



71085-5

02/10/2005

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Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input checked="" type="checkbox"/> Amendment <input type="checkbox"/> Other	OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 71085-5	2. EPA Product Manager Jim Tompkins	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) WHAM! EZ	PM# 25	
5. Name and Address of Applicant (Include ZIP Code) RiceCo LLC 5100 Poplar Avenue, Suite 2428 Memphis, TN 38137 <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

FEB 10 2005

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

Notification adding several pests (weeds). 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:				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
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt No. per container	<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) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph 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 M. 'Sam' Bondurant	Title Director, Regulatory Affairs	Telephone No. (Include Area Code) 901-684-5381
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 Director, Regulatory Affairs	
4. Typed Name M. 'Sam' Bondurant	5. Date January 31, 2005	



WHAM!EZ®

Herbicide

For Postemergence Control of Grass and Broadleaf Weeds in Rice Fields.

Active Ingredient:

3',4'-Dichloropropionanilide 41.20%

Inert Ingredients: 58.80%

TOTAL 100.00%

This product contains 4 lbs. of 3',4'-Dichloropropionanilide per gallon of formulated product.

EPA Registration No. 71085-5

EPA Establishment No. 62171-MS-1; 34704-MS-1; 37429-GA-1; 46193-GTM-1; 68848-BRA-1; 5905-IA-1; 5905-GA-1; 1812-GA-1

KEEP OUT OF REACH OF CHILDREN

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

CAUTION- CAUCION

FIRST AID

If Swallowed:

- Call a poison control center or doctor immediately for treatment advice.
- Have person sip a glass of water if able to swallow.
- Do not induce vomiting unless told to by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

If in Eyes:

- 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.
- Call a poison control center or doctor for treatment advice.

If on Skin:

- 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:

- Move person to fresh air.
- If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.

- Call a poison control center or doctor for further treatment advice.

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

AGRICULTURAL CHEMICAL
DO NOT SHIP OR STORE WITH FOOD, FEEDS,
DRUGS, OR CLOTHING.

FOR CHEMICAL SPILL, LEAK, FIRE OR
EXPOSURE, CALL GLOBAL LOGISTICS
@ (504) 439-3140 OR (504) 599-3881

NET CONTENTS: 30 GAL.
 BULK
 55 GAL.
 5 GAL.
 2.5 GAL.

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS
CAUTION

Harmful if swallowed, absorbed through skin or inhaled. Causes moderate eye irritation. Avoid breathing spray mist. Avoid contact with skin, eyes, or clothing. This product may cause an allergic skin reaction. In case of contact, immediately flush eyes or skin with plenty of water. Get medical attention if irritation persists.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

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

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical resistant gloves, such as polyethylene, or polyvinyl chloride ->14 mils
- Shoes plus socks
- Chemical-resistant headgear for overhead exposure

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 CONTROL STATEMENTS:

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standards (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

User's 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.

ENVIRONMENTAL HAZARDS

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. This product is toxic to fish. Drift and runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Do not contaminate water intended for irrigation or domestic purposes. Do not apply when weather conditions favor drift from target area.

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 other persons, either directly or through drift. Only protected handlers may be in the area during applications. 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 of 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
- Chemical resistant gloves, such as polyethylene or polyvinyl chloride ->14 mils
- Shoes plus socks
- Chemical-resistant headgear for overhead exposure

STORAGE AND DISPOSAL

STORAGE: Do not contaminate water, food, or feed by storage or disposal. Open dumping is prohibited. Do not store this product near fertilizers, seeds, insecticides, or fungicides. Store at temperature above 32°F. If product is allowed to freeze, warm to 50°F and agitate before using. Containers should not be stacked more than three (3) containers high. Reclose all partially used containers by thoroughly tightening screw cap. Damaged or leaking containers that contain product that cannot be used immediately should be transferred to suitable sound containers and properly marked. Any spilled material should be thoroughly absorbed with a suitable absorbent, swept up and transferred to a new or waste container for disposal as indicated under "Pesticide Disposal".

For safety and prevention of unauthorized use, all pesticides should be stored in locked facilities. To prevent accidental misuse, different pesticides should be stored in separate areas with enough distance between to provide clear identification.

Opened, partially used pesticides should be stored in original containers when possible. When transfer to another container is necessary because of leakage or damage, carefully mark and identify contents of the new container. Keep containers closed when not in use.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. 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 EAP regional office for guidance.

