WHERE THE PRODUCT IS USED. INSUFFICIENT CONTROL OF PESTS AND/OR INJURY TO THE CROP TO WHICH THE PRODUCT IS APPLIED MAY RESULT FROM THE OCCURRENCE OF EXTRAORDINARY OR UNUSUAL WEATHER, OR FROM FAILURE TO FOLLOW LABEL DIRECTIONS. IN ADDITION, FAILURE TO FOLLOW LABEL DIRECTIONS MAY CAUSE INJURY TO OTHER CROPS, ANIMALS, MAN, OR THE ENVIRONMENT. BAYER OFFERS, AND THE BUYER ACCEPTS AND USES, THIS PRODUCT SUBJECT TO THE CONDITIONS THAT EXTRAORDINARY OR UNUSUAL WEATHER, OR FAILURE TO FOLLOW LABEL DIRECTIONS ARE BEYOND THE CONTROL OF BAYER AND ARE, THEREFORE, THE RESPONSIBILITY OF THE BUYER.

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.

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 interval. 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 12 hours following application.

Exception: If the product is soil-injected or soil-incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated. 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
- Chemical-resistant gloves made of any water-proof material
- Shoes plus socks

GENERAL INFORMATION

EVEREST is a selective postemergence herbicide for use in spring wheat, durum wheat and winter wheat.

EVEREST is packaged in convenient water-soluble packets. Each packet contains sufficient EVEREST to treat 10 acres when using the 0.61 ounce/acre rate.

For broad spectrum activity and crop safety, EVEREST must be tank-mixed with a surfactant and may be mixed with a broadleaf herbicide listed on this label. See section on Tank Mixes for recommended products.

EVEREST is absorbed by foliage and roots of wild oat and green foxtail. Wild oat and green foxtail cease growth soon after EVEREST application. Complete weed control may not be seen for one to two weeks. However, weeds will stop growing and will no longer be competitive.

EVEREST will control wild oat and green foxtail biotypes which have developed target site resistance to certain classes of herbicides, including ACCase inhibitors, dinitroanilines and triallate.

Read the entire DIRECTIONS FOR USE before using EVEREST.

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GENERAL USE RESTRICTIONS

1. For use only in wheat.
2. Do not apply by air.
3. Do not mix, load or clean spray equipment within 33 feet of well-heads or aquatic systems, including marshes, ponds, ditches, streams, lakes, etc.
4. Do not apply within 50 feet of well-heads or the above mentioned aquatic systems.
5. Do not apply when rain is expected within the next hour.
6. Do not allow this chemical to drift onto other crops, especially canola, tame oats or other non-target crops.
7. Observe minimum interval to harvest of 60 days after treatment, after which wheat grain and straw from treated fields may be fed to livestock.
8. Do not apply this product through any type of irrigation system.
9. Do not use flood irrigation to apply or incorporate EVEREST.

MIXING INSTRUCTIONS

The enclosed packets containing EVEREST herbicide are water-soluble. Do not allow packets to become wet prior to adding to the spray tank. Reseal outer bag to protect remaining packets.

Important: Do not use packets in liquid fertilizer. Do not use packets in a tank-mix with products that contain boron or release free chlorine. The resultant reaction of water-soluble packets and boron or free chlorine is a plastic which is not soluble in water or solvents such as diesel oils, kerosene, gasoline or alcohol.

Ensure the spray tank is clean. In-line strainers and nozzle screens should be clean and 50 mesh or coarser.

1. Fill the spray tank 1/4 to 1/2 full with clean water and begin agitation or bypass.
2. Add the required number of unopened packets of EVEREST, as determined under "Recommended Rates", directly to the spray tank. Allow a minimum of 5 minutes for the packets to completely dissolve before additional products are added.
3. Add the broadleaf weed herbicide.
4. Add the surfactant.
5. Add micronutrients (if needed, except boron or free chlorine containing products).
6. Fill the spray tank to the required level.
7. Maintain sufficient agitation during both mixing and application of EVEREST.

APPLICATION PROCEDURES

EVEREST should always be applied postemergence to crop and weeds. **Do not** apply preemergence.

Apply in a spray volume of 5 to 10 gallons/acre (or 50 to 100 liters/hectare) at 30 to 50 PSI to ensure proper weed coverage. Flat fan nozzles of 80 or 110 degrees are recommended for optimum coverage. Do not use floodjet or control droplet application equipment. Nozzles may be oriented 45 degrees forward to enhance crop penetration and to give better weed coverage.

