

Reg # 63588-6

PM-23

File  
199



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

FEB 23 1994

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Kevin Williams  
VALENT USA CORP.  
Agent for: K-I CHEMICAL U.S.A. INC.  
1333 N. California Blvd. - Suite 600  
Walnut Creek, CA 94596

Subject: Label Amendment Submission of 11/11/93 in Response to PR Notice 93-7  
EPA Reg. No. 63588-~~6~~  
ORTHO BOLERO ~~10G~~ 8 EC

**IMPORTANT NOTICE:** This Letter Requires You to Submit a Notification to the Office of Compliance Monitoring within 20 Days.

Dear Registrant:

The labeling cited above and submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is accepted subject to the comments listed on the enclosed sheet. A copy of your proposed labeling stamped "ACCEPTED WITH COMMENTS" is enclosed.

**SERIOUS ERROR(S) ON SUBMITTED LABELING:**

EPA has determined that one or more of the errors on the labeling you submitted to the Agency is categorized as "serious" as defined in PR Notice 93-11. In general, serious errors are those that may create a potential for harm to workers, handlers, other persons, or the environment; or those that prevent the achievement of the basic goals of the Worker Protection Standard (WPS) or FIFRA.

**YOU MUST NOT SELL OR DISTRIBUTE (INCLUDING RELEASE FOR SHIPMENT) ANY PRODUCT BEARING THE SUBMITTED LABELING.** Sale or distribution of any product with the incorrect labeling is a violation of FIFRA that could result in initiation of an action for civil penalties and/or cancellation of your product. This matter has been referred to the Office of Compliance Monitoring (OCM) for further action.

**YOU MUST SUBMIT A NOTIFICATION TO THE OFFICE OF COMPLIANCE MONITORING WITHIN 20 DAYS OF THE DATE OF THIS LETTER.**

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Each notification must include the following information:

1. Registrant's name and address.
2. EPA Registration number of the product for which the labeling was submitted.
3. Whether any product already has been sold or distributed (this includes released for shipment) bearing the submitted labeling.

In addition, the notification must include the following information, IF you have already sold or distributed any product bearing the submitted labeling:

1. Quantity of the product that has been sold or distributed.
2. EPA Producing Establishment number.
3. Location of the product, if known.
4. Proposed plan for assuring that product with the incorrect labeling in your control, as well as that in the hands of dealers/distributors/users, will be corrected. The plan must include your proposal for assuring that the labeling is corrected as soon as possible.

Submit the notification to:

Michael Wood, Director  
Compliance Division, (7203)  
Worker Protection Notification  
Office of Compliance Monitoring  
U.S. Environmental Protection Agency  
11 M Street S.W.  
Washington, DC 20460

Failure to submit a notification also may result in initiation of an action under FIFRA for civil penalties, if you sold or distributed (this includes released for shipment) product bearing the incorrect labeling.

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IN ADDITION, YOU SHOULD CONTACT IMMEDIATELY THE PERSONS TO WHOM YOU SOLD OR DISTRIBUTED YOUR PRODUCT AND INFORM THEM NOT TO SELL OR DISTRIBUTE ANY PRODUCT WITH THE INCORRECT LABELING.

**WHAT THIS ACCEPTANCE MEANS:**

Based on your certification, the Agency has accepted the labeling changes that are necessary to comply with the WPS labeling requirements of 40 CFR part 156, subpart K, described in PR Notices 93-7 and 93-11. Any other labeling changes submitted in connection with this amendment application but not directly related to compliance with the WPS have neither been reviewed nor accepted by the Agency. If you wish to make such changes, you must submit a separate amendment application proposing them. If your product is currently suspended, the acceptance of this labeling amendment does not affect the suspension in any way.

**WHAT YOU NEED TO DO NEXT:**

Submit the required notification. Then by the next label printing make all the specified changes to your labeling. Send to EPA one (1) copy of the final printed labeling

- BEFORE selling or distributing any product bearing the final printed labeling as amended

**AND**

- WITHIN one year from date of this acceptance.

Submit the final printed labeling via the U.S. Postal Service to:

Document Processing Desk (FIN-LABEL)  
Office of Pesticide Programs (7505C)  
U.S. Environmental Protection Agency  
401 M Street, SW  
Washington, D.C. 20460-0001

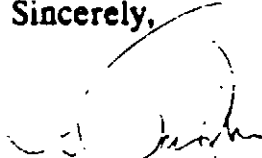
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Hand or courier deliveries of final labeling may be made to:

Document Processing Desk (FIN-LABEL)  
Office of Pesticide Programs  
Room 266A, Crystal Mall 2  
1921 Jefferson Davis Highway  
Arlington, VA 22202

Sincerely,



Jim Tompkins, Deputy Chief  
Registration Support Branch  
Registration Division (7505W)

Attachment:

cc: Office of Compliance Monitoring

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November 12, 1993

**BOLERO • 8 EC  
(HERBICIDE)**

Active Ingredient	By Wt.
*Thiobencarb .....	84%
Inert Ingredients .....	16%
*S-[4-(chlorophenyl)methyl] diethylcarbamothioate	

Contains 8 pounds S-[4-(chlorophenyl)methyl] diethylcarbamothioate per gallon.

