

3/16/01 file

# New York State Department of Environmental Conservation

Division of Solid & Hazardous Materials

Bureau of Pesticides Management

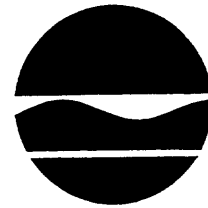
Pesticide Product Registration Section

625 Broadway, Albany, New York 12233-7257

Phone 518-402-8768 FAX 518-402-9024

Website: <http://www.dec.state.ny.us/website/dshmp/pesticide/pesticide.htm>

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Erin M. Crotty  
Commissioner

November 16, 2001

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Ms. Laura L. Whatley, Ph.D.  
Senior Registration Scientist  
BASF Corporation  
P.O. Box 13528  
Research Triangle Park, NC 27709-3528

Dear Dr. Whatley:

**Re: Application for Registration of One New Pesticide Product, Basagran T/O Herbicide (homeowner) (EPA Reg. No. 7969-45), and Registration of a Revised Label for Basagran Herbicide (EPA Reg. No. 7969-45), Which Represent a Major Change in Labeling for the Active Ingredient Sodium Salt of Bentazon**

The Department has reviewed your applications, received September 18, 2001, to register one new pesticide product, **Basagran T/O Herbicide (homeowner)** (EPA Reg. No. 7969-45), and a revised label for **Basagran Herbicide** (EPA Reg. No. 7969-45) in New York State. The products represent major changes in labeling for the active ingredient **sodium salt of bentazon**.

Basagran Herbicide (EPA Reg. No. 7969-45) is currently registered in New York State for postemergent control of certain broadleaf weeds and sedges in soybeans, corn (field, sweet, popcorn, and corn grown for seed or silage), sorghum, rice, peanuts, beans (dry or succulent), peas (dry or succulent), peppermint and spearmint. The new label adds use on the following nonbearing food crops: almonds, apples, apricots, avocados, blackberries, blueberries, cherries, crabapples, dates, figs, grapes, grapefruit, lemons, limes, macadamias, nectarines, olives, oranges, peaches, pears, pecans, pistachios, plums, pomegranates, prunes, raspberries, tangelos, tangerines, and walnuts.

Basagran T/O Herbicide (homeowner) (EPA Reg. No. 7969-45) is a new product which is labeled for homeowner use in established turf and ornamentals for the control of broadleaf weeds and sedges.

The Department has determined that the above-referenced application is **incomplete** for purposes of review. Additional information is necessary in order to assess potential adverse health, ground and surface water, and fish and wildlife impacts.

United States Environmental Protection Agency (USEPA) branch reviews (Toxicology, Environmental Effects and Environmental Fate & Groundwater) and Data Evaluation Record reports (DERs), studies or study summaries for the following studies must be submitted in order for the application to be considered complete:

1. Battery of acute toxicity studies (oral, dermal, inhalation toxicity, eye and dermal irritation, skin sensitization);
2. Subchronic dermal (rat) and feeding studies (rat, mouse and dog);
3. Chronic feeding and oncogenicity studies (rat and mouse); one-year feeding (dog);
4. Developmental and reproductive toxicity studies;
5. Genotoxicity studies;
6. Complete set of environmental fate studies (including: hydrolysis, photodegradation in soil and water, aerobic and anaerobic soil metabolism, aerobic and anaerobic aquatic metabolism, leaching and adsorption/desorption, and terrestrial field dissipation);
7. Complete set of environmental effects studies (including: avian oral LD50, avian dietary LC50, avian reproduction, freshwater fish LC50, fish early life stage, fish life cycle, freshwater invertebrate LC50, freshwater invertebrate life cycle, marine/estuarine (fish, shrimp, oyster), honeybee (acute contact, foliage residues and subacute feeding), and phytotoxicity (aquatic algae [tier 2 and 3] and macrophytes); and
8. EPA One-Line Summaries.

In addition to the above-listed information, the Department requests an explanation of the statement: "Not for use in California or Florida" which appears on the Basagran Herbicide label. Also, Basagran T/O Herbicide is labeled for homeowner use, yet the concentration of the active ingredient is high (44%) and the directions are quite complex for lay persons, perhaps increasing the risks to applicators, the general public and the environment. This potential could be an issue during the registration review of this product.

The above information will be necessary to continue the review of the above-referenced application package. BASF Corporation must submit the required information to this office within **45** calendar days of receipt of this letter.

Ms. Laura L. Whatley, Ph.D.

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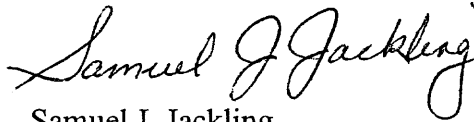
Failure to submit the requested information within the designated time frame will result in the termination of the review process.

Please note that if you wish to reapply for registration after the specified 45-day deadline, you must submit the requested information along with new application forms and fees.

Please be aware that any unregistered product may not be sold, offered for sale, distributed, or used in New York State.

Please contact Ms. Broughel, of my staff, at (518) 402-8768, if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Samuel J. Jackling".

Samuel J. Jackling  
Chief  
Pesticide Product Registration Section

cc: N. Kim/D. Luttinger - NYS Dept. of Health