

67760-109

01-28-2011

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

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Carrie M. Tackema
Cheminova Inc.
One Park Drive, Suite 150
P.O. Box 110566
Research Triangle Park, NC 27709

JAN 28 2011

Subject: Label Notification; Per PR-Notice 98-10
BOMBARD Herbicide
EPA Reg. No. 67760-109
Date Submitted: January 21, 2011

Dear Ms. Tackema:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated January 21, 2011 for the product referenced above. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls 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 regarding this letter, please contact Jasmine Branch at (703) 347-0351 or branch.jasmine@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kable Bo Davis", is written over a horizontal line.

Kable Bo Davis
Product Manager 25
Herbicide Branch
Registration Division (7505P)

EPAUnited States
Environmental Protection Agency
Washington, DC 20460☐ Registration
☐ Amendment
☒ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 67760-109	2. EPA Product Manager Meredith Laws	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) BOMBARD™ Herbicide	PM# Herbicides	
5. Name and Address of Applicant (Include ZIP Code) Cheminova Inc. One Park Drive, Suite 150 P.O. Box 110566 Research Triangle Park, NC 27709	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. 279-3269 Product Name FMC Cerano 5 MEG	

☒ Check if this is a new address

Section - II

☐ Amendment - Explain below. ☐ Final printed labels in response to agency action

☐ Resubmission in response to Agency letter dated _____ ☐ "Me Too" Application

☒ Notification - Explain below. ☐ Other - Explain below

NOTIFICATION**JAN 28 2011****Explanation:** Use additional page(s) if necessary. (For Section I and Section II.)**NOTIFICATION Per PRN 98-10*****Contact: Carrie M. Tackema: carrie.tackema@cheminova.com or fax: 919-474-6629**

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 for this product. I understand that it is a violation of 18 U.S.C. §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 §12 and §14 of FIFRA.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No *Certification must be submitted	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Unit Packaging wgt. No. per container	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes" Package wgt. No. per container	<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input checked="" type="checkbox"/> Other (Specify) - sacks		
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input checked="" type="checkbox"/> Container		4. Size(s) Retail Container 50 lbs.		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> Paper glued <input checked="" 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 Carrie M. Tackema		Title Registration Manager	
		Telephone No. (Include Area Code) 919-474-6617	
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 Regulatory Affairs Manager	
4. Typed Name Carrie M. Tackema		5. Date January 21, 2011	

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BOMBARD™ herbicide
INTENDED FOR
AGRICULTURAL OR COMMERCIAL USE ONLY ON RICE

ACTIVE INGREDIENT:

Clomazone: 2-[(2-Chlorophenyl)methyl]-4,4-dimethyl-3-isoxazolidine..... 5.0%

OTHER INGREDIENTS: 95.0%

TOTAL: 100.0%

EPA Reg. No.: 67760-109

EPA Est. No.: 8142-CA-001

STOP – Read Label Before Use
KEEP OUT OF REACH OF CHILDREN
CAUTION

**IN CASE OF A MEDICAL EMERGENCY INVOLVING THIS PRODUCT, CALL TOLL FREE,
DAY OR NIGHT 1-866-303-6950**

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 SWALLOWED:	<ul style="list-style-type: none">• Call a poison control center or doctor immediately for treatment advice.• Have person sip a glass of after if able to swallow.• Do not induce vomiting unless told to do so by a poison control center or doctor.• Do not give anything by mouth to an unconscious person.

Have the product container or label with you when calling a poison control center or doctor or going for treatment. **In case of a medical emergency involving this product, call toll free, day or night, 1-866-303-6950**

Net Contents: 50 lbs.

Cheminova, Inc.
P.O. Box 110566
One Park Drive, Suite 150
Research Triangle Park, NC 27709
www.cheminova.us.com

NOTIFICATION

JAN 28 2011

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

Caution: Causes moderate eye irritation. Harmful if swallowed, absorbed through skin or inhaled. Avoid contact with skin, eyes or clothing. Avoid breathing vapor.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants;
- Chemical-resistant gloves such as Barrier Laminate or Viton; and
- Shoes plus socks.

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

ENVIRONMENTAL HAZARDS

Except as directed on this label, 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 apply when weather conditions favor drift from the area treated. Do not apply where runoff is likely to occur. Do not contaminate water when disposing of equipment washwaters. Apply this product only as specified on this label.

