

PM 23

7969-150

9-29-99

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SEP 29 1999

Mr. Mel Graben
BASF Corporation
P.O. Box 13528
Research Triangle Park, NC 27709

Dear Mr. Graben:

SUBJECT: Supplemental Label for Use on Fallow Land, Fence Lines, Rights-Of-Way, and
Other Non-Crop Sites
Distinct® Herbicide
EPA File Symbol: 7969-150
Your Application Dated September 1, 1999

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, is acceptable, provided you:

1. Add the following restrictions under "**General Restrictions and Limitations**":
 - "Maximum seasonal use rate: Do not apply more than a total of 10 ounces of Distinct Herbicide (0.438 pounds a.i.) per acre, per season."
 - "Crop Rotation Restriction: Do not plant any crops within 120 days after the last application of Distinct."
2. Revise the first statement under "**General Restrictions and Limitations**" and move it to the end of this section. The revised statement should read:

"Refer to EPA approved label for additional restrictions and limitations."
3. Submit a fully completed data matrix (EPA form 8570-35) for dicamba by December 31, 1999. The matrix must include the guideline number, guideline study name, MRID number, study submitter and status for each study you are citing to support this active ingredient.

A stamped copy of the label is enclosed for your records. Submit one copy of your final printed labeling incorporating the changes specified in 1 and 2, above, before you release the product for shipment.

RD:STANTON:PM Team 23:Rm. 237:CM-2:305-5218:Disk #11:S568251

CONCURRENCES								
SYMBOL ▶	7505C							
SURNAME ▶	S. Stanton							
DATE ▶	Sep 28, 1999							

EPA Form 1320-1 (12-70) OFFICIAL FILE COPY

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The Agency has recently revised its recommended First Aid statements for pesticide products and intends to issue a PR Notice announcing the changes in the near future. In the interim we are encouraging registrants to begin using the new statements. The new statements were developed as part of the Consumer Labeling Initiative in close cooperation with poison control center personnel and other medical experts. While it is not mandatory that you revise your label at this time, you are strongly encouraged to substitute the revised statements (below) for those statements currently on the Distinct label at your next label printing:

"FIRST AID

If swallowed:	<ul style="list-style-type: none">• Call a poison control center or doctor immediately for treatment advice.• Have person sip a glass of water if able to swallow.• Do not induce vomiting unless told to by a poison control center or doctor.
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.

Have the product container or label with you when calling a poison control center or doctor or going for treatment."

Sincerely yours,

Joanne I. Miller
Product Manager (23)
Herbicide Branch
Registration Division (7505C)

Enclosure

Distinct®

herbicide

ACCEPTED
with COMMENTS
In EPA Letter Dated

SEP 29 1999

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

7969-150

For use in Fallow, Fence Lines, Rights-of-Way and Non-Crop Areas

EPA Reg. No 7969-150

All applicable directions, restrictions, precautions and **Conditions of Sale and Warranty** 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.

Application Instructions

Distinct® herbicide is a selective postemergence herbicide for the control of annual broadleaf weeds, control or suppression of many perennial broadleaf weeds, and suppression of annual grasses.

Distinct may be applied to non-crop areas such as fallow areas, fence lines, utility, railroad and pipeline rights-of-way, and other non-crop areas. Do not apply to areas that include desirable grass species as injury may occur. **Distinct** may be applied for the control of certain weeds in the Noxious Weed Control Programs, Districts or Areas using broadcast or spot treatments. Refer to **Table 1. General Weed List, Including**

ALS and Triazine-Resistant Biotypes. Distinct is absorbed by leaves, roots and shoots and is translocated to the growing points of sensitive weeds. **Distinct** controls weeds by auxin transport inhibition and auxin agonist modes of action.

Best product performance is obtained when **Distinct** is applied to actively growing weeds. Weeds treated with **Distinct** will typically display symptoms within several hours and be controlled in 3-7 days. Treated weeds will stop growing soon after application. Broadleaf weeds will display epinastic twisting and crinkling symptoms before becoming necrotic.

Rate

Use 4-6 ounces of **Distinct** per acre. The 6 ounce rate is recommended for enhanced suppression and/or control of perennial weed species.

Additives

Adjuvants must be used with **Distinct** to optimize weed control. The recommended adjuvants for use include a nonionic surfactant at 1 quart/100 gallons of spray solution in addition to either urea ammonium nitrate (UAN) at 1.25% v/v or spray grade ammonium sulfate at 8.5-17 pounds/100 gallon of spray solution.

