



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

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

FEB 15 2008

Ms. Kimberly Gilbert  
Regulatory Manger  
Dow AgroSciences LLC  
9330 Zionsville Road  
Indianapolis, IN 46268

RE: Notification to add clarification to the first paragraph as requested by the State of California

EPA Registration Number: 62719-397

Date of Submission: January 15, 2008

Dear Ms. Gilbert:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated, January 15, 2008, for the product, Kerb® 50-W. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the actions) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Joyce Edwards of my staff at 703-308-5479.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Arrington".

Linda Arrington  
Notifications & Minor Formulations Team Leader  
Registration Division (7505P)  
Office of Pesticide Programs



United States  
**Environmental Protection Agency**  
 Washington, DC 20460

Registration  
 Amendment  
 Other

OPP Identifier Number  
 2/9

**Application for Pesticide - Section I**

1. Company/Product Number Dow AgroSciences/62719-397	2. EPA Product Manager Jim Tompkins	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Dow AgroSciences/Kerb@ 50-W	PM# 25	
5. Name and Address of Applicant (Include ZIP Code) Dow AgroSciences LLC 9330 Zionsville Road Indianapolis, IN 46268 <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"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

**NOTIFICATION**

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**Explanation:** Use additional page(s) if necessary. (For section I and Section II.)

Changes by notification: 1. Add the following clarification to the first paragraph as requested by state of California: Notwithstanding chemigation prohibition on package label, this supplemental permits chemigation on the crops listed.

**Section - III**

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	<input type="checkbox"/> Plastic
				<input type="checkbox"/> Glass	<input type="checkbox"/> Paper
* Certification must be submitted			If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.
					No. per container
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions	
6. Manner in Which Label is Affixed to Product			<input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled	<input type="checkbox"/> Other _____	

**Section - IV**

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Kimberly Gilbert	Title Regulatory Manager	Telephone No. (include Area Code) (317) 337-4685
<b>Certification</b> 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 Regulatory Manager	
4. Typed Name Kimberly Gilbert ®Trademark of Dow AgroSciences LLC	5. Date January 15, 2008	



FEB 15 2008

# Supplemental Labeling



Dow AgroSciences LLC

9330 Zionsville Road

Indianapolis, IN 46268-1054 USA

## Restricted Use Pesticide

Because pronamide has produced tumors in laboratory animals, this product is for retail sale to and use only by Certified Applicators or persons under their direct supervision, and only for those uses covered by the Certified Applicator's certification.

## Kerb<sup>®</sup> 50-W

EPA Reg. No. 62719-397

### Chemigation Application on Lettuce, Endive, Escarole or Radicchio (For Use in Arizona and California)

#### Use in Lettuce (Transplanted and Leaf Lettuce) (For Use in Arizona and California)

- It is a violation of Federal law to use this product in a manner inconsistent with its labeling.
- This labeling must be in the possession of the user at the time of application.
- All applicable use directions, precautions and restrictions on the product label for Kerb 50-W as well as this supplemental labeling must be followed.

## Directions for Use

### Chemigation Application on Lettuce, Endive, Escarole or Radicchio (For Use in Arizona and California)

Notwithstanding chemigation prohibition on package label, this supplemental permits chemigation on the crops listed. Kerb 50-W may be applied by chemigation for weed control in direct seeded or transplanted lettuce, endive, escarole or radicchio but must be applied prior to weed emergence. Application may be made preemergence or postemergence to the crop. **Do not apply postemergence to leaf lettuce, endive, escarole, or radicchio greens.**

**Application Rate:** Apply Kerb 50-W at the rate of 1 to 2 lb per acre (0.5 to 1 lb active ingredient per acre) depending upon soil type, weed species and level of infestation.

**Application Moisture Requirements:** Kerb 50-W acts mainly through root absorption; therefore, it is necessary to move Kerb 50-W into the root zone of germinating weeds to provide effective control. This can be accomplished by applying a minimum of 0.75 inch of overhead sprinkler irrigation when applied by chemigation to fields that have been pre-irrigated.

**Time of Treatment:** Applying Kerb 50-W following initial irrigation of the crop will avoid movement of the herbicide below the root zone of germinating weeds and improve weed control. The optimal application timing following pre-irrigation will vary depending season, weed species present and environmental conditions. The following recommendations are provided as a general guideline:

Timing	Date	Application Timing (Days After Starting Sprinklers)
early	Sept. 1 to Oct 15	1 - 3
mid	Oct 15 to Dec 15	3 - 6
late	Dec 15 to Jan	5 - 6

**Chemigation Equipment:** Kerb 50-W may be applied through center pivot, lateral move, solid set or hand move systems capable of uniform delivery of the herbicide. Solid set or hand move systems should be capable of delivering a uniform pressure of 60 to 70 psi at all nozzles. Pipes and nozzles must be positioned to provide uniform coverage of the treatment area. Placement of nozzles in diamond shaped (♦) pattern will provide more uniform coverage. Do not apply when wind velocity is sufficient to distort uniformity of coverage or cause drift to susceptible non-target plants.