**KEEP OUT OF REACH OF CHILDREN  
CAUTION**

**SEE SIDE PANEL FOR ADDITIONAL  
PRECAUTIONARY STATEMENTS.**

**NET CONTENTS 5 GALLONS**

K-I Chemical U.S.A., Inc.  
White Plains, New York 10606  
Form R207A1 11/12/93 EPA Est. 5905-GA-01  
Made in U.S.A.  
EPA Reg. No. 63588-6

ACCEPTED  
with COMMENTS  
In EPA Letter Dated

FEB 23 1994

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

63588-6

**PRECAUTIONARY STATEMENTS**

**HAZARDS TO HUMANS /& DOMESTIC ANIMALS  
CAUTION**

Causes eye irritation. Harmful if swallowed. Avoid contact with eyes, skin and clothing. Avoid breathing spray mist.

**STATEMENT OF PRACTICAL TREATMENT**

In case of eye contact, wash eyes immediately with plenty of water. See a doctor if irritation persists. If swallowed, give a large amount of water to drink, make person vomit, and call a doctor. ~~Note to Physicians:~~ Emergency Information call 1-800-892-0099.

**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.

**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.

**ENVIRONMENTAL HAZARDS**

This product is toxic to shrimp. For terrestrial uses, 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.

The use of BOLERO 8 EC on rice is restricted to protect the endangered fat pocketbook pearly mussel (*Potamilus capax*) and its habitat. In Arkansas, the following use prohibitions apply in Cross, Lee, Mississippi, Poinsett and St. Francis Counties:

1. BOLERO 8 EC will not be applied aerially within one mile of the St. Francis Floodway (west branch of the St. Francis River) where the fat pocketbook pearly mussel is known to occur;
2. BOLERO 8 EC will not be ground applied within 1,000 feet of the St. Francis Floodway where the fat pocketbook pearly mussel is known to occur;
3. Rice fields will not be flooded for at least 3 days after application, and water application on the fields is not to be drained for at least 7 days after flooding a treated field in areas where waters drain into the St. Francis Floodway where the fat pocketbook pearly mussel is known to occur; and
4. Should on-going distributional surveys of the fat pocketbook pearly mussel find additional populations in the St. Francis Floodway, or other waters, the same restrictions would apply to these waters.

**PHYSICAL OR CHEMICAL HAZARDS**

Do not 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.

**READ ENTIRE LABEL. USE STRICTLY IN ACCORDANCE WITH PRECAUTIONARY STATEMENTS AND DIRECTIONS, AND WITH APPLICABLE STATE AND FEDERAL REGULATIONS.**

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, waterproof gloves and shoes plus socks.

**DIRECTIONS**

Do not apply this product through any type of irrigation system.

**GENERAL INFORMATION**

BOLERO 8 EC applied late preemergence will control many weeds in rice. The Propanil component of BOLERO 8 EC plus Propanil tank mixture increases postemergence activity for control of weeds listed. BOLERO 8 EC will provide residual control of some weeds up to 5 weeks following application. The BOLERO 8 EC plus Propanil tank mixture will not prevent reinfestation of Hemp Sesbania Northern or Indian Jointvetch, Broadleaf Signalgrass or Pitted Morningglory. For water-seeded rice, apply to non-flooded fields only, application should not be made before rice is in the 2 leaf stage of development and soils should be sealed and wet at the time of application. Do not apply to stressed rice. Temporary injury to seedling rice may occur under certain conditions.

**DRY-SEEDED RICE**

Late Preemergence Application (Prior to rice and weed emergence) - For control of Barnyardgrass, Junglerice (*Echinochloa* spp.), Sprangletop (*Leptochloa* spp.), Crabgrass (*Digitaria* spp.) Fall Panicum (*Panicum dichotomiflorum*), Dayflower (*Commelina communis*), Eclipta (*Eclipta alba*) and False Pimpernel (*Lindernia* spp.): Apply BOLERO 8 EC 1 to 5 days prior to rice emergence; generally this would be 5 to 9 days after planting of the rice. Apply 4 pts. of BOLERO 8 EC per acre after soils have been sealed by rainfall or by flushing. Apply to well prepared seedbeds free of large clods. Soils should be wet at time of application. Do not apply BOLERO 8 EC as a preemergence treatment to cracked soil.