CONTAINER DISPOSAL: Triple rinse (or equivalent), adding rinsate to spray tank. Offer rinsed containers for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or incineration or, if allowed by state and local authorities by burning. If burned, stay out of smoke.

BULK CONTAINER DISPOSAL: When the container is empty, replace the cap and seal all openings that have been opened during use; and return the container to the point of purchase, or to a designated location (specified by RiceCo LLC). This container must only be refilled with this pesticide product. **Do Not Reuse the Container for Any Other Purpose.** Prior to refilling, inspect carefully for damage such as cracks, punctures, abrasions, worn-out threads and closure devices. Check for leaks after refilling and before transporting. Do not transport if this container is damaged or

leaking. If the container is damaged, leaking or obsolete, contact RiceCo LLC at 1-888-835-1313. If not returned to the point of purchase or to a designated location, triple rinse empty container and offer for recycling. Disposal of this container must be in compliance with state and local regulations.

WHERE TO USE

RiceCo's WHAM! EZ® is used for postemergence control of broadleaf and grass weeds in RICE fields.

WEEDS CONTROLLED

Barnyard grass (watergrass), brachiaria, coffeeweed, crabgrass, croton, curly indigo, eclipta, foxtail, goosegrass, ground cherry, gulf cockspur, mexicanweed, millet (Texas), morningglory, paragrass, pigweed, redstem, rice field bulrush, smallflower umbrella plant, smartweed, sicklepod, sourdock, spearhead, wiregrass.

(WHAM! EZ will not control arrowhead, Bermudagrass, cattail, ducksalad, Johnsongrass, nutgrass, red rice and sprangletop).

GENERAL INFORMATION

Several important factors should be taken into account to achieve a high efficiency of selective weed control with WHAM! EZ. These include uniform application, growth stage and weather conditions. To assure uniform application mix the prescribed amount of WHAM! EZ with a sufficient volume of water to provide thorough coverage of target area.

For aerial applications use approximately 10 gallons of water, or for surface (ground) applications 20-30 gallons of water per acre at sufficient spray pressure. Agitate tank mixes thoroughly and continuously. Avoid over and under application.

Growth stage of weeds is very important. Best results for selective weed control are obtained when most grasses have reached to 1 to 3 leaf stage.

Proper field preparation is essential to ascertain a relatively clod free and level surface and to obtain uniform flood levels and growth. Fields may be flushed prior to treatment to produce uniform and vigorous grass germination and growth. Drain water from fields prior to applying WHAM! EZ. Higher rates are recommended to control larger grasses or exposed weeds when rice fields are not completely drained. Inspect rice fields regularly to select the correct application time.

- DO NOT** apply this product through any type of irrigation system.
- DO NOT** apply to fields where commercial catfish farming is practiced and do not drain water from treated fields into areas where catfish farming is practiced.
- DO NOT** apply this product (directly or indirectly) to any crop except rice.
- DO NOT** apply when wind conditions will allow drift to adjacent, susceptible crops such as beans, soybeans, cotton, safflower, cucurbits, vegetables, orchards (such as almonds, plums and grapes) and other sensitive crops.

WEATHER CONDITIONS:

Temperature: Temperatures at and before application affect product activity in controlling target weeds. Applications should be made when daily maximum temperatures are between 75°F and 100°F. Control decreases when temperatures below 75°F and increases with temperatures above 75°F.

Application Timing: WHAM! EZ normally requires 8 hours of DIRECT sunlight after application for absorption into target weeds; however, many atmospheric and environmental conditions can affect absorption into the target weeds. It is highly recommended that application of WHAM! EZ be planned so that the applied product remains in contact with the leaf surfaces for at least 48 hours prior to rainfall or flooding. Historically, morning applications of Propanil products, including WHAM! EZ have produced better results in weed control.

Relative Humidity: WHAM! EZ is a contact herbicide, therefore, herbicidal activity is affected by humidity. High humidity and dew aid in weed control by allowing the product to remain in solution longer on the leaf surface. Low humidity decreases plant activity and thus reduces product absorption. During periods of low humidity, higher spray volumes, 12-15 gallons per acre should be used when applied aurally.

Soil Moisture: Under dry conditions grass and broadleaf weeds are less susceptible to control. Higher rates of product, 4 to 6 quarts per acre should be used to achieve control.

