



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

October 27, 2022

Document Processing Desk (SLN)
Office of Pesticide Programs-7504P)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460-0001

Re: **Amendment** Special Local Need Registration SD090008

Dear Sir/Madam:

Enclosed please find a copy of the label to amend the expiration date to read, this special local need label expires December 22, 2027.

SD090008 Habitat Herbicide – Saltcedar control

The purpose of the Special Local Need registration is to provide Saltcedar control in areas that may be grazed or cut for hay for the purpose of water conservation and riparian and wildlife habitat restoration.

If you have any questions, please contact me at (605) 773-4432.

Sincerely,

Tom Gere

Environmental Scientist Manager
Inspection, Compliance and Remediation
Division of Ag and Environmental Services



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Agricultural Solutions

October 24, 2022

Tom Gere
Inspection, Compliance, Remediation Program
South Dakota Department of Agriculture and Natural Resources
523 East Capitol Avenue
Pierre, SD 57501

Re: Renewal of Habitat[®] herbicide 24(c) for control of saltcedar

Dear Mr. Gere:

Please find enclosed the following documents to renew the Habitat[®] herbicide 24(c), SD-090008, EPA Reg. No. 241-426, which allows for additional environmental precautions:

- Draft 24(c) label with revised expiration date of December 22, 2027, NVA 2022-04-0246-0166
- EPA Form 8570-25

Thank you, and please contact me at 919-547-2545 or janet.hou@basf.com if you require anything else.

Sincerely,
BASF Corporation

A handwritten signