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EPA	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide -Section I

1. Company/Product Number 34704-610 Curbit EC Herbicide	2. EPA Product Manager Miller PM#	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
5. Name and Address of Applicant (Include ZIP Code) Loveland Products Inc. P.O. Box 1286 Greeley, CO 80632-1286 <input type="checkbox"/> Check if this is a new address		6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____

Section II

<input type="checkbox"/> Amendment - Explain Below <input type="checkbox"/> Resubmission in response to Agency letter dated _____ <input checked="" type="checkbox"/> Notification - Explain below	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____ <input type="checkbox"/> "Me Too" Application <input type="checkbox"/> Other - explain below
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NOTIFICATION
MAY 31 2005

Explanation: Use additional page(s) if necessary. (For Section I and Section II). Notification of deletion of New Jersey statement. 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 18 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:			
Child-Resistant Packaging <input type="checkbox"/> Yes* <input type="checkbox"/> No <small>*Certification must be submitted.</small>	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes," Unit Package Wt. No. Per Container	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes," Package Wt. No. Per Container	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) of Retail Container 5. Location of Label Directions <input type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner In Which Label Is Affixed To Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Other (_____) <input type="checkbox"/> Paper Glued <input type="checkbox"/> Stenciled			

Section IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Glenda Haage	Title Registration Manager	Telephone No. (Include Area Code) _____
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 	3. Title Glenda Haage	
4. Typed Name Glenda Haage	5. Date May 12, 2005	

MAY 3 1 2005



CURBIT® EC

HERBICIDE

A Selective Herbicide For Preemergence
Control of Certain Annual Grasses And Broadleaf
Weeds In Cucumbers, Melons, Pumpkins,
Summer Squash, Winter Squash and Watermelons.

ACTIVE INGREDIENT:

ethalfluralin-N-ethyl-N-(2-methyl-2-propenyl)-2,6-dinitro-4-(trifluoromethyl)benzenamine	31.5%
INERT INGREDIENTS	68.5%
TOTAL	100.0%

Contains 3 pounds active ingredient per gallon.

KEEP OUT OF REACH OF CHILDREN
DAÑERO—PELIGRO

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand this label, find someone to explain it to you in detail.)

See Below for Additional Precautionary Statements.

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EPA EST. NO. 34704-MS-1

NET CONTENTS 2½ GALS. (9.46 L)

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05P05

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
DAÑERO—PELIGRO

Corrosive. Causes irreversible eye damage and skin burns. Harmful if swallowed or inhaled. This product may cause skin sensitization reactions in certain individuals. Do not get in eyes, on skin or on clothing. Avoid breathing vapor or spray mist.

Personal Protective Equipment:

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category H on the EPA chemical resistance category selection chart.

Applicators and other handlers must wear: Coveralls over long-sleeved shirt and long pants, chemical-resistant gloves, such as barrier laminate or viton, chemical-resistant footwear plus socks, protective eyewear, chemical-resistant headgear for overhead exposure and chemical-resistant apron when cleaning equipment, mixing or loading.

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

Follow manufacturer's instructions for cleaning and maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

Engineering controls statements:

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets with requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240 (d) (4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

USER SAFETY RECOMMENDATIONS

Users 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 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 eye. Call a poison control center or doctor for treatment advice.
If on skin or clothing:	<ul style="list-style-type: none"> 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 Inhaled:	<ul style="list-style-type: none"> 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 swallowed:	<ul style="list-style-type: none"> Call a poison control center or doctor immediately for treatment advice. Have a person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by the poison control center or doctor. Do not give anything by mouth to an unconscious person.

Note to Physician: Probable mucosal damage may contraindicate the use of gastric lavage.

FOR A MEDICAL EMERGENCY INVOLVING THIS PRODUCT CALL:
1-800-301-7976.

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

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic invertebrates. Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters or rinsate. Runoff or erosion from treated areas may be hazardous to fish in neighboring areas. Due to risk to plants and animals in aquatic habitats that receive runoff containing this product, use of controls such as a vegetative buffer strip to filter such water flow from recently treated fields is recommended.

PHYSICAL OR CHEMICAL HAZARDS

Flammable. Do not use or store near heat or open flame.

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.

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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 24 hours.

