

9/30/2003



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

SEP 30 2003

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Ms. Charlotte A. Sanson
BASF Corporation
Agricultural Products
P. O. Box 13528
Research Triangle Park, NC 27709

Dear Ms. Sanson:

Subject: Poast Herbicide (Add Several New Uses)
EPA Registration No. 7969-58
Applications Dated December 23, 2002 and September 3, 2003

The amendment referred to above, submitted in connection with registration under Section 3 (c)(7)(B) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), will be acceptable provided that you agree in writing that:

1. You will submit the data listed below, conducted in accordance with the 40 CFR Part 158 test guidelines within five (5) years from the date of this letter.
 - a. Storage stability for sethoxydim, MSO, and 5-OH-MSO2 in safflower oil (or another oil) stored frozen for one year since storage stability data for sethoxydim residues in oil have not been previously submitted.
 - b. Two additional safflower residue field trials from region 10.
 - c. Subchronic Neurotoxicity Study--rat
 - d. Developmental Neurotoxicity Study (DNT)--rats
2. You will submit/cite all data required for registration/reregistration of your product when the Agency requires all registrants of similar products to submit such data.
3. You will submit production information (pounds or gallons produced) for this product for the fiscal year in which the uses on sweet corn, tobacco, pistachio, safflower, lingonberry, junberry, and salal are conditionally registered in accordance with FIFRA section 29. The fiscal year begins October 1 and ends September 30. The production information will be submitted to the Agency no later than November 15, following the end of the preceding fiscal year.

-2-

This information should be submitted to:

U. S. Environmental Protection Agency
Office of Pesticide Programs (7504C)
Document Processing Desk
Crystal Mall #2
1921 Jefferson Davis Highway
Arlington, VA 22202-4501

4. You will make the following labeling changes before you release the product for shipment bearing the amended labeling:

a. Incorporate the following statement into your Environmental Hazards section:

—This pesticide is toxic to vascular plants and should be used strictly in accordance with drift precautions on this label in order to minimize off-site exposures.—

b. Incorporate the following statements in to your Spray Drift Reduction section.

—Do not apply under circumstances where possible drift to unprotected persons to food, forage, or other plantings that might be damaged or crops thereof rendered unfit for sale, use or consumption can occur.

—Use the largest droplet size consistent with acceptable efficacy. Formation of very small droplets may be minimized by appropriate nozzle selection, by orienting nozzles away from the e air stream as much as possible and by avoiding excessive spray boom pressure. For ground boom and aerial applications, use medium or coarser spray nozzles according to ASAE 572 definition for standard nozzles or a volume mean diameter (VMD) of 300 microns or greater for spinning atomizer nozzles.

—Make aerial or ground applications when the wind velocity favors on-target product deposition. Apply only when the wind speed is less than or equal to 10 mph. For all non-aerial applications, wind speed must be measured to the application site on the upwind side, immediately prior to application.

—Do not make aerial or ground applications into areas of temperature inversions. Inversions are characterized by stable air and increasing distance above the ground. Mist or fog may indicated the presence of an inversion in humid areas. When permissible by local regulations, the applicator may detect the presence of an inversion by producing smoke and observing a smoke layer near the ground surface.

-3-

-Low humidity and high temperatures increase the evaporation rate of spray droplets and therefore the likelihood of increased spray drift. Avoid spraying during conditions of low humidity and/or high temperatures.

-All aerial and ground application equipment must be properly maintained and calibrated using appropriate carriers.

-For ground boom applications, apply with nozzle height no more than 4 feet above the ground or crop canopy.

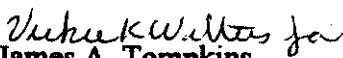
Submit three copies of your final printed labeling before you release the product for shipment.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e).

A stamped copy of labeling is enclosed for your records.

Supplemental labeling must be incorporated into a master label and copies of master label submitted to the Agency for our files at your printing or within two years from the date of acceptance of supplemental labeling. 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,


James A. Tompkins
Product Manager 25
Herbicide Branch
Registration Division (7505C)

BASF

Poast®

herbicide

Supplemental
Label

For use in Poast Protected™ Sweet Corn
EPA Registration Number 7969-58

All applicable directions, restrictions and precautions on the EPA-registered label are to be followed. This labeling must be in the possession of the user at the time of application.

