

75240-3

08/31/2004

1/14

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0080. Approval expires 2-28-95



United States
Environmental Protection Agency
Washington, DC 20460

Registration
 Amendment
 Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 75240-3	2. EPA Product Manager J. Tompkins	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) AgValue-DP, LLC. / DES	PM# 25	
5. Name and Address of Applicant (Include ZIP Code) AgValue-DP, LLC c/o Pyxis Regulatory Consulting, Inc. 11324 17th Ave. Ct. NW Gig Harbor, WA 98332 <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 _____	NOTIFICATION AUG 31 2004
<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.	

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
Submission of label notification per PR Notice 98-10.

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
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"/> On Label <input type="checkbox"/> On Labeling accompanying product	
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 Michael Kellogg	Title Agent	Telephone No. (Include Area Code) (253) 353-7309
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 Agent	
4. Typed Name Michael Kellogg	5. Date 8/16/04	

2/14

Application for Registration (cont'd)

RE: 75240-3

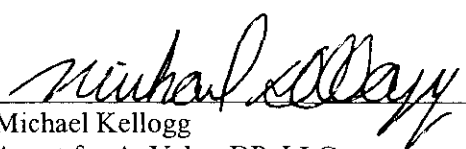
NOTIFICATION

Section II

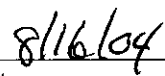
AUG 31 2004

EXPLANATION:

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.



Michael Kellogg
Agent for AgValue-DP, LLC



Date



1124 North Chinowth Street • Visalia, California 93291
Phone: 559/627-6956 • Fax: 559/627-6962 • Toll Free: 866/511-3171

December 22, 2003

To Whom It May Concern:

RE: Letter of Authorization

Dear Sir or Madam:

Please let this letter serve to confirm that Pyxis Regulatory Consulting, Inc. is now authorized to represent AgValue-DP, LLC, before the U.S. Environmental Protection Agency and state governmental agencies in all matters regarding our pesticide registrations pursuant to the Federal Insecticide, Fungicide and Rodenticide Act ("FIFRA"), 7 U.S.C. § 136 et seq. and state law. Pyxis Regulatory Consulting, Inc. will be replacing Mandava Associates as the registered agent for AgValue-DP, LLC.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Brian Heinze
Brian Heinze
President/CEO

cc: Pyxis Regulatory Consulting, Inc.

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NOTIFICATION

AUG 31 2004

DES

Herbicide

FOR AGRICULTURAL USE ONLY

Postemergence Herbicide for Control of Redroot Pigweed and Other Weeds in Sugar Beets

ACTIVE INGREDIENT:

Desmedipham* 16.0%

OTHER INGREDIENTS:** 84.0%

TOTAL: 100.0%

Contains 1.3 lbs. active ingredient per gallon.

This product contains the toxic inert ingredient isophorone.

*Ethyl m-hydroxycarbanilate carbanilate (ester)

**Contains petroleum distillates

EPA Reg. No. 75240-3

EPA Est. No.

Keep Out of Reach of Children

CAUTION

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 in detail.)

For 24-Hour Emergency Contact, call CHEMTREC (1-800-424-9300)

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 swallowed:	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give any liquid to the person. • Do not give anything by mouth to an unconscious person.
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.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-424-9300 for emergency medical treatment information.	
NOTE TO PHYSICIAN	
Contains petroleum distillate – vomiting may cause aspiration pneumonia.	

See inside label booklet for additional PRECAUTIONARY STATEMENTS

Net Contents:

**PRECAUTIONARY STATEMENTS
Hazards to Humans and Domestic Animals**

CAUTION

Harmful if swallowed. Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals.

PERSONAL PROTECTIVE EQUIPMENT

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

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves such as barrier laminate or butyl rubber ≥14 mils, nitrile rubber ≥14 mils, or Viton® ≥14 mils
- Shoes plus socks
- Protective eyewear

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 STATEMENT

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.
- Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as practical, wash thoroughly and change into clean clothing.

ENVIRONMENTAL HAZARDS

This product is toxic to fish. 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 apply where runoff is likely to occur. Do not apply when weather conditions favor drift from areas treated. Do not contaminate water when cleaning equipment or disposing of equipment washwaters.