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 over long-sleeved shirt and long pants, chemical-resistant gloves, such as barrier laminate or viton, chemical-resistant footwear plus socks and protective eyewear.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE: Avoid freezing. Store above 40°F (5°C). If frozen, poor weed control may result. Do not use or store near heat or open flame. Store in original container only. In case of leak or spill, use absorbent materials to contain liquids and dispose as waste.

PESTICIDE DISPOSAL: Pesticide, spray mixture, or rinse water that cannot be used according to label instructions must be disposed of according to applicable federal, state or local procedures. Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance. **Plastic Container Disposal:** Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke. **Metal Container Disposal:** Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

Bulk/Mini-bulk Tank Handling: Tanks that have been used for phenoxy-type herbicides should not be used for this product. To clean, triple rinse (or equivalent) and wash with appropriate cleaners before reusing.

GENERAL AGRICULTURAL PRECAUTION

Poor weed control and/or crop injury may result if directions are not followed. Uneven application or over-application can result in erratic weed control or injury to the treated or rotational crops.

Do not graze or forage crop grown in treated soil or cut for hay or silage.

Do not apply CURBIT to soils which are wet, cloddy, or subject to prolonged periods of flooding because poor weed control or crop injury may result.

Do not apply to any area not specified on the label.

ROTATIONAL RESTRICTIONS

Replanting

If replanting is required, replant only crops listed on this or other ethalfluralin labels.

Sugar Beets or Red Beets

Do not plant sugar beets or red beets within thirteen (13) months following an application of three (3) pints or more per acre of CURBIT. Where less than three (3) pints of CURBIT have been applied, sugar beets or red beets may be planted eight (8) months after an application of CURBIT, if the CURBIT treated soil is moldboard plowed to a depth of a least twelve (12) inches prior to planting.

Spinach or Oats

In California, Arizona, and Texas, do not plant spinach or oats within eight (8) months following an application of three (3) pints per acre or more of CURBIT.

USE PRECAUTIONS

Do not incorporate CURBIT prior to planting as crop loss will occur. Do not use CURBIT under or over row covers, hot caps, plastic mulches, or other plant covers as severe crop injury will occur. Do not make broadcast application to transplants. Do not plant in a furrow.

Under cool temperature conditions that can delay early seedling emergence or growth, CURBIT can cause plant injury or crop failure. Be especially cautious during first planting of season when this condition is likely to occur.

WEEDS CONTROLLED BY CURBIT SURFACE APPLICATION

CURBIT is a preemergence herbicide that controls many annual grasses and broadleaf weeds. CURBIT controls weeds as they germinate. CURBIT will not control established weeds.

CURBIT surface applied after planting will control the following weeds:

Grasses:	
Crabgrass	(<i>Digitaria</i> spp.)
(Large crabgrass)	
(Smooth crabgrass)	
Goosegrass	(<i>Elysius indica</i>)
Foxtail millet	(<i>Setaria italica</i>)
Johnsongrass (from seed)	(<i>Sorghum halepense</i>)
Panicum, fall	(<i>Panicum dichotomiflorum</i>)
Panicum, Texas	(<i>Panicum texanum</i>)
(Buffalograss)	
(Colorado grass)	
Signalgrass, broadleaf	(<i>Brachiaria platyphylla</i>)
(Brachiaria)	
Broadleaf Weeds:	
Carpetweed	(<i>Mollugo verticillata</i>)
Lambsquarters, common	(<i>Chenopodium album</i>)
Pigweed	(<i>Amaranthus</i> spp.)
(Prostrate pigweed)	
(Redroot pigweed)	
(Smooth pigweed)	
(Spiny pigweed)	
Purslane, common	(<i>Portulaca oleracea</i>)
Pusley, Florida	(<i>Richardia scabra</i>)

MIXING AND APPLICATION DIRECTIONS

Start with a clean spray tank. Fill sprayer one-third (1/3) to one-half (1/2) full with clean water. Start agitation. Add correct quantity of CURBIT, continue agitation and finish filling the tank. Do not mix this product with fertilizer.

Apply CURBIT using any properly calibrated, low pressure herbicide sprayer that will apply the spray uniformly. Do not apply this product through any type of irrigation system.

SOIL TEXTURE GUIDE

The amount of CURBIT applied will vary with the soil texture and organic matter. A fine textured soil will require more CURBIT per acre than a coarse soil. Choose the proper rate based on the following soil texture group and specific crop recommendations. Do not exceed recommended rates.

Soil Texture Group	Soil Classification
Coarse soils: (Light)	Sand, loamy sand, sandy loam
Medium soils	Loam, silty clay loam*, silt loam, silt, sandy clay loam*
Fine soils: (Heavy)	Clay, clay loam, silty clay, silty clay loam, sandy clay, sandy clay loam*

*Silty clay loam and sandy clay loam soils are transitional soils and may be classified as either medium or fine textured soils. If silty clay loam or sandy clay loam soils are predominantly sand or silt, they are usually classified as medium textured soils. If they are predominantly clay, they are usually classified as fine textured soils.

ACTIVATION DIRECTIONS

IRRIGATED AGRICULTURE: Where overhead sprinkler irrigation (solid set, center pivot or continuous flow lateral move) is used, activate CURBIT with a minimum of one-half inch (1/2") of irrigation water within two (2) days after application. For flood or furrow irrigation, refer to Non-Irrigated Agriculture activation directions below. Irrigated fields may be shallowly cultivated without loss of CURBIT activity.

NON-IRRIGATED AGRICULTURE: A single, one-half inch (1/2") rainfall within five (5) days of application is necessary to activate CURBIT. If a single one-half inch (1/2") rainfall is not received, a shallow cultivation will activate CURBIT. Rainfall activated CURBIT may be shallowly cultivated without loss of activity.

NOTE: Heavy rainfall and/or excessive irrigation soon after application of CURBIT may cause crop injury. This potential injury can be enhanced if seeding depth is too shallow.

CROP RECOMMENDATIONS

CUCUMBERS, MELONS, PUMPKINS*, SUMMER SQUASH* WINTER SQUASH*, WATERMELONS,—POSTPLANT SURFACE APPLIED PREEMERGENCE WEED CONTROL: CURBIT should be used only as a postplant surface applied herbicide prior to weed emergence. Apply to seeded crop prior to its emergence, or apply as a banded spray between rows after crop emergence or transplanting. Refer to the section titled "ACTIVATION DIRECTIONS".

For broadcast application on direct-seeded crop, apply CURBIT to the soil surface at seeding, or no later than two days after seeding. DO NOT SOIL INCORPORATE CURBIT PRIOR TO PLANTING AS CROP LOSS WILL OCCUR.

*Certain crop varieties may have potential for injury or loss due to use of this

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herbicide. Consult your agricultural experiment station, or other qualified crop advisors for information pertaining to crop varieties grown in your area.

SOIL PREPARATION

A firm seedbed that is trash and clod free is desirable for a surface application of CURBIT. Crop residues, existing weeds and cloddy conditions may interfere with the performance of CURBIT. Bedded culture is preferable to flat culture because of better drainage. Do not plant in a furrow.

RATES

These recommendations are given as the broadcast rates of CURBIT per acre. Where a rate range is shown, use the lower rate for coarser textured soils or soils with lower organic matter. Use the higher rate, where a rate range is shown, on soils containing more than five percent (5%) organic matter. Where soil texture is variable within the same field, let the finest soil texture which predominates in that field determine the use rate (see SOIL TEXTURE GUIDE). CURBIT is not recommended for use on soils containing more than 10% organic matter.

Broadcast the following rates in at least 20 gallons of water per acre by ground equipment only.

Soil Texture*	CURBIT
	Broadcast Rates per Acre (pints)
Coarse	3
Medium	3-4
Fine	4-4½

* Weed control may be reduced on soils with organic matter over 5%.

BAND TREATMENT: CURBIT may also be used as a banded spray between rows of direct seeded or transplanted cucumbers, melons or watermelons grown on plastic mulch. Reduce rate and spray volume in proportion to area actually sprayed using the following formula:

$$\frac{\text{Band width in inches}}{\text{Row width in inches}} \times \text{Broadcast RATE per acre} = \text{Band RATE per acre}$$

$$\frac{\text{Band width in inches}}{\text{Row width in inches}} \times \text{Broadcast VOLUME per acre} = \text{Band VOLUME per acre}$$

Do not spray over plastic mulch.

RESTRICTIONS FOR CERTAIN STATES

CALIFORNIA: In coarser soils, activation of CURBIT may occur with as little as 1/8" of rainfall or irrigation. As a guideline, ¼" is suggested in such areas instead of the ½" normally recommended on this label.

**CURBIT PERFORMANCE GUARANTEE
 A LIMITED WARRANTY OF CURBIT WEED
 AND GRASS CONTROL**

Loveland Products Inc. warrants that CURBIT will provide commercially acceptable control of the weeds and grasses as indicated on its current label when used according to label directions and subject to the following limitations:

1. Purchaser must notify Loveland Products Inc. promptly if a lack of commercially acceptable control occurs. Notice must be given within forty-five (45) days after the first planting or after application of CURBIT to the treated crop, whichever occurs later.
2. A Loveland Products Inc. representative must be satisfied that Purchaser used CURBIT according to the label directions and must visually observe unsatisfactory control of weeds in the field.
3. The Purchaser must provide a Loveland Products, Inc. representative with an invoice or other satisfactory record which shows the price and quantity of CURBIT purchased.
4. Loveland Products Inc.'s liability will be limited to a refund of the purchase price of the CURBIT applied to the acreage on which commercially acceptable control was not obtained.
5. Void outside the U.S.A.

WARRANTY DISCLAIMER AND NOTICE

THE DIRECTIONS FOR USE OF THIS PRODUCT ARE BELIEVED TO BE ADEQUATE AND 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 DUE TO SUCH FACTORS AS WEATHER CONDITIONS, PRESENCE OR ABSENCE OF OTHER MATERIALS, OR THE MANNER OF USE OR APPLICATION. ALL OF WHICH ARE BEYOND THE CONTROL OF LOVELAND PRODUCTS, INC., THE MANUFACTURER OR SELLER.

THE PRODUCTS SOLD TO YOU ARE FURNISHED "AS IS" BY LOVELAND PRODUCTS, INC., THE MANUFACTURER OR SELLER, AND ARE SUBJECT ONLY TO THE MANUFACTURER'S WARRANTIES, IF ANY, WHICH APPEAR ON THE LABELS TO THE PRODUCTS SOLD TO YOU. EXCEPT AS EXPRESSLY PROVIDED HEREIN, LOVELAND PRODUCTS, INC., THE MANUFACTURER OR SELLER MAKES NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD OR USE OF THE PRODUCT, INCLUDING, BUT NOT LIMITED TO, MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. EXCEPT AS EXPRESSLY STATED HEREIN, LOVELAND PRODUCTS, INC., THE MANUFACTURER OR SELLER MAKES NO WARRANTY OF RESULTS TO BE OBTAINED BY USE OF THE PRODUCT. BUYER'S OR USER'S EXCLUSIVE REMEDY, AND LOVELAND PRODUCTS, INC.'S, THE MANUFACTURER'S OR SELLER'S TOTAL LIABILITY, SHALL BE LIMITED TO DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT. NO AGENT OR EMPLOYEE OF LOVELAND PRODUCTS, INC. OR SELLER IS AUTHORIZED TO AMEND THE TERMS OF THIS WARRANTY DISCLAIMER OR THE PRODUCT'S LABEL OR TO MAKE A REPRESENTATION OR RECOMMENDATION DIFFERENT FROM OR INCONSISTENT WITH THE LABEL OF THIS PRODUCT.

IN NO EVENT SHALL LOVELAND PRODUCTS, INC., THE MANUFACTURER OR SELLER BE LIABLE FOR CONSEQUENTIAL, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE, HANDLING, APPLICATION, STORAGE OR DISPOSAL OF THIS PRODUCT OR FOR DAMAGES IN THE NATURE OF PENALTIES AND THE BUYER AND USER WAIVE ANY RIGHT THEY MAY HAVE TO SUCH DAMAGES.

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FORMULATED FOR



P.O. BOX 1286, GREELEY, COLORADO 80632-1286



Performance	Quality	Value
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May 12, 2005

Document Processing Desk (**NOTIFICATION**)
 U.S. Environmental Protection Agency
 1801 Bell St.
 Arlington, VA 22202

Subject: Curbit EC Herbicide (34704-610)
 Notification deleting New Jersey statement

Dear Sir or Madam:

Loveland Products Inc. is submitting an application for notification deleting the statement "New Jersey: do not use this product in New Jersey." The statement was put on there by our company for liability reasons.

Enclosed please find my application containing the notification statement, one (1) copy of product labeling with the above statement deleted.

Should you need anything else for your review or have any questions, please contact me at 712-548-5213 or email me at glenda.haage@uap.com.

Sincerely,

Glenda Haage
 Registration Manager