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.

I. General Information

Poast® herbicide may be applied postemergence (over-the-top) to control annual and perennial grass weeds in **Poast Protected™ sweet corn** or sweet corn grown for **Poast Protected seed**. In irrigated areas, it may be necessary to irrigate prior to treatment with **Poast** to ensure weeds are growing actively. See **Poast** label for complete list of annual and perennial grasses controlled with use of this herbicide.

Always adjust spray pressure, spray volume and height of spray boom to ensure thorough coverage of grasses to be controlled.

Crop Tolerance

Only **Poast Protected** corn hybrids are tolerant to **Poast** applications. Severe crop injury will occur to sweet corn hybrids not labeled as **Poast Protected** sweet corn.

II. Restrictions and Limitations

Applications of **Poast** in **Poast Protected** sweet corn may be made until the onset of pollen shed. Do not apply **Poast** after pollination occurs.

A second application of **Poast** in **Poast Protected** sweet corn may be made 10 days or later following the first application.

For maximum use rate per application and per season and for the minimum time from application to harvest, see **Table 1**.

Do not plant other crops to be harvested for 30 days after application unless **Poast** is registered for use on that crop.

Do not apply to grasses or crops under stress such as stress due to lack of moisture, hail damage, flooding, herbicide injury, mechanical injury, or widely fluctuating temperatures, as unsatisfactory control may result. Irrigation may be needed.

III. Tank Mixtures

Poast may be applied in a tank mix with one or more of the following herbicides:

- Atrazine
- Basagran®
- Frontier®
- Guardsman®
- Outlook®
- Laddok® S-12

Table 1. Use of Poast in Poast Protected Sweet Corn Hybrids - Restrictions and Limitations

Minimum Time From Application to Harvest (PHI)	Maximum Rate Per Acre Per Application	Maximum Rate Per Acre Per Season	Livestock Grazing or Feeding	Aircraft Application
30 days (fresh sweet corn or forage/silage)	1.5 pints	3.0 pints	Yes	Yes
45 days (grain & fodder)				

Frontier and Guardsman are registered trademarks, and Outlook is a trademark of BASF Corporation.

Basagran, Laddok, and Poast are registered trademarks of BASF Corporation. Poast Protected™ is a trademark of BASF Corporation.

ACCEPTED
with COMMENTS
In EPA Letter Dated

SEP 8 0 2003

Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.
7969-58

© BASF Corporation
All rights reserved.
NVA 2002-04-025-0181

BASF Corporation
26 Davis Drive
Research Triangle Park, NC 27709

BASF**Poast®**

herbicide

**Supplemental
Label**

5/6

For use in Pistachio, Safflower, Lingonberry, Juneberry and Salal
EPA Registration Number 7969-58

All applicable directions, restrictions and precautions on the EPA-registered label are to be followed. This labeling must be in the possession of the user at the time of application.

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.

I. General Information

Poast® herbicide may be applied to the crops listed in **Table 1**. Apply to actively growing grasses. In irrigated areas, it may be necessary to irrigate prior to treatment with **Poast** to ensure weeds are growing actively. See **Poast** label for complete list of annual and perennial grasses controlled with use of this herbicide.

Always adjust spray pressure, spray volume and height of spray boom to ensure thorough coverage of grasses to be controlled.

For maximum use rate per application and per season and for the minimum time from application to harvest, see **Table 1**.

II. Restrictions and Limitations

Do not plant other crops to be harvested for 30 days after application unless **Poast** is registered for use on that crop.

Poast should only be applied as a directed spray to the grove floor for bearing pistachio trees. Avoid all direct or indirect contact with any desired grass crop unless otherwise recommended on the **Poast** label.

Do not apply to grasses or crops under stress such as stress due to lack of moisture, hail damage, flooding, herbicide injury, mechanical injury, or widely fluctuating temperatures, as unsatisfactory control may result. Irrigation may be needed.