PHYSICAL OR CHEMICAL HAZARDS

COMBUSTIBLE. Do not use or 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 the entire Directions for Use before using this product. 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 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 barrier laminate or butyl rubber ≥14 mils, nitrile rubber ≥14 mils, or Viton® ≥14 mils
- Shoes plus socks
- Protective eyewear

GENERAL INFORMATION

When used as directed, DES Herbicide is selective against weeds in sugar beets. Follow label directions carefully to avoid severe injury to sugar beets. For best results, spray weeds in the cotyledon stage which are actively growing and are not under water or heat stress. DES Herbicide will control the following weeds:

Annual sowthistle	<i>Sonchus oleraceus</i>	London rocket	<i>Sisymbrium irio</i>
Black nightshade	<i>Solanum nigrum</i>	Nettleleaf goosefoot	<i>Chenopodium murale</i>
Hairy nightshade	<i>Solanum sarrachoides</i>	Prostrate pigweed	<i>Amaranthus gracizans</i>
Coast fiddleneck	<i>Amsinckia intermedia</i>	Purslane	<i>Portulaca oleracea</i>
Common chickweed	<i>Stellaria media</i>	Redroot pigweed	<i>Amaranthus retroflexus</i>
Common lambsquarters	<i>Chenopodium album</i>	Shepherdspurse	<i>Capsella bursa-pastoris</i>
Common ragweed	<i>Ambrosia artemisiifolia</i>	Wild buckwheat	<i>Polygonum convolvulus</i>
Groundcherry	<i>Physalis lanceifolia</i>	Wild mustard	<i>Brassica kaber</i>

GENERAL PRECAUTIONS AND RESTRICTIONS

DO NOT APPLY DES HERBICIDE TO SUGAR BEETS LATER THAN 75 DAYS PRIOR TO HARVEST.

DO NOT EXCEED A TOTAL OF 12 PINTS DES PER ACRE PER SEASON.

DO NOT APPLY THIS PRODUCT THROUGH ANY TYPE OF IRRIGATION SYSTEM.

DES MAY CAUSE BEET INJURY IF THE CROP IS UNDER STRESS FROM ONE OR MORE OF THE FOLLOWING CONDITIONS:

- Rapid climatic changes from cool, overcast days, to hot (80°F or over) bright days. When the air temperature is, or is likely to be, above 80°F on the day of spraying, application should be made in the late afternoon when the temperature is decreasing.
- Frost within 3 days prior to application or 7 days following treatment
- Windy conditions or drought
- Use of a preplant or preemergence herbicide or other chemicals
- Insect or disease injury
- Close cultivation

If stress conditions are present, delay application in order to give plants a chance to recover.

IMPORTANT: DES Herbicide may cause temporary growth retardation and/or chlorosis or tipburn on sugar beets. Sugar beets usually resume normal growth within 10 days.

DO NOT OVERTREAT: The use of higher than recommended rates may cause beet injury and/or carryover problems when tank mixed with ETHO SC Herbicide.

Do not spray while dew is present.

Rainfall or sprinkler irrigation within 6 hours of spraying may reduce weed kill.

Do not allow spray drift to contact adjacent crops which may be injured by spray drift.

PRACTICES TO LOWER THE POTENTIAL FOR SPRAY DRIFT

Avoiding spray drift at the application site is the responsibility of the applicator. The interactions of many equipment- and weather-related factors determine the potential for spray drift. The applicator and the grower are responsible for considering all these factors when making decisions.

The following drift management requirements must be followed to avoid off-target drift movement from aerial applications to agricultural field crops. These requirements do not apply to forestry applications, public health uses, or to applications using dry formulations.

1. The distance of the outer most nozzles on the boom must not exceed 3/4 of the length of the wingspan or rotor.
2. Nozzles must always point backward, parallel with the air stream, and never be pointed downward more than 45 degrees.

Where States or Tribes have more stringent regulations, they should be observed.

The applicator should be familiar with, and take into account, the information covered in the *Aerial Drift Reduction Advisory Information*.

AERIAL DRIFT REDUCTION ADVISORY INFORMATION

Information On Droplet Size:

The most effective way to reduce drift potential is to apply large droplets. The best drift management strategy is to apply the largest droplets that provide sufficient coverage and control. Applying larger droplets reduces drift potential, but will not prevent drift if applications are made improperly, or under unfavorable environmental conditions. (See Wind, Temperature and Humidity, and Temperature Inversions.)