Wind: Although **WHAM! EZ** is less susceptible to drift than solvent based Propanil products, application should be avoided if wind velocity is high enough to cause drift of the application spray off the target site or irregular spray patterns.

ADJUVANTS AND APPLICATION AIDS:

When **WHAM! EZ** is used alone (not in combination with any other postemergent rice herbicide) a low viscosity crop oil concentrate or surfactant may be used to improve wetting of foliage and increase weed control. Use of a crop oil concentrate is recommended when application is made during cool weather conditions or unstable weather conditions that may produce rain. Under adverse weather conditions, the addition of a crop oil concentrate when tank mixing **WHAM! EZ** and other rice herbicides for application should be considered. Consult product labels for adjuvant recommendations. The use of a suitable crop oil concentrate or surfactant does not significantly increase injury to rice (leaftip burn).

Consult Extension Service for detailed application advice.

RECOMMENDED BROADCAST RATE

Apply 3 quarts of **WHAM! EZ** per acre when most grasses have reached the 1 to 3 leaf stage. Use 4 to 6 quarts of **WHAM! EZ** per acre when the grasses are large (4 to 6 leaf stage) or when unseasonably cool weather conditions prevail, grass and broadleaf weeds are stressed due to dry conditions, or in cases where the rice fields have not been drained completely and where weeds are large enough.

Barnyardgrass may be controlled up to 30 to 45 days after planting, before rice plants have reached the fully tillered growth stage.

NOTE: WHAM! EZ applied to rice after the 4 leaf stage may cause visible injury under some climatic conditions. Rice plants usually outgrow such injury.

NOTE: Water drained from treated rice fields must not be used to irrigate other crops or be released within ½ mile of a potable water intake in flowing water (i.e., river, stream, etc.) or within ½ mile of a potable water intake in a standing body of water (i.e., lake, pond, reservoir).

IN CALIFORNIA: Use **WHAM! EZ** only where rice fields are completely drained or a minimal amount of water remains. If higher water level is desired, relood field after 12 hours and before 7 days after treatment. This will discourage new weed infestations. Do not apply **WHAM! EZ** within 14 days before or after insecticide applications. Serious injury to rice may occur.

SPRAY MIXTURE PREPARATION

Wet Spray Application

Thoroughly mix **WHAM! EZ** with clean water (water that is free of sediment and agricultural chemicals) in the spray tank. Do not use water from paddies. Only approved drift control agents, e.g. Chemtrol 6, may be used with **WHAM! EZ**. Do not use any other additives except as directed by this label.

To ensure uniform mixing and application, agitate the mixture before application. If the mixture is not sprayed immediately after agitation, reagitate it before application. Always apply **WHAM! EZ** spray preparations within 24 hours of product mixing, or the product may degrade.

Do not store **WHAM! EZ** in nurse tanks or any other tanks used to store or transport clean water. Install one-way valves (anti-siphoning devices) on lines and hoses of mixing/loading equipment to prevent contamination of nurse tanks or other clean water sources.

Mixing and application equipment exposed to **WHAM! EZ** cannot be used for anything other than rice applications until it has been cleaned according to the procedures in the Sprayer Cleanup section of this label.

Additional Mixing Instructions (wet spray)

1. Fill the tank 1/4 to 1/3 full of clean water.
2. While agitating, add the required amount of **WHAM! EZ**
3. Continue agitation until the **WHAM! EZ** is fully dispersed, at least 5 minutes.
4. Once the **WHAM! EZ** is fully dispersed, maintain agitation and continue filling the tank with water. The **WHAM! EZ** should be thoroughly mixed with water before adding any other material.
5. As the tank is filling, add the required tank mix partner (other labeled rice herbicides, adjuvants, drift control agents, etc.).
6. If the mixture is not continuously agitated, settling may occur. If settling occurs, thoroughly re-agitate before using.
7. Apply **WHAM! EZ** spray preparations within 24 hours of product mixing, or the product may degrade.
8. If **WHAM! EZ** and a tank mix partner are to be applied in multiple loads, pre-slurry the **WHAM! EZ** in clean water prior to adding to the tank. This will prevent the tank mix partner from interfering with the dissolution of the **WHAM! EZ**.