Best weed control is observed when environmental conditions support vigorous growth of crop and weeds. Research has demonstrated that optimum wheat yield is obtained by early removal of grassy weeds before tillering.

Apply EVEREST to spring wheat when the majority of plants have one leaf to a maximum of 4 leaves on the main stem plus two tillers. For winter wheat apply either in the fall or spring when the majority of plants have one leaf to a maximum of 6 total leaves on main stem plus any number of tillers. Application beyond this stage may result in yield losses due to weed competition.

Do not apply before crop emergence is completed.

To avoid crop injury, apply EVEREST before jointing begins.

Do not apply more than 0.61 ounce/acre of EVEREST per growing season.

Do not make more than one application of EVEREST per growing season.

Timing of Application to Wheat	
Crop	Growth Stage
Spring Wheat including durum	1 leaf to a maximum of 4 leaves on the main stem plus 2 tillers. Apply before jointing begins
Winter Wheat Fall application	Minimum of one leaf in the fall.
Winter Wheat Spring application	Apply in spring as soon as wheat growth resumes. 1 leaf minimum to 6 total leaves on main stem and any number of tillers. Apply before jointing begins
Remarks	
For control of wild oats and green foxtail, and aids in control of yellow foxtail and ryegrass spp., apply EVEREST plus non-ionic surfactant alone or in combination with a broadleaf herbicide. Apply to <u>spring wheat</u> when the majority of plants have one leaf to a maximum of 4 leaves on the main stem plus two tillers or to <u>winter wheat</u> either in the fall or spring when the majority of plants have one leaf to a maximum of 6 total leaves on main stem plus any number of tillers.	
Apply before jointing begins	

Timing of Application - Grass Weeds		
Grass Weed	Growth Stage	Remarks
Wild oats (<i>Avena fatua</i>)	1 leaf to 6 total leaves ¹	Control
Green foxtail (<i>Setaria viridis</i>)	1 leaf to 6 total leaves ¹	Control
Yellow foxtail (<i>Pennisetum glaucum</i>)	1 leaf to 6 total leaves ¹	Aids in Control
Ryegrass (<i>Lolium</i> spp.)	1 leaf to tillering ²	Aids in Control
Cheat Grass (<i>Bromus secalinus</i>)	Apply when actively growing	Control - Fall Aids in Control - Spring
Japanese Brome (<i>Bromus japonicus</i>) <u>Does not control downy brome</u> (<i>Bromus tectorum</i>)	Apply when actively growing	Control - Fall Aids in Control - Spring
¹ 1 leaf to 4 leaves on main stem plus 2 tillers		
² 1 leaf to 4 leaves on main stem until end of tillering		

In addition to grass weeds, EVEREST alone will control the following broadleaf weeds. Applications should be made before broadleaf weeds are two inches in height.

Broadleaf Weeds Controlled by EVEREST	
Control	Aids in Control
Mustard Complex	Burr buttercup
Black	Common waterhemp
Blue	Redroot pigweed
Tansy	Tall wormseed wallflower
Tumble	Wild buckwheat
Wild	
Field pennycress	
Flixweed	
Shepherdspurse	
Small seeded false flax	
Volunteer Canola	
Wild turnip	

RECOMMENDED RATE	
CROP	RATE
Spring, Durum and Winter Wheat	0.61 ounces/acre (each bag treats 10 acres)

Wheat exposed to water logged or saturated soils or temperature extremes such as heat or drought, low fertility, freezing weather or plant disease at application could show unacceptable injury symptoms. Weed control may also be reduced by these same conditions.

Tank Mixes: For broad spectrum control of both annual grasses and broadleaf weeds, EVEREST may be mixed with the broadleaf herbicides listed in the following table. Also, a non-ionic surfactant (not to exceed 0.25%) must be included in the spray solution.

With all tank mix partners, read and follow the use directions, rates, precautions, timing, recropping restriction, grazing interval restrictions and recommendations on broadleaf herbicide and surfactant labels.