Controlling Droplet Size:

- Volume – Use high flow rate nozzles to apply the highest practical spray volume. Nozzles with higher rated flows produce larger droplets.
- Pressure – Do not exceed the nozzle manufacturer's recommended pressures. For many nozzle types lower pressure produces larger droplets. When higher flow rates are needed, use higher flow rate nozzles instead of increasing pressure.
- Number of Nozzles – Use the minimum number of nozzles that provide uniform coverage.
- Nozzle Type – Use a nozzle type that is designed for the intended application. With most nozzle types, narrower spray angles produce larger droplets. Consider using low-drift nozzles. Solid stream nozzles oriented straight back produce the largest droplets and the lowest drift.

Boom Length:

For some use patterns, reducing the effective boom length to less than 3/4 of the wingspan or rotor length may further reduce drift without reducing swath width.

Application Height:

Applications should not be made at a height greater than 10 feet above the top of the largest plants unless a greater height is required for aircraft safety. Making applications at the lowest height that is safe reduces exposure of droplets to evaporation and wind.

Swath Adjustment:

When applications are made with a crosswind, the swath will be displaced downwind. Therefore, on the up and downwind edges of the field, the applicator must compensate for this displacement by adjusting the path of the aircraft upwind. Swath adjustment distance should increase, with increasing drift potential (higher wind, smaller drops, etc.).

Wind:

Drift potential is lowest between windspeeds of 2 to 10 mph. However, many factors, including droplet size and equipment type determine drift potential at any given speed. Applications should be avoided below 2 mph due to variable wind direction and high inversion potential.

NOTE: Local terrain can influence wind patterns. Every applicator should be familiar with local wind patterns and how they affect spray drift.

Temperature and Humidity:

When making applications in low relative humidity, set up equipment to produce larger droplets to compensate for evaporation. Droplet evaporation is most severe when conditions are both hot and dry.

Temperature Inversions:

Avoid applications during a temperature inversion because drift potential is high. Temperature inversions restrict vertical air mixing, which causes small suspended droplets to remain in a concentrated cloud. This cloud can move in unpredictable directions due to the light variable winds common during inversions. Temperature inversions are characterized by increasing temperatures with altitude and are common on nights with limited cloud cover and light-to-no wind. They begin to form as the sun sets and often continue into the morning. Their presence can be indicated by ground fog; however, if the fog is not present, inversions can also be identified by the movement of smoke from a ground source or an aircraft smoke generator. Smoke that layers and moves laterally in a concentrated cloud (under low wind conditions) indicates an inversion, while smoke that moves upward and rapidly dissipates indicates good vertical air mixing.

The pesticide should be applied when the potential for drift to adjacent sensitive areas (e.g., residential areas, bodies of water, known habitat for threatened or endangered species, nontarget crops) is minimal (e.g., when wind is blowing away from sensitive areas).

Mixing the Spray:

MAKE SURE THE SPRAYER IS CLEAN.

DES emulsifiable concentrate formulation contains sufficient wetting agents for optimum coverage. Do not add additional wetting agents or other spray adjuvants except as specified for "Micro-Rate Applications". Add sufficient water to fill the lines, then add the desired amount of DES Herbicide and the remaining quantity of water with the bypass agitator running. Bypass agitation is sufficient; mechanical agitation is not necessary. Only use freshly prepared spray emulsions.

Always spray immediately after preparing the spray solution. Prepare only enough spray solution to last less than four hours.

RATES OF APPLICATION

MULTIPLE (LOW RATE) APPLICATIONS (ALL SUGAR BEET AREAS EXCEPT CALIFORNIA):

Multiple (low rate) applications of DES Herbicide may be applied by air or ground to sugar beets to control early germinating weeds. The first application must be applied when the earliest emerging weeds have reached cotyledon size. See *Chart 1* for broadcast rates. For broadcast applications with ground equipment, apply in 10 to 20 gallons of water per acre. Use 5 to 15 gallons of water per acre with aerial application. See *Chart 2* for equivalent band rates. Any weeds which are not completely controlled by the first treatment will usually be checked and controlled by repeat applications. The repeat application should be made 5 to 7 days after the preceding application, or when another flush of weeds germinates. If the second application is delayed, conventional treatment will be necessary; see Conventional Applications.

To avoid excessive phytotoxicity to fall-planted sugar beets south of the Tehachapi Mountains in California when temperatures are above 85°F, apply DES at the rate of 1 pint per acre (broadcast equivalent). Evening applications are recommended.