Do not apply to crops that show injury (leaf phytotoxicity or plant stunting) produced by any other prior herbicide applications, because this injury may be enhanced or prolonged.

Physical incompatibility, reduced weed control, or crop injury may result from mixing **Poast** with other pesticides (fungicides, herbicides, insecticides, or miticides), additives, or fertilizers. BASF does not recommend using tank mixes other than those listed on BASF labeling. Local agricultural authorities may be a source of information when using other than BASF recommended tank mixes.

Table 1. Crop-Specific Restrictions and Limitations

Crop	Minimum Time From Application to Harvest (PHI)	Maximum Rate Per Acre Per Application	Maximum Rate Per Acre Per Season	Livestock Grazing or Feeding	Aircraft Application
Pistachio	15 days	2.5 pints	10.0 pints	No	No
Safflower	30 days	2.5 pints	5.0 pints	No	Yes
Lingonberry, Juneberry, Salal	45 days	2.5 pints	5.0 pints	No	Yes

Poast is a registered trademark of BASF AG.

**ACCEPTED
with COMMENTS
In EPA Letter Dated
SEP 30 2003**

© BASF Corporation
 All rights reserved
 NVA 2002-04-025-0180

Under the Federal Insecticide,
 Fungicide, and Rodenticide Act
 as amended, for the pesticide
 registered under EPA Reg. No.
 7969-58

BASF Corporation
 26 Davis Drive
 Research Triangle Park, NC 27709

POAST®

herbicide

Supplemental Label

For use in Tobacco

EPA Registration Number 7969-58

All applicable directions, restrictions and precautions on the EPA-registered label are to be followed. This labeling must be in the possession of the user at the time of application.

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.

I. General Information

Apply **Poast® herbicide** to actively growing grasses. In irrigated areas, it may be necessary to irrigate prior to treatment with **Poast** to ensure weeds are growing actively. See Poast label for complete list of annual and perennial grasses controlled with use of this herbicide.

Always adjust spray pressure, spray volume and height of spray boom to ensure thorough coverage of grasses to be controlled.

II. Application Instructions

1st application: Make the first application to planted seedlings up to 4 weeks prior to transplanting to the field. Maximum application rate: 1 pint/acre.

2nd application: The second application may follow up to 3 weeks after transplanting. Maximum application rate: 1.5 pints/acre.

3rd application: The third application may be made up to 7 weeks after transplanting. Maximum application rate: 1.5 pints/acre.

III. Restrictions and Limitations

Do not apply **Poast** within 42 days of harvest.

Do not apply more than 4 pints per acre per season to tobacco, including **Poast** applied in seedbeds.

Do not apply to grasses or tobacco crops under stress such as stress due to lack of moisture, hail damage, flooding, herbicide injury, mechanical injury, or widely fluctuating temperatures, as unsatisfactory control may result.

Do not apply if rainfall is expected within one hour following application as grass control will be unsatisfactory.

Avoid all direct or indirect contact with any desired grass crop unless otherwise recommended on the **Poast** label.

Do not plant other crops to be harvested for 30 days after application unless **Poast** is registered for use on that crop.

Do not apply **Poast** through any type of irrigation system.

Always add 2 pints of oil concentrate per acre. Dash® HC may be substituted for an oil concentrate. See **Poast** label for further instructions.

Physical incompatibility, reduced weed control, or crop injury may result from mixing **Poast** with other pesticides (fungicides, herbicides, insecticides, or miticides), additives, or fertilizers. BASF does not recommend using tank mixes other than those listed on BASF labeling. Local agricultural authorities may be a source of information when using other than BASF recommended tank mixes.

Poast is a registered trademark of BASF AG.
Dash HC is a registered trademark of BASF Corporation.

© BASF Corporation
All rights reserved

NVA 2003-04-025-0195

Supersedes: NVA 2002-04-025-0182

ACCEPTED
with COMMENTS
In EPA Letter Dated

SEP 30 2003

Research Triangle Park, NC 27709

BASF Corporation
26 Davis Drive

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

7969-58

BASF