EVEREST Tank-mix partners	Broadcast Rate Per Acre
Aim	0.33 to 1.24 oz
Buctril 4 Cereals	0.5 to 1 pt
Bronate	1 to 1.5 pt
Curtail	2 to 2.67 pt
Curtail M	1.75 pt
MCPA Amine or Ester	8 oz a.e.
Starane	0.67 pt
Stinger	0.25 to 0.33 pt
2,4-D Amine (4 lbs/gal)	1 to 1.5 pt
2,4-D Lo Volatile Ester (4 lbs/gal)	0.5 to 1 pt
2,4-D Lo Volatile Ester (6 lbs/gal)	0.33 to 0.67 pt

If one of the sulfonylurea herbicides in the following table is included with EVEREST for broadleaf control, 2,4-D is required at 1/2 the minimum herbicide rate listed in the table above. Also, a non-ionic surfactant (not to exceed 0.25%) must be included in the spray solution.

With all tank mix partners, read and follow the use directions, rates, precautions, timing, recropping restriction, grazing interval restrictions and recommendations on broadleaf herbicide and surfactant labels.

EVEREST + sulfonylurea + 2,4-D herbicide tankmixes	
Tank-mix partners	Broadcast Rate Per Acre
Ally	0.1 oz
Amber	0.28 - 0.47 oz
Canvas	5 - 10 acres/pack
Express	0.17 to 0.33 oz
Finesse	0.2 to 0.4 oz
Harmony Extra	0.3 to 0.6 oz
Harmony GT	0.3 to 0.6 oz

Do not apply EVEREST in combination with MCPA / MCPE within 72 hours of frost.

If EVEREST is applied in tank-mix combination with a dicamba-containing broadleaf herbicide, grass control might be reduced.

SPRAYER CLEAN-UP

Clean sprayer using the following procedures:

1. Drain the tank and thoroughly rinse spray tank, boom and hoses with clean water especially all visible deposits.
2. Fill the tank with water and add household ammonia to make a 1% v/v solution (1 gal/100 gal). Flush the hoses, boom and nozzles with the cleaning solution. Circulate for at least 15 minutes. Flush hoses, boom and nozzles once more and then drain the tank.
3. Clean nozzles and screens in a separate container using the 1% v/v solution of ammonia and water.
4. Repeat 2.
5. Rinse tank, boom and hoses with clean water.

Do not clean sprayer near desirable vegetation, wells or other water sources:

1. Dispose of all rinsate in accordance with pertinent regulations.
2. Check tank mix partner label for any additional clean-up procedures.

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RESISTANCE MANAGEMENT

EVEREST is an acetolactate synthase (ALS) inhibiting herbicide. Any weed population may contain or develop plants naturally resistant to a herbicidal mode of action. Resistant biotypes may eventually dominate the weed population if herbicides with an identical mode of action are used repeatedly in the same field and weed control may fail. Where possible, rotate the use of EVEREST with herbicides that have a different mode of action.

Other resistance mechanisms that are not linked to site of action, but specific for individual chemicals, such as enhanced metabolism, may also exist. The use of EVEREST should conform to resistance management strategies established for the use area. Consult your agricultural advisor for resistance management strategies and recommended pest management practices for your area.

CROP ROTATION RESTRICTIONS

After the application of EVEREST the following crops can be planted after the waiting period listed below.

4 months		
Wheat		
9 months		
Barley	Potatoes	Sugar beets
Canola	Soybeans	
11 months		
Field peas		
12 months		
Beets	Carrots	Sweet potatoes
Broccoli	Kale	Yams
Cabbage	Radishes	
24 months		
Lentils	Mustard	

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

Pesticide Storage: Store in a cool, dry place and in such a manner as to prevent cross contamination with other pesticides, fertilizers, food, and feed. Store in original container and out of the reach of children, preferably in a locked storage area.

Handle and open container in a manner as to prevent spillage. If the container is leaking or material spilled for any reason or cause, carefully sweep material into a pile. Refer to Precautionary Statements on label for hazards associated with the handling of this material. Do not walk through spilled material. Dispose of pesticide as directed below. In spill or leak incidents, keep unauthorized people away. You may contact the Bayer Emergency Response Team for decontamination procedures or any other assistance that may be necessary. The Bayer Kansas City Emergency Response Telephone No. is 800-414-0244 or contact Chemtrec at 800-424-9300.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Disposal: Triple rinse (or equivalent). 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.

Aim is a Registered Trademark of FMC Corp.

Amber is a Registered Trademark of Novartis Crop Protection

Buctril, Bronate are Registered Trademarks of Aventis

Curtail and Starane are Registered Trademarks of Dow Crop Sciences

Ally, Canvas, Express, Finesse, Harmony Extra and Harmony GT are Registered Trademarks of E.I. DuPont deNemours & Co.

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