USER SAFETY RECOMMENDATIONS

User should:

- Wash thoroughly with soap and water after handling.
- Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- Remove clothing/PPE 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.

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), notification to workers, 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.

Exception: If the product is soil-injected or soil-incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated.

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 such as Barrier Laminate or Viton; and
- Shoes plus socks.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in original container only. Store in a dry place and avoid excess heat. Carefully open containers. Do not put concentrate or dilute material into food or drink containers.

Pesticide Disposal: Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

Container Disposal: Nonrefillable container. Do not use or refill this container. Completely empty bag into application equipment. Then offer for recycling, or dispose of empty bag in a sanitary landfill or by incineration. Do not burn unless allowed by state and local ordinances.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labelling.

Do not apply this product in a way that will contact workers or other person either directly or indirectly or through spray drift. Only protected handlers may be in area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

Crop	Pests	Rate of Application
Rice	Barnyard Grass Watergrass Spp. Sprangletop	12 lbs. BOMBARD™/acre (0.6 lbs a.i./acre)

BOMBARD™ may be used at reduced rates (no less than 8 lbs per acre) for the control of sprangletop or for use on lighter textured soils, decomposed granitic soils or soils subject to excess drainage. When used at rates less than 12 lbs per acre additional use of labelled post-emergence herbicide applications may be required for control of watergrass species.

PRODUCT INFORMATION

BOMBARD is a preemergence and post-emergence herbicide for the control of watergrass, barnyardgrass (*Echinochloa* spp.) and sprangletop (*Leptochloa fascicularis*). BOMBARD controls weeds through foliar and root uptake as a chlorophyll-production inhibitor. BOMBARD is formulated as a 5% granule. DO NOT apply under conditions that would allow BOMBARD to come into contact with adjacent crops other than rice by drift as injury may occur.

SPECIAL USE RESTRICTIONS AND PRECAUTIONS

1. Apply this product to rice only as specified on this label. Do not apply to any other crop or site.
2. Direct application to ditches used to transport irrigation water is prohibited.
3. Do not apply more than 0.6 lb A.I. per acre (12 lbs. per acre) of BOMBARD per growing season.
4. Pre-harvest interval: Do not apply later than 120 days before harvesting rice.
5. Do not drain fields for a minimum of 14 days after application, unless the water is contained within a tailwater recovery system, or other system appropriate for preventing discharge from rice fields.
6. Applications of BOMBARD to fields that have been terraced or precision leveled with deep cuts may result in rice crop injury including stand loss. This precaution does not apply to normal maintenance leveling.
7. Do not apply where runoff or irrigation water may flow directly onto agricultural land other than rice fields.
8. This product is not intended for use in manufacturing or reformulation.
9. Do not make applications of BOMBARD within 50 feet of any sensitive crops.
10. Chemigation: Do not apply this product through any type of irrigation system.
11. Do not fish or commercially grow fish, shellfish or crustaceans on treated acres during the year of treatment.
12. Consult UC Agricultural Extension Specialist or Country Farm Advisors before applying BOMBARD to newly developed rice varieties.
13. If temperature is in excess of 98°F for prolonged periods of time, (3 to 4 days), bleaching of rice and stand loss may occur.
14. Do not overlap or double apply ends of fields.
15. Maintain a static water flood with no exposed soil for a minimum of 5 days after a post-flood application of BOMBARD.
16. Lowering of water to allow exposed soil during the first 14 days following the BOMBARD application can cause bleaching of rice, possibly resulting in rice stand loss.
17. Do not apply sequential applications of other herbicides if rice is bleached or under stress from the use of BOMBARD™.

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18. Do not apply BOMBARD to stressed rice.
 19. To facility green-up of bleached rice fields, fields should receive a rapid flush of fresh water. Do not allow exposed soil in bleached fields.
 20. For proper water circulation, functional water control devices at each end of each levee within a field are recommended.

DIRECTIONS FOR POST-FLOODED, PREPLANT USE ON RICE (WATER-SEEDED RICE AT PRE-SEEDING): For control of watergrass and barnyardgrass, (*Echinochloa* spp.) and sprangletop (*Leptochloa fascicularis*), apply 12 lbs. of BOMBARD per acre to a well prepared seedbed free of large clods. See rate exception under DIRECTIONS FOR USE section.