**Early Postemergence Application - For control of emerged Watergrass:** Apply 4 pts. of BOLERO 8 EC per acre when Watergrass has developed no further than the 2 leaf stage. Rice may be fully emerged at time of application. Soil should be wet at time of application.  
**Early Postemergence Application in Combination with Propanil - For control of Barnyardgrass, Junglerice, Sprangletop, Broadleaf Signalgrass (*Brachiaria platyphylla*), Crabgrass, Fall Panicum, Duckweed (*Heteranthera* spp.), Redstem (*Ammannia* spp.), Waterhyacinth (*Eichhornia crassipes*), Pale Fimbristylis, Flatsedge (*Cyperus erythrorhizon*, *C. iris*), Spikerush (*Eleocharis obtusa*, *E. parvula*), Horralgrass (*Fimbristylis* spp.), Hemp Sesbania (*Sesbania exaltata*), Northern and Indian Jointvetch (*Aeschynomene* spp.), Dayflower, Eclipta and Pitted Morningglory (*Ipomoea lacunosa*):**

1. **Application to Wet Soil -** Apply 3 pts. per acre of BOLERO 8 EC plus 2 to 3 qts. of Propanil 4 E per acre for emerged grasses at the 2 leaf stage of development or less (Sprangletop less than 1/2"), aquatics less than 1/2" tall and broadleaf weeds less than 2" tall. Rice may be emerged at the time of application. Soil should be wet at the time of application.

or

2. **Application to Dry Clay or Silt Loam Soils and Rice in the 2 to 3 Leaf Stage -** Apply 3 pts. per acre of BOLERO 8 EC plus 2 to 3 qts. of Propanil 4 E per acre for emerged grasses at the 2 leaf stage of development or less (Sprangletop less than 1/2"), aquatics less than 1/2" tall and broadleaf weeds less than 2" tall. At the time of application, the soil must have previously been sealed by rain or flushing and should not be cracked. Rice should be in the 2 to 3 leaf stage of development. The soil must be wet by rain or flushing within 3 days after application or a reduction in initial control and residual activity can be expected. Do not apply to stressed rice as it may be seriously injured or killed. If a flush is used to wet the soil or heavy rains move quickly through the flood gates, lack of weed control around the gates may be evident.

or

3. **Split Application -** Apply BOLERO 8 EC alone as a Late Preemergence Application followed by a tank mixture with Propanil as an early postemergence application to dry seeded rice on a smooth, wet soil surface in a split application schedule as:  
**Split Application Technique -** Apply 2 pts. per acre of BOLERO 8 EC as a late preemergence application 1 to 5 days before rice emerges (usually 5 to 9 days after seeding) and prior to weed emergence. Soil surfaces should be well prepared and free of large clods. This application should be followed in 10 to 14 days by an early postemergence application of 2 pts. per acre of BOLERO 8 EC plus 2 to 3 qts. per acre of Propanil 4 E. Emerged grasses should be in the 1 to 2 leaf stage or less (Sprangletop less than 1/2"), aquatics less than 1/2" tall and broadleaf weeds less than 2" tall. Rice may be emerged at the time of the early postemergence application. Soil should be wet at the time of application.

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**WATER-SEEDED RICE**

**Early Postemergence** - For control of Barnyardgrass, Junglerice, Sprangletop, Broadleaf Signalgrass, Crabgrass, Fall Panicum, Duckweed, Redstem, Waterhyacinth, False Pimpernel, Flatsedge, Spikerush, Horralgrass, Hemp Scabania, Northern and Indian Jointgrass, Dryflower, Eclipta and Pitted Morningglory. Apply to non-flooded fields only. Apply 3 pts. of BOLERO 8 EC per acre plus 2 to 3 qts. of Propanil 4 E (or emerged grasses at the 2 leaf stage of development or less (Sprangletop less than 1/2") broadleaf weeds less than 2" tall and aquatics less than 1/2" tall. Application should not be made before rice is in the 2 leaf stage of development and soil should be sealed and wet at the time of application.

Do not apply BOLERO 8 EC to stressed rice. Do not apply BOLERO 8 EC to fields with exposed seed as exposed seed will be killed. Do not apply BOLERO 8 EC to second crop (stubble crop) rice.

**Water Management** - After application, flush the fields as often as necessary to prevent crusting and drying of the soil. Fields should be flooded as soon as the rice plants will tolerate permanent flooding.

**Application Equipment**

**Aircraft:** Apply BOLERO 8 EC in no less than 10 gals. spray mix per acre.

**Ground Sprayers:** Apply in 10 to 20 gals. of total spray mix per acre.

**Precautions:** Do not apply more than 4 lbs. active ingredient per acre per year. Do not plant subsequent crops in treated fields within 6 months of last application. Do not overlap or double spray ends of field. Avoid drift to non-target areas. Do not apply to rice paddies where commercial catfish or crayfish farming is practiced. Do not use adjacent to catfish ponds. In Texas and other areas where double cropping is the agricultural practice, do not apply to a second stubble rice crop. Water drained directly from treated fields must not be used to irrigate other crops.