TANK MIXTURES

WHAM! EZ can be tank mixed with any herbicide(s) registered for use on rice to increase the weed control spectrum. When tank mixing, observe all restrictions and limitations specified on the label of each product; always follow the most restrictive labeling.

WHAM! EZ plus FACET® - Early Postemergence

For a broader spectrum of postemergence grass and broadleaf weed control in rice, tank mix **WHAM! EZ** with **Facet® 50 WP** (or equivalent **Facet 75 WP**).

When the **WHAM! EZ /Facet®** tank mix is to be applied to rice fields during the early stage of rice growth (shortly after the first true leaf on the rice has developed), where longer **Facet®** residual activity is needed, and grass weeds are in the 1-4 leaf stage, apply 3-4 quarts of **WHAM! EZ** tank mixed with 0.75 pounds of **Facet® 50 WP** (or 0.50 pounds of **Facet® 75 DF**) per acre.

When the **WHAM! EZ /Facet®** tank mix is to be applied to larger rice than can soon tolerate a permanent flood (long quinclorac residual control not needed) yet prior to 80 days before harvest, apply as conditions warrant the following rates:

<u>Grass Stage¹ Rate</u>	<u>WHAM! EZ Rate</u>	<u>Facet® 50 WP Rate</u>
1-3 leaf stage	2.5 quarts	0.50 pounds
4-5 leaf stage	4.0 quarts	0.50 pounds
larger tillering	4 – 5 quarts	0.75 pounds

¹This tank mix combination works best when the grass weeds are in the 2-3-leaf stage and are actively growing. Use on larger tillering grasses is a rescue treatment and less likely to achieve total control.

When tank mixing **WHAM! EZ** and **Facet®**, 2 pints of crop oil concentrate should be added. Follow all **WHAM! EZ** and **Facet®** restrictions and water management instructions.

***Facet®** is not registered for use on rice in California; therefore, this tank mix cannot be used in California.

CONDITIONS OF SALE AND WARRANTY

RiceCo AND SELLER OFFER THIS PRODUCT AND THE BUYER AND USER ACCEPTS THIS PRODUCT UNDER THE FOLLOWING AGREED CONDITIONS OF SALE AND WARRANTY.

The directions for use of this product are believed to be reliable and should be followed carefully. However, it is impossible to take into account all variables and to eliminate all risks associated with its use. Injury or damage may result because of conditions that are beyond the control of **RiceCo** or the Seller. **RiceCo** warrants only that this product conforms to the chemical description on the label and is believed to be reasonably fit for the purposes referred to in the Directions for Use when used as directed under normal conditions. **RiceCo MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.** In no

case shall **RiceCo** or the Seller be liable for consequential, special or indirect damages resulting from the use or handling of this product. Any variation or exception from this warranty must be in writing and signed by an authorized **RiceCo** representative.

RiceCo LLC
5100 POPLAR AVENUE, 24TH FLOOR
MEMPHIS, TENNESSEE 38137 USA

WHAM! EZ® is a registered trademark of RiceCo LLC
Facet® is a registered trademark of BASF Ag

0203/0105



VIA FEDERAL EXPRESS TRK # 7921 9467 0341

January 31, 2005

Jim Tompkins, PM 25
Herbicide Branch
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504C)
U. S. Environmental Protection Agency
Room 266A, Crystal Mall 2
1801 S. Bell Street
Arlington, VA 22202-4501

**RE: WHAM! EZ, EPA REG. NO. 71085-5
NOTIFICATION AMENDMENT**

Dear Mr. Tompkins:

Enclosed please find the following in support of our Notification Amendment for the above referenced product:

- 1 - 8570-1 Notification Amendment Form
- 1 - Label

We are adding additional weeds to the label.

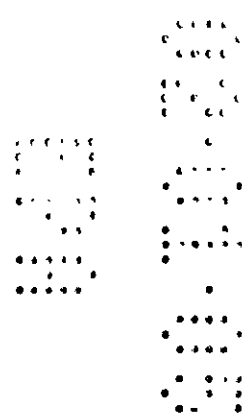
If you have questions/comments, please do not hesitate to contact me by telephone @ (901) 684-5381 or via email @ sam.bondurant@ricecollc.com.

Sincerely,

RICECO LLC

M. 'Sam' Bondurant
Director, Regulatory Affairs

MSB:js
Encls.



"...from the paddy to the plate"