DES Herbicide applied postemergence in a tank mix with ETHO SC Herbicide (see Chart 3) broadens and enhances the control of troublesome weeds. In addition, it provides control of Ladysthumb (*Polygonum persicaria*) and Pennsylvania smartweed (*Polygonum pennsylvanicum*).

For further information, contact your County Agricultural Agent, Farm Advisor or AgValue-DP, LLC

**Chart 1
Dosage Chart for Multiple (Low Rate) Broadcast Applications**

Pints/Acre Broadcast		
Weed Stage*	DES ALONE	DES + ETHO SC
Cotyledon	1.5 – 3.0	1.5 + 0.25
2 leaf	2.0 – 3.0	2.0 + 0.33
4 leaf	3.0 – 4.5	3.0 + 0.5

*Applications should begin at the cotyledon stage of the weeds.

*Higher dosage rates could be required, depending on the advancement of the weed stage.

*Do not exceed 1.5 pt./acre when sugar beets are at or less than the cotyledon stage.

*Early two true-leaf sugar beets tend to be the most susceptible to phytotoxicity.

**Chart 2
DES Dosage Chart for Band Application**

Broadcast Equivalent	Band Width	Band Rate – Row Spacing (fluid ounces)			
		22"	24"	28"	30"
1.50 pints/acre	5"	5.5	5.0	4.3	4.0
	7"	7.6	7.0	6.0	5.6
2.0 pints/acre	5"	7.3	6.7	5.7	5.3
	7"	10.2	9.3	8.0	7.5
3.0 pints/acre	5"	10.9	10.9	8.6	8.0
	7"	15.3	14.0	12.0	11.2
4.5 pints/acre	5"	16.4	15.0	12.9	12.0
	7"	22.9	21.0	18.0	16.8
6.0 pints/acre	5"	21.8	20.0	17.1	16.0
	7"	30.5	28.0	24.0	22.4
7.5 pints/acre	5"	27.3	25.0	21.4	20.0
	7"	38.2	35.0	30.0	28.0

**Chart 3
ETHO SC Dosage Chart for Multiple (Low Rate) Band Applications**

Broadcast Equivalent	Band Width	Band Rate – Row Spacing (fluid ounces)			
		22"	24"	28"	30"
0.25 pints/acre	5"	0.9	0.8	0.7	0.7
	7"	1.3	1.2	1.0	0.9
0.33 pints/acre	5"	1.2	1.1	0.9	0.9
	7"	1.7	1.5	1.3	1.2
0.5 pints/acre	5"	1.8	1.7	1.4	1.3
	7"	2.5	2.3	2.0	1.9

CONVENTIONAL APPLICATIONS

By Ground: Apply DES Herbicide at the rate of 4.5 to 7.5 pints per acre in 20 to 50 gallons of water broadcast basis. For band application, see *Chart 2*.

By Air: Apply DES Herbicide at the rate of 4.5 to 7.5 pints per acre using 5 to 15 gallons of spray per acre.

Apply the 4.5 to 7.5 pint rates only to sugar beets past the two true-leaf stage. Use the 7.5-pint rate only on well-established sugar beets which are not under stress. The stage of growth of the weeds is very important for satisfactory control. For best results, spray when the weeds are at the two true-leaf stage or smaller, are actively growing and are not under water or heat stress.

In order to avoid phytotoxic spray drift to nontarget crops during application of DES, the following buffer zones should be observed:

Cotton, Potatoes, Sunflowers, Sorghum, Wheat	50 feet
Blackeye beans, Cabbage, Flax.....	100 feet
Lettuce, Rape, Tomatoes.....	300 feet

DO NOT APPLY WHEN WIND SPEED IS OVER 10 MILES PER HOUR. AVOID APPLICATIONS WHEN CONDITIONS FAVOR DRIFT.

REPEAT APPLICATION OF DES: For control of later germinating weeds, make a second application of DES Herbicide; use 4.5 to 6 pints of DES. Allow at least 7 days between first and second applications. Apply when sugar beets have at least 4 leaves. For best results, use the higher rate and spray when weeds are at the two true-leaf stage. Apply lower rates when the sugar beets are under stress as explained in the *Use Precautions* section.

TANK MIX COMBINATIONS

When tank mixing, read and follow the label for each tank mix product used for precautionary statements, directions for use, weeds controlled, geographic, and other restrictions. Use in accordance with the most restrictive of label limitations and precautions. No label dosage should be exceeded. This product cannot be mixed with any product containing a label prohibition against such mixing.