The injection-metering pump must be calibrated as specified by the manufacturer and checked periodically during application to insure proper operation. Pesticide injection hoses, which connect chemigation-metering equipment to the sprinkler irrigation system, should be of braided reinforced construction with an internal tube made of nylon, cross-linked polyethylene, or high-density polyethylene.

**Mixing:** Mixing tanks should be large enough to contain the entire amount of herbicide mixture for the area to be treated. Use a minimum of 3 gallons of water per pound of Kerb 50-W. Add Kerb 50-W water soluble packets slowly and allow packets to disperse completely before beginning injection. Agitation of the herbicide mixture is required at all times during mixing and application (injection).

**Application:** For hand move or solid set systems set up to deliver about 1/10 inch of water per hour, Kerb 50-W should be injected over a period of 1 to 2 hours. Once the herbicide has been injected, continue irrigation for an additional 4 to 6 hours to flush the system and deliver additional irrigation sufficient to incorporate the herbicide into the upper inch of soil.

In pre-irrigated fields, center pivot or lateral move systems should be set up to deliver a minimum of 0.75 inch of irrigation water with the chemigation treatment. In center pivot or lateral move systems, the herbicide mixture should be injected continuously throughout the irrigation cycle.

**Use Restrictions for Lettuce, Endive, Escarole or Radicchio**

- In Fresno County, use only in the months of August through September
- Do not apply Kerb 50-W to direct seeded varieties that will be harvested less than 55 days after treatment or transplant or to leaf lettuce that will be harvested within 35 days of application.
- Do not apply more than one application of Kerb 50-W to each crop of lettuce, endive, escarole, or radicchio greens.
- Do not apply Kerb 50-W postemergence to leaf lettuce, endive, escarole, or radicchio greens.
- Do not apply more than 2 lb per acre of Kerb 50-W.

**Chemigation Instructions**

Do not apply this product through any irrigation system unless the instructions for chemigation are followed. Apply this product only through continuously moving center pivot, lateral move end tow, solid set, or hand move irrigation systems. Do not apply this product through any other type of irrigation system.

Crop injury, lack of effectiveness, or illegal pesticide residues in the crop can result from nonuniform distribution of treated water.

If you have questions about calibration, you should contact State Extension Service specialists, equipment manufacturers, or other experts.

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Do not connect an irrigation system (including greenhouse systems) used for pesticide application to a public water system unless the pesticide label-prescribed safety devices for public water systems on the pesticide container label are in place.

A person knowledgeable of the chemigation system and responsible for its operation or under the supervision of the responsible person, shall shut the system down and make necessary adjustments should the need arise.

**Sprinkler Chemigation**

1. Do not connect an irrigation system (including greenhouse systems) used for pesticide application to a public water system.
2. The system must contain a functional check valve, vacuum relief valve, and low-pressure drain appropriately located on the irrigation pipeline to prevent water source contamination from back-flow.
3. The pesticide injection pipeline must contain a functional automatic, quick closing check valve to prevent the fluid back toward the injection pump.
4. The pesticide injection pipeline must also contain a functional, normally closed, solenoid-operated valve located on the intake side of the injection pump and connected to the system interlock to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down.
5. The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops.
6. The irrigation line or water pump must include a functional pressure switch, which will stop the water pump motor when the water pressure decreases to the point that pesticide distribution is adversely affected.
7. Systems must use a metering pump, such as a positive displacement injection pump (e.g., diaphragm pump) effectively designed and constructed of materials that are compatible with pesticides and capable of being fitted with a system interlock.
8. Do not apply when wind speed favors drift beyond the area intended for treatment.

**Use in Lettuce (Transplanted and Leaf Lettuce) (For Use in Arizona and California)**

Kerb 50-W is a selective herbicide for the control of certain annual grasses and broadleaf weeds in direct seeded leaf lettuce or transplanted lettuce which will be harvested 35-days or more after application of Kerb 50-W.