Make application immediately after flooding by air or ground and follow with the seeding of rice within 3 days after the BOMBARD application. Maintain water level in the checks with no exposed soil until the watergrass, barnyardgrass or sprangletop die, or for a minimum of 14 days after application.

Allowing water to recede or a prolonged soil exposure will result in loss of weed control and bleaching of rice. Excessively deep water will result in plant injury. Rice injury and/or stand thinning may be evident, especially when germinating rice is subject to stress conditions. Supplemental herbicide applications may be needed for season-long weed control.

DIRECTIONS FOR POST-FLOODED AND POST-PLANT USE ON RICE (WATER-SEEDED RICE): For control of watergrass and barnyardgrass, (*Echinochloa* spp.) 1-leaf or less and sprangletop (*Leptochloa fascicularis*) 1-leaf or less, apply 12 lbs. of BOMBARD per acre to a well prepared seedbed free of large clods. See rate exception under DIRECTIONS FOR USE section.

Maintain a shallow flood in the checks after application with no exposed soil, or until watergrass, barnyardgrass and sprangletop die, or for a minimum of 14 days.

Allowing water to recede or a prolonged soil exposure will result in loss of weed control and bleaching of rice. Excessively deep floodwater will result in plant injury. Rice injury and/or stand thinning may be evident, especially when germinating rice is subjected to stress conditions. Supplemental herbicide applications may be needed for season-long weed control.

ROTATIONAL CROP RESTRICTIONS

After application of BOMBARD, rotational crops may not be planted prior to the intervals specified below. **NOTE:** When using BOMBARD with other registered herbicides always refer to rotational restrictions and precautions on the other product label(s).

NO RESTRICTION		9 MONTHS	
Cotton*	Tobacco	Cotton	Sorghum
Peas	Tuberous & Corm. Veggies.	Corn (field, pop, seed, sweet)	Sugarbeets
Peppers	(Arracacha, Cassava,	Cucurbits	Tomatoes
Pumpkins (processing)	Tanier, Yam beans and	Dry Beans	(transplanted)
Rice	True Yams)	Peanuts	
Soybeans		Potatoes	
Squash		Snap Beans	
Sweet Potatoes			
12 MONTHS: All crops not listed			
Cover crops, however, may be planted anytime but stand reductions may occur in some areas. Do not graze or harvest for food or feed cover crops planted less than 9 months after BOMBARD™ treatment.			
<p>*REQUIREMENTS FOR PLANTING TIME APPLICATIONS: *If cotton is the rotational crop and is planted within 9 months after the application of BOMBARD, an organophosphate insecticide either disulfoton or phorate must be applied in-furrow with the seed at planting at a minimum of 0.75 lb. per acre of A.I. Failure to apply either disulfoton or phorate in accordance with in-furrow label use direction(s) can result in crop phytotoxicity (bleaching) and/or stand reduction. Diuron is not suggested at this planting time application as plant injury may result.</p> <p>Refer to the insecticide product label(s) for appropriate in-furrow application directions and maximum use rates. Monitor application equipment to ensure accurate and uniform placement of the insecticide.</p>			

REPLANTING INSTRUCTIONS

If initial planting of rice fails to produce a uniform stand, rice may be replanted in fields treated with BOMBARD. Do not retreat fields with a second application of BOMBARD. Do not replant treated fields with any crop at intervals that are inconsistent with the ROTATIONAL CROP RESTRICTIONS on this label.

WARRANTY DISCLAIMER

Cheminova 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. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, CHEMINOVA 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 Cheminova or the Seller. All such risks shall be assumed by Buyer and User. Buyer and User agree to hold Cheminova and the Seller harmless for any claims related to such factors.

LIMITATION OF REMEDIES

To the extent consistent with applicable law, 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 one of the following, at Cheminova's election:

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

To the extent consistent with applicable law, Cheminova shall not be liable for consequential, incidental, or special damages or losses in any matter.

The terms of the Warranty Disclaimer above and this Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of Cheminova or the Seller is authorized to vary or exceed the terms of the Warranty Disclaimer or this Limitation of Remedies in any manner.