

NOTICE OF EMERGENCY EXEMPTION FOR THE USE OF CAPTURE 2EC TO CONTROL BEETLE COMPLEX IN SWEET POTATOES

May 17, 2004

The Environmental Protection Agency has granted a specific exemption under the provisions of Section 18 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended, to the Arkansas State Plant Board for the use of Capture 2EC Herbicide (bifenthrin, EPA Reg. No. 279-3069) for the control of beetle complex in sweet potatoes. **Applicators must be in possession of the Capture 2EC Herbicide Emergency Exemption Labeling at the time of application.** All applicable directions, restrictions, and precautions on the EPA product label for Capture 2EC and this notice must be followed.

Capture 2EC may be applied by ground or aerial equipment, at a rate of 0.05 lb. a.i.(3.2 oz. product) per acre. Capture 2EC may be applied at a rate of 0.3 lbs. active per acre as an in-furrow spray or T-band spray at planting time. Capture may be applied as a banded spray over the row at a rate of 0.05 lbs. active per acre (3.2 oz. product) in 10 gallons of spray by ground and 3 gallons of spray by air.

DO NOT make more than 5 foliar applications per season. No more than 7 applications total per acre per season may be made.

DO NOT apply within 21 days of harvest. Treated fields may NOT be grazed by livestock.

A maximum of 21,000 acres of sweet potatoes may be treated under this exemption.

A report of each application made under the Exemption must be filed with the Plant Board within 10 days of application. The following format is suggested for use by the applicator so the information required by the EPA will be provided: **THIS INFORMATION IS NOT TO BE REPORTED ON PINK FORM NUMBER 1007.**

REPORT OF CAPTURE 2EC APPLICATION TO SWEET POTATOES

Applicator's Name:

Applicator's Address:

Farmer's Name:

Farmer's Address:

Acres Treated:

Pounds of Active Ingredient Applied per Acre:

Location of Field:

Time and Date of Application:

Reports may be mailed to: Arkansas State Plant Board, PO Box 1069, Little Rock, AR 72203-1069 or faxed to: (501) 312-7053.

Capture Herbicide Manufactured by: FMC Corporation, 1735 Market Street, Philadelphia, PA. 19103

THIS EXEMPTION EXPIRES NOVEMBER 30, 2004

RESTRICTED USE PESTICIDE

Toxic to fish and aquatic organisms

For retail sale to and use only by certified applicators or persons under their direct supervision and only for those uses covered by the certified applicator's certification.

Section 18
Crisis Exemption
04-AR-03FOR
DISTRIBUTION
AND USE ONLY
IN ARKANSAS**Insecticide/Miticide**For Agricultural or Commercial Use Only
EPA Reg. No. 279-3069

EMERGENCY CALLS: 800-331-3148

**IT IS A VIOLATION OF FEDERAL LAW TO USE THIS PRODUCT IN
A MANNER INCONSISTENT WITH ITS LABELING****THIS LABELING MUST BE IN THE POSSESSION OF THE USER AT THE TIME OF PESTICIDE
APPLICATION.**

The Arkansas State Plant Board has declared a Crisis Exemption under the provisions of Section 18 of the Federal Insecticide, Fungicide and Rodenticide Act as amended, for the use of Capture 2EC Insecticide/Miticide (EPA Reg. No. 279-3069) to control sweet potato weevil, the Beetle Complex and other insect pests in Sweet Potato. Applications may begin on April 1, 2004 and continue to November 30, 2004 in Arkansas.

Crop	Pest	Rate of Application
Sweet Potato	Beetle Complex to include the adult and immature life stages of Flea beetles, click beetles (wireworms), cucumber beetles (rootworm), whitefringed beetles, and May/June beetles (white grub)	See Directions for Use for specific information

DIRECTIONS FOR USE:

Capture may be applied as an in-furrow planting time treatment for the control of wireworms, rootworms and white grubs. Apply Capture at the rate of 0.3 pounds active per acre (19.2 ounces formulated) as an in-furrow spray or T-band spray at planting time.

Capture may be applied as a lay-by treatment for the control of wireworms, rootworms and white grubs. Apply Capture to the drill area and cover with soil utilizing cultivation equipment set to throw soil to the drill area. Apply Capture as a banded spray over the row at a rate of 0.05 pounds active per acre (3.2 ounces formulated) in 10 gallons per acre of spray.

Capture may be applied as a foliar spray for the control of the adult life stages of flea beetles, click beetles (wireworms), cucumber beetles (rootworms), white fringed beetles and May/June beetles (white grubs). Capture should be applied at the rate of 0.05 lbs active per acre (3.2 ounces formulated) in 10 gallons of spray by ground and 3 gallons of spray by air. Do not make more than 2 foliar applications per season

RESTRICTIONS:

Do not apply more than 0.5 pounds active ingredient per season.

Do not apply within 21 days of harvest.

Treated fields may not be grazed.

Observe all the restrictions of the Capture 2EC label.

CONDITIONS OF USE:

FMC Corporation intends that this Section 18 Crisis Exemption label be distributed only to end users and/or growers and/or applicators acting on behalf of growers who agree that FMC would not be held responsible for failure to perform and/or any crop damage from use of Capture 2EC for beetle complex control on sweet potato. If such terms and conditions are unacceptable, FMC requests the return of Capture 2EC at once unopened. FMC considers the user to have accepted such terms and conditions upon use of this product.

ALL APPLICATION DIRECTIONS, RESTRICTIONS AND PRECAUTIONS ON THE EPA REGISTERED LABEL ARE TO BE FOLLOWED.**PERSONAL PROTECTIVE EQUIPMENT AND REENTRY INTERVALS ON THE BASIC LABEL MUST BE FOLLOWED.****THIS LABELING MUST BE IN THE POSSESSION OF THE USER AT THE TIME OF PESTICIDE APPLICATION.**FMC Corporation
Agriculture Products Group
1735 Market Street
Philadelphia, PA 19103

Capture2EC_18_AR_sweet potato_05-11-2004.doc

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