Do not apply BOLERO 8 EC plus Propanil mixture within 14 days before or after organophosphate or carbamate insecticide application. Do not apply tank mix with Propanil when rain is expected within 6 hours. Rice seedlings with succulent growth may exhibit temporary foliar burn which may be greater than conventional Propanil application but usually recover after 10 to 14 days. Do not mix liquid nitrogen, zinc or surfactants with BOLERO 8 EC alone or when mixed with Propanil.

This product can be mixed with Propanil for use on rice in accordance with the more restrictive of label limitations and precautions. No label dosage rates should be exceeded. This product cannot be mixed with any product containing a label prohibition against such mixing.

Application to stressed rice can result in stand reduction, chlorosis, growth inhibition, delayed maturity and/or leaf desiccation. Stress factors include but are not limited to the following Daily temperatures below 65° F. or above 95° F., problem soils, (i.e., Zn deficiency, high salt content, high pH.), excessive moisture, (i.e., above field capacity while rice seed is germinating), drought conditions, poor field drainage or deep water after application.

**VEGETABLES**

**CELERY** - Grows on muck soil (Florida only): For control of Common Purslane, Barnyardgrass and Goosegrass and suppression of Common Lambquarters and Pigweed. Make application of 4 qts. BOLERO 8 EC per acre after transplanting and prior to weed germination/emergence. Apply with ground equipment in 30 to 40 gals. of water per acre no later than 10 days after transplanting. For best performance, soil must be wet at the time of application. Additional moisture (overhead irrigation) after application may improve performance. Celery must be trimmed (tops removed) at harvest. Do not use tips for celery flakes. Do not apply BOLERO 8 EC within 70 days of harvest.

**ENDIVE (ESCAROLE), LETTUCE** - Grows on muck soil (Florida only): For control of Common Purslane and Barnyardgrass and suppression of Pigweed. Make application of 3 qts. BOLERO 8 EC per acre after planting and prior to weed germination/emergence (no later than 10 days after planting). Apply by either broadcast or a directed, shielded spray (to row middles) with ground equipment in 30 to 50 gals. of water per acre. For best performance soil must be wet at the time of application. Additional moisture (overhead irrigation) soon after application may improve performance. BOLERO 8 EC can cause crop stunting if the crop seed zone is treated (particularly under high temperature and moisture conditions). Do not apply BOLERO 8 EC within 60 days of harvest.

**PRECAUTIONS:** Do not rotate crops other than celery, endive (escarole) and lettuce in BOLERO treated fields within 4 months of BOLERO application. Do not feed crop or crop remains to livestock or allow grazing in treated areas.

Do not apply under conditions involving possible drift to food, forage or other plantings that might be damaged or the crops thereof rendered unfit for sale, use or consumption.



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#### STORAGE AND DISPOSAL

##### PROHIBITIONS

Do not contaminate water, food or feed by storage, disposal or cleaning of equipment.  
Open dumping is prohibited.

##### STORAGE

Keep pesticide in original container.  
Do not put concentrate or dilute into food or drink containers.  
Store in cool, dry place.  
Protect from excessive heat.  
For help with any spill, leak, fire or exposure involving this material, call day or night 1-800-892-0099 or Chemtrec 1-800-424-9300.

##### 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

Triple rinse (or equivalent). Do not reuse container. Offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or dispose of by other procedures allowed by State and local authorities.

**IMPORTANT INFORMATION. READ BEFORE USING PRODUCT. LIMITED WARRANTY:** 1. K-I Chemical U.S.A. warrants that this product conforms to the chemical description on the label and is reasonably fit for use under average conditions when used strictly in accordance with the directions on the labeling. K-I Chemical does not make nor authorizes any agent or representative to make, any other warranty, guarantee or representation express or implied, concerning this product. Specifically, **NO IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE IS MADE.**

2. Critical and unforeseeable factors beyond K-I Chemical's control prevent it from eliminating all risks in connection with the use of this product. Such risks include, but are not limited to, damage to plants and crops to which product is applied, lack of complete control over the handling and application of this product, and damage caused by drift to other plants or crops. Such risks occur even though the product is reasonably fit under average conditions for the uses stated on the labeling and even though label directions are followed. Buyer and user acknowledge and assume all risks and liability (except those assumed by K-I Chemical under 1 above) resulting from handling, storage, and use of the product.

3. Precautions stated on the labeling should be followed to avoid hazardous exposure to the product.

K-I Chemical U.S.A. Inc. © 1993

BOLERO® - Reg. TM of Kumiai Chemical Industry Co., Ltd. for thiobencarb herbicide.

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