**Weeds Controlled**

Kerb 50-W is effective at 2.0 to 3.0 pounds of product (1.0 to 1.5 pounds active ingredient) per treated acre for the preemergence control of the following weeds:

Grasses		Broadleaf Weeds	
Barley, Foxtail	Goosegrass	Carpetweed	Nettle, Burning
Barley, Volunteer	Lovegrass	Chickweed, Common	Nightshade, Black
Barnyardgrass	Oats, Volunteer	Goosefoot, Nettleleaf	Nightshade, Hairy
Bluegrass, Annual	Panicum, Fall	Henbit	Purslane, Common
Brome, Downy (Cheatgrass)	Ryegrass, Italian	Knotweed	Rocket, London <sup>†</sup>
Canarygrass	Rye, Volunteer	Lambsquarters, Common	Shepherdspurse <sup>†</sup>
Crabgrass	Wheat, Volunteer	Morningglory, Annual	Smartweed, Pale
Foxtail, Yellow		Mustard, Wild <sup>†</sup>	Tomato, Volunteer

<sup>†</sup> Suppression only

**Dosage**

Kerb 50-W may be applied at the rate of 2.0 to 3.0 pounds of product (1.0 to 1.5 pounds active ingredient) per acre broadcast application. The dosage rate required is dependent on soil texture. At rates specified on this label, Kerb 50-W may not be used for weed control on highly organic (peat and muck) soils. For direct seeded leaf lettuce and transplanted lettuce follow the dosage instructions listed in the chart on the next page.

<b>Pounds Kerb 50-W Per Acre Broadcast Application<sup>1</sup></b>		
<b>Weeds</b>	<b>Dependable Rainfall or Overhead Irrigation</b>	<b>Soil Texture Group<sup>2</sup></b>
Susceptible annual grasses and broadleaf weeds	2.0- 3.0 (Surface application)	Coarse and medium textured soils
	3.0 (Surface application)	Fine textured soils

<sup>1</sup> Reduce dosage rate accordingly for banded applications.

<sup>2</sup> Soil Texture Group

Coarse: sand, loamy sand, sandy loam

Medium: loam, silt loam, silt, sandy clay loam

Fine: silty clay loam, clay loam, sandy clay, silty clay, clay

**Crop Tolerance**

Most varieties of leaf lettuce and transplanted lettuce are highly tolerant of the specified rates of Kerb 50-W.

**Timing and Method of Application**

Kerb 50-W can be applied either pre-plant, post-plant or postemergence to transplanted or leaf lettuce in banded, bed-topped or broadcast applications. Most applications will be made preemergence to the lettuce just before or after planting and preemergence to the weeds. Applications can be made before or after lettuce thinning but should be made prior to weed emergence. Do not apply Kerb 50-W to transplanted lettuce or leaf lettuce varieties that will be harvested less than 35 days after the Kerb treatment. Do not apply more than one application of Kerb 50-W to each crop of lettuce.

Mix the specified amount of Kerb 50-W in clean water and apply uniformly with a ground sprayer in 20 to 50 gallons of water per treated acre. Reduce dosage and volume accordingly for banded treatments. Use a standard low-pressure sprayer equipped with flat fan nozzles that provide uniform spray distribution.

**Application-Moisture Requirements**

Kerb 50-W acts mainly through root absorption, therefore it is necessary to move Kerb 50-W into the root zone of germinating weeds to provide effective control. This should be accomplished only by overhead sprinkler irrigation or by dependable rainfall.

**Sprinkler Irrigation**

Kerb 50-W should be applied to the soil surface without mechanical incorporation after direct seeding or transplanting and followed by overhead irrigation. An initial irrigation of 1 or 2 inches should promptly follow the application of Kerb 50-W, especially in hot weather.

**Application Dependent on Natural Rainfall**

In areas of dependable natural rainfall, Kerb 50-W can be applied as a surface treatment preemergence to the weeds. Applications to direct seeded leaf lettuce or transplanted lettuce are most successful when followed by 1/2 to 1 inch of rainfall within two to three days after application.

**Furrow Irrigation-Mechanical Incorporation**

Kerb 50-W at dosage rates listed on this label is not recommended in furrow-irrigated lettuce; or where the product is soil incorporated by mechanical means, since weed control will be reduced if these cultural practices are used.

Hoeing, thinning or shallow cultivation of soil treated with Kerb 50-W will not destroy its herbicidal activity.

**Temperature**

Kerb 50-W is not highly volatile, but it may degrade rather quickly if left exposed on the soil surface in warm weather. If applied when air temperatures exceed 85°F, it should be watered into the soil as soon as possible, preferably within 1 or 2 days.

**Rotation Crops**

Where rotation crops are to follow within one year of the Kerb 50-W treatment to lettuce, follow the directions given in the General Information section of the container label under rotation crop planting information.

**Specific Use Restrictions—Lettuce (transplanted and leaf lettuce)**

- Do not apply Kerb 50-W to lettuce varieties that will be harvested less than 35 days after treatment.
- Do not apply more than one application of Kerb 50-W to each crop of lettuce.

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Initial printing.





