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|  <p>U.S. ENVIRONMENTAL PROTECTION AGENCY Office of Pesticide Programs Registration Division (7505C) Ariel Rios Building 1200 Pennsylvania Ave. NW Washington, D.C. 20460</p> <p>NOTICE OF PESTICIDE: <u>X</u> Registration Reregistration (under FIFRA, as amended)</p> | EPA Reg. Number: 62719-501 | Date of Issuance: October 28, 2004 |
| | Term of Issuance: Conditional - Expiration date - September 30, 2009 | |
| | Name of Pesticide Product: Granite™ GR | |
| Name and Address of Registrant (include ZIP Code): Dow AgroSciences LLC 9330 Zionsville Road Indianapolis, IN 46268-1054 | | |
| <p>Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.</p> <p>On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act.</p> <p>Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.</p> <p>This product is conditionally registered in accordance with FIFRA sec. 3(c)(7)(A) provided that you:</p> <ol style="list-style-type: none"> 1. Submit/cite all data required for the registration/ reregistration of your product when the Agency requires all registrants of similar products to submit data; and submit acceptable responses required for reregistration of your product under FIFRA section 4. <p>- COMMENTS CONTINUED ON PAGE 2 OF THIS NOTICE OF REGISTRATION -</p> | | |
| Signature of Approving Official: <i>Joanne J. Miller</i> Joanne J. Miller, Product Manager 23 Herbicide Branch, Registration Division | Date: OCT 28 2004 | |

Page 2 Continued from first page.

2. Submit the following studies for review:

a. Seed germination/seeding emergence studies, vegetative vigor studies, and an aquatic plant growth study using Duckweed with the degradates, BSA, 2-amino-TP, TPSA, BSTCA methyl, BSTCA, 2-amino-TCA, 5-OH-penoxsulam, SFA, sulfonamide, 5,8-di-OH and 5-OH 2 amino TP.

b. In addition, several of the studies with degradates performed or repeated for additional organisms will be needed once the Agency completes our analyses.

c. Test terrestrial plants using the liquid and end-use products of penoxsulam.

d. An enforcement method revised as recommended in the Analytical Chemistry Laboratory, memo dated September 17, 2004. Submit within 30 days of the date of this registration notice.

e. One-year storage stability (830.6317) and corrosion characteristics (630.6320) studies on this product.

3. Final report of the ongoing storage stability study must be submitted in support of any future food uses.

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

A stamped copy of the label is enclosed for your records.

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

Enclosures: Stamped copy of label

(Label):

(logo) Dow AgroSciences

Granite™ GR

Herbicide

For selective weed control in water-seeded rice in California

Active Ingredient:

penoxsulam: 2-(2,2-difluoroethoxy)-N-(5,8-dimethoxy[1,2,4] triazolo[1,5c]pyrimidin-2-yl)-6-(trifluoromethyl)benzenesulfonamide0.24%

Inert Ingredients 99.76%

Total 100.00%

Contains 0.24 lb of active ingredient per 100 lb bag

Keep Out of Reach of Children

Precautionary Statements

Hazards to Humans and Domestic Animals

Personal Protective Equipment (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- 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.

Engineering Controls

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the 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.

Environmental Hazards

Except when treating rice fields as specified in this product label, 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 contaminate water when disposing of equipment washwater or rinsate.

Agricultural Use Requirements

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. Refer to label booklet under "Agricultural Use Requirements" in the Directions for Use section for information about this standard.

Refer to back panel of label for Directions for Use including Storage and Disposal.

ACCEPTED
with COMMENTS
In EPA Letter Dated:
OCT 28 2004

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

62719-501

Notice: Read the entire label. Use only according to label directions. **Before using this product, read Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies elsewhere on the label. If terms are unacceptable, return at once unopened.**

In case of emergency endangering health or the environment involving this product, call 1-800-992-5994. If you wish to obtain additional product information, visit our web site at www.dowagro.com.

Agricultural Chemical: Do not ship or store with food, feeds, drugs or clothing.

EPA Reg. No. 62719-501

EPA Est. _____

™ Trademark of Dow AgroSciences LLC
Dow AgroSciences LLC • Indianapolis, IN 46268 USA

Net Weight _____

Directions for Use

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Read all Directions for Use carefully before applying.

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.

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 waterproof material
- Shoes plus socks

Storage and Disposal

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

Pesticide Storage: Store in cool dry place in original container.

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: Completely empty bag into application equipment. Then dispose of empty bag in a sanitary landfill or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

General Information

Granite™ GR herbicide is a postflood, postemergence herbicide for selective control of susceptible grass, broadleaf, and sedge weeds in California rice. Susceptible weeds at the 1 to 3 leaf stage emerged at the time of application or which germinate soon after application will be controlled. Apply Granite GR directly into flooded fields by air or ground granule application equipment to control susceptible weeds when rice is at the >2 fully developed leaf stage. Average water depth at application should be between 3 to 5 inches. Granite GR provides short-term residual weed control activity of susceptible weeds.

Rice crops grown under adverse environmental conditions, such as extreme cold or heat, may express temporary crop injury when Granite GR is applied including slight height reduction or root stunting. Any crop stress or environmental factors which decrease plant metabolism and growth may reduce weed control efficacy and crop tolerance. Such effects are transient and do not affect yield.

General Use Precautions and Restrictions

- **Preharvest Interval:** Do not apply within 60 days of rice harvest.
- Do not rotate treated land to crops other than rice for 3 months following application.