Tank Mixing Information

Other registered products such as **Paramount® herbicide** may be tank mixed with **Distinct**. Read and follow the applicable **Restrictions and Limitations** and **Directions For Use** on all products involved in tank mixing. The most restrictive labeling applies to tank mixes.

When tank mixing with **Paramount**, always include a methylated seed oil (MSO) at the rate of 1.5 pints/acre in place of a nonionic surfactant.

Application Methods and Equipment

Ground Application

As a wettable granule formulation, **Distinct** can be applied using water as the spray carrier.

Water Volume: Use 3-50 gallons of diluted spray solution per treated acre. Use the higher water volume when treating dense or tall vegetation.

Application Equipment: Use ground application equipment that will provide good spray coverage of weed foliage. Exercise preventative measures to avoid drift onto nontarget areas. Spray drift from application equipment or the use of poorly cleared equipment may cause injury to broadleaf crops such as tobacco and soybeans.

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Table 1. General Weed List, Including ALS¹- and Triazine-Resistant Biotypes

Annual Broadleaf Weeds

Amaranth, Palmer
 Beggarweed, Florida
 Buckwheat, Wild
 Buffalobur
 Burcucumber
 Carpetweed
 Cocklebur, Common
 Croton, Tropic
 Devil's Claw
 Jimsonweed
 Knotweed, Prostrate
 Kochia
 Ladysthumb
 Lambsquarters, Common
 Mallow, Venice
 Marehail (Horseweed)
 Morningglory, Entireleaf,
 Ivyleaf, Pitted,
 Smallflower, Tall
 Nightshade, Black, Eastern
 Black, Hairy
 Pigweed, Prostrate, Redroot
 (Carelessweed), Rough,
 Smooth, Spiny, Tumble
 Purslane, Common
 Ragweed, Common, Giant
 (Buffaloweed)
 Sesbania, Hemp
 Shepherdspurse

Sicklepod
 Sida, Prickly (Teaweed)
 Smartweed, Pennsylvania
 Smellmelon
 Sowthistle, Annual,
 Spurge, Prostrate,
 Sunflower, Common (Wild),
 Volunteer
 Thistle, Russian
 Velvetleaf
 Waterhemp, Common, Tall

Perennial Broadleaf Weeds²

Alfalfa
 Bindweed, Field, Hedge
 Clover, White
 Dandelion, Common
 Dock, Broadleaf, Curly
 Dogbane, Hemp
 Horsesnail, Carolina
 Knapweed, Spotted
 Milkweed, Climbing,
 Common, Honeyvine,
 Nightshade, Silverleaf
 Plantain, Broadleaf,
 Pokeweed
 Smartweed, Swamp
 Sowthistle, Perennial
 Spurge, Leafy
 Thistle, Canada

¹ ALS (acetolactate synthase) resistant weeds include those weeds resistant to the imidazolinone and sulfonylurea families of herbicides.

² Partially controlled or suppressed.

Avoid application when spray particles can be carried by wind to areas where broadleaf crops or plants are growing, or when temperature inversions exist.

Distinct[®] herbicide should not be applied during periods of gusty wind or when windspeed exceeds 15 mph as uneven spray coverage may occur. Do not spray near sensitive crops if windspeed exceeds 5 mph toward sensitive plants.

Use coarse sprays (volume median diameter of 400 microns or more) to avoid potential herbicide drift. Select nozzles that are designed to produce minimal amounts of fine spray particles (less than 200 microns). Examples of nozzles designed to produce coarse sprays via ground applications are **Delavan[®] Raindrop[®], Spraying Systems Co. XR TeeJet[®]** (excluding 110° tips) flat fans, **Turbo TeeJet[®], Turbo FloodJet[®]**, or large capacity flood nozzles such as D10, TK10, or greater capacity tips. Keep the spray pressure at or below 20 psi and the spray volume at or above 20 gallons per acre, unless otherwise required by the manufacturer of drift-reducing nozzles. Consult your spray nozzle supplier concerning the choice of drift-reducing nozzles. Agriculturally approved drift reducing additives may be used.

General Restrictions and Limitations

Refer to EPA approved label for restrictions and limitations.

Do not apply to areas where desirable legumes or broadleaf crops are present.

Do not graze or harvest hay from treated areas.

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