DES Herbicide can be tank mixed with the following broadleaf herbicides for improved broadleaf weed control if application timing is correct for the tank mix products.

Herbicide	Use Rate (pt./A)
Stinger™*	0.25 – 0.50
D-P MIX	See Chart 4
DES-PHEN-ETHO	See Chart 4

*The DES + Stinger™ tank mix should be applied when sugar beets are in the two true-leaf stage or larger.

Chart 4
Dosage Chart for Tank Mixes of D-P MIX or DES-PHEN-ETHO with DES

Desired Rate (Pints/acre Broadcast)	D-P MIX + DES (Pints/acre Broadcast)	DES-PHEN-ETHO + DES (Pints/acre Broadcast)
1.13	0.57 + 0.57	0.43 + 0.57
1.25	0.63 + 0.63	0.47 + 0.63
1.33	0.67 + 0.67	0.50 + 0.67
1.50	0.75 + 0.75	0.56 + 0.75
1.75	0.88 + 0.88	0.66 + 0.88
2.25	1.13 + 1.13	0.85 + 1.13
3.25	1.63 + 1.63	1.22 + 1.63
5.0	2.50 + 2.50	1.88 + 2.50

MICRO-RATE APPLICATIONS (Except California)

Multiple Micro-rate applications of DES Herbicide in tank mixtures with reduced rates of UpBeet®, Stinger™, and modified seed oils may be applied by air or ground equipment to sugar beets to control early germinating weeds.

When adding spray adjuvants to DES the rate must not exceed 0.08 lb a.i./A (see Dosage Chart 5 below) when sugar beets are in the cotyledon to 4-true-leaf stage. When the smallest sugar beet plants in the field are in the 4-true-leaf stage, the rate can be increased to 0.12 lb a.i./A (see Dosage Chart 5 below). The use of wetting agents or spray adjuvants with conventional rates (0.73 to 1.22 lb a.i./acre) or multiple low rate (0.24 to 0.73 lb a.i./acre) applications of DES is prohibited.

Favorable climatic conditions (good conditions for plant growth and development) are essential for adequate weed control.

Chart 5

Dosage Chart for Multiple Micro-Rate Broadcast Applications

Sugar Beet Stage	DES Fluid Ounces/Acre Broadcast
Cotyledon to 4-leaf	8.0 (equivalent to 0.08 lb. a.i./A)
4-Leaf*	8.0 – 12.0 (equivalent to 0.08 – 0.12 lb. a.i./A)

*Rate can be increased when the smallest sugar beet plants in the field are in the 4-true leaf stage or larger.

Application of DES Herbicide in broadcast applications is strongly recommended. If band applications are used, do not use less than 11-inch bands.

For broadcast applications of DES with selected tank mix partners, apply in 10 to 20 gallons of water per acre for ground application, or 5 to 15 gallons of water per acre for aerial application. Use the minimum rate recommended on the tank mix partner label, or a reduced rate of the tank mix partner(s), at the discretion of the grower or applicator, as permitted under FIFRA. [Minimum label rate for UpBeet® is 0.5 oz/acre; for Stinger™, 4.0 fl oz/acre.]

Use modified seed oils at a finished spray concentration of 1.5% v/v or a minimum of 1 pt/acre. A minimum of three sequential applications should be used. Accurate timing is essential; make initial application immediately after weeds emerge, and make repeat applications on 5- to 7-day intervals. If weed control is not adequate due to climatic conditions, spray coverage or other factors, return to conventional application rates.

DES Herbicide can be mixed with UpBeet®, Stinger™, and modified seed oils for use on sugar beets in accordance with the most restrictive label limitations and precautions. No label dosage rates should be exceeded. DES Herbicide cannot be mixed with any product containing a label prohibition against such mixing.

Fungicides or insecticides can be tank mixed with DES plus UpBeet® plus Stinger™ plus methylated seed oils, however, do not combine both fungicides and insecticides with micro-rate mixtures.

Mixing Instructions for Micro-Rate Multiple Applications of DES

1. Start with a clean spray tank.
2. Fill spray tank with one-third of the total amount of clean water needed for application and start gentle agitation.
3. Slurry UpBeet® in water before adding to spray tank, then add slurried UpBeet® to spray tank.
4. Fill spray tank to two-thirds of the total amount of clean water needed for the application.
5. Add DES followed by Stinger™, then modified seed oil.
6. Add remaining amount of water while continuing gentle agitation. Spray immediately. Spray mixture should not remain in spray tank overnight.

Use Precautions for Micro-Rate Applications

Not all weeds will be adequately controlled, even with favorable climatic conditions. Micro-rate applications of DES mixed with UpBeet® and Stinger™ will not control ALS-resistant kochia. Conventional rates of DES and/or hand labor may be required if multiple micro-rate applications do not adequately control weeds.

Modified seed oils must not be added if the DES rates exceed the rates listed in Dosage Chart 5 above, as the addition of modified seed oils could increase the possibility of crop injury at dosage rates greater than those listed in the Dosage Chart 5.

Multiple micro-rate applications may injure sugar beets if climatic conditions rapidly change from cool, wet, overcast days to bright sunny days. Plugging of spray nozzles may be encountered due to the potential formation of a precipitate in the spray solution that is often associated with micro-rate applications. To minimize potential formation of precipitate, start with a clean spray system, use warm spray water for mixing, completely empty spray solution from each tank load, flush tank and lines between loads with fresh water, never leave diluted spray solution in tank overnight, and/or add ammonia (2% household) at 1% v/v or a basic blend additive (as referenced in the most recent North Dakota State University Weed Control Guide) at 1% v/v. DO NOT apply micro-rate treatments when conditions are favorable for drift to nontarget species.

STORAGE AND DISPOSAL

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

Pesticide Storage: Store in original container and keep closed. Store in a cool, dry place away from heat or open flame.

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 EPA Regional Office for guidance.

When Packaged in Plastic Containers:

Container Disposal: Triple rinse (or equivalent). Then offer 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. **DO NOT REUSE THIS CONTAINER.**

When Packaged in Bulk/Mini-bulk Tanks:

Bulk/Mini-bulk Tanks: Triple rinse (or equivalent) and wash with appropriate cleaners before reusing.

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 Limitations of Remedies.

WARRANTY DISCLAIMER

AgValue-DP, LLC 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. AgValue-DP, LLC 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. Plant 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 AgValue-DP, LLC 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 AgValue-DP, LLC's 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.

AgValue-DP, LLC shall not be liable for losses or damages resulting from handling or use of this product unless AgValue-DP, LLC is promptly notified of such loss or damage in writing. In no case shall AgValue-DP, LLC be liable for consequential, incidental or special damages or losses.

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 AgValue-DP, LLC or the seller is authorized to vary or exceed the terms of the Warranty Disclaimer or this Limitation of Remedies in any manner. Buyer accepts this product subject to the foregoing limitations of warranty and of liability.

Stinger™ is a trademark of Dow AgroSciences, LLC.
Viton® is a registered trademark of DuPont Dow Elastomers.
UpBeet® is a registered trademark of E.I. duPont de Nemours & Co., Inc.

AgValue-DP, LLC of Visalia, California 93291

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PYXIS REGULATORY CONSULTING, INC.

11324 17th Ave. Ct. NW
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August 16, 2004

COURIER DELIVERY

Jim Tompkins (PM25)
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7505C)
U.S. Environmental Protection Agency
Room 266A, Crystal Mall 2
1801 Bell Street
Arlington, VA 22202-4501

RE: AgValue-DP, LLC – DES (EPA Reg. No. 75240-3)
Submission of Label Notification PRN 98-10

Dear Mr. Tompkins:

On behalf of AgValue-DP, LLC, we are submitting a label notification per PRN 98-10. Changes made to the enclosed labeling include:

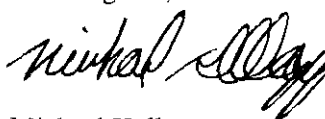
- Changed “DES-PHEN” tank-mix references to “D-P MIX” [Note to Reviewer: DES-PHEN and D-P MIX are the same product, EPA Reg. No. 75240-5]
- Changed company name stated on label from “AgValue, Inc.” to “AgValue-DP, LLC” as registrations are held by AgValue-DP, LLC

In support of this notification, we submit the following documents:

1. Completed Application for Registration (EPA Form 8570-1)
2. One (1) copy of the DES labeling with changes tracked [Editors Note: Added text is underlined and deleted text is annotated by ~~strike through~~]
3. One (1) copy of the DES labeling with changes incorporated
4. Letter of Authorization

Please do not hesitate to contact me if you have any questions or need any additional information.

Best Regards,



Michael Kellogg

Enclosures

cc: Brian Heinze; AgValue-DP, LLC