- Do not apply where runoff or irrigation water may flow directly onto agricultural land other than rice fields.
- Do not fish or commercially grow fish, shellfish or crustaceans on treated acres during the year of treatment.
- Do not make more than 1 application or apply more than 18.5 lb per acre of Granite GR (0.044 lb ai penoxsulam) during the growing season.
- Applications made to >3 leaf weeds, dense weed populations, and/or water greater than 6 inches may result in reduced weed control.
- **Chemigation:** Do not apply this product through any type of irrigation system.
- Do not use on wild rice.

Best Management Practices for Aerial Application

Equipment used in the application of Granite GR should be carefully calibrated before use and checked frequently during application to be sure it is working properly and delivering a uniform distribution pattern. Avoid overlaps that will increase Granite GR dosage above recommended limits. Aerial application should be made only when the wind velocity is 0 to 10 mph.

Application Timing

Granite™ GR herbicide may be applied to rice at the >2 fully developed leaf stage and to susceptible weeds from the 1 to 3 leaf stage up to 60 days before harvest. This will usually occur from 7 to 12 days after rice seeding. Fields must be flooded to an average depth of 3 to 5 inches prior to application. For best results, maintain a 3- to 5-inch uniform average water depth for 10 days after application. Water depth can be increased as rice grows. Failure to maintain flood may result in reduced weed control or crop tolerance. Within this application window, application timing is dependent on cultural practices and optimum timing for weed species present. (See Application Rates and Weeds Controlled table.)

Resistance Management

The mode of action of Granite GR is the inhibition of the acetolactate synthase (ALS) enzyme. Weed populations may develop biotypes that are resistant to different herbicides with the same mode of action. If herbicides with the same mode of action are used repeatedly in the same field, resistant biotypes may eventually dominate the weed population and may not be controlled by these products. Other resistance mechanisms, such as enhanced metabolism, may also exist and may cause reduced weed control. Granite GR may not reliably control known ALS resistant weed biotypes.

This product should be used as part of an Integrated Pest Management (IPM) program that may include biological, cultural, and chemical practices aimed at preventing economic pest damage. Application of this product should be based on appropriate IPM and resistance management strategies and practices that delay or reduce the development of resistant weed biotypes. Such practices include, but are not limited to, field scouting, use of weed free crop seed, proper water management, correct weed pest identification, following rotational practices outlined on pesticide labels, and treating when target weed populations are at the correct stage and economic thresholds for control. Make only 1 application per acre per year of Granite GR.

To delay development of herbicide resistance, the following practices are recommended:

- Always use at least 15 lb per acre formulated product and observe all label use rate instructions.
- The use of herbicides with the same mode of action should not be used in sequential applications.
- Herbicides should be used based on an IPM program.
- Monitor treated areas and control escaped weeds.
- Contact local extension or crop advisor for IPM and resistance management information.

Application Rates and Weeds Controlled

(For Use in the State of California)

| Weeds Controlled Common name (scientific name) | Application Rate and Stage of Weed Development |
|--|---|
| | 15 lb/acre[†] |
| barnyardgrass (<i>Echinochloa crus-galli</i>) California arrowhead (<i>Sagittaria montevidensis</i> spp. <i>Caclycina</i>) common waterplantain (<i>Alisma plantago-aquatica</i>) ducksalad (<i>Heteranthera</i> spp) monochoria (<i>Monochoria</i> spp) ricefield bulrush (<i>Scirpus mucronatus</i>) watergrass (<i>Echinochloa</i> spp) | Up to 3 leaf |
| Weeds Suppressed | |
| Gregg's arrowhead (<i>Sagittaria longiloba</i>) redstem ^{††} (<i>Ammannia</i> spp) rice mimic (<i>Echinochloa</i> spp) smallflower umbrellaplant (<i>Cyperus difformis</i>) | |

[†]Under conditions of late application when weeds are >3 leaf stage, dense weed populations, or water greater than 6 inches deep, 18.5 lb per acre of Granite GR (0.044 lb ai penoxsulam) may be applied. Application of Granite GR under these conditions may result in reduced weed control.

^{††}Redstem (*Ammannia* spp) is effectively controlled if emerged at the time of treatment with Granite GR.

Note: Do not make more than 1 application or apply more than 18.5 lb per acre of Granite GR (0.044 lb ai penoxsulam) during the growing season.

Terms and Conditions of Use

If terms of the following Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies are not acceptable, return unopened package at once to the seller for a full refund of purchase price paid. Otherwise, use by the buyer or any other user constitutes acceptance of the terms under Warranty Disclaimer, Inherent Risks of Use and Limitation of Remedies.

Warranty Disclaimer

Dow AgroSciences warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. Dow AgroSciences MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

Inherent Risks of Use

It is impossible to eliminate all risks associated with use of this product. Crop injury, lack of performance, or other unintended consequences may result because of such factors as use of the product contrary to label instructions (including conditions noted on the label, such as unfavorable temperatures, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of Dow AgroSciences or the seller. All such risks shall be assumed by buyer.

Limitation of Remedies

The exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories), shall be limited to, at Dow AgroSciences' election, one of the following:

- (1) Refund of purchase price paid by buyer or user for product bought, or
- (2) Replacement of amount of product used.

Dow AgroSciences shall not be liable for losses or damages resulting from handling or use of this product unless Dow AgroSciences is promptly notified of such loss or damage in writing. In no case shall Dow AgroSciences be liable for consequential or incidental damages or losses.

The terms of the Warranty Disclaimer, Inherent Risks of Use, and this Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of Dow AgroSciences or the seller is authorized to vary or exceed the terms of the Warranty Disclaimer or this Limitation of Remedies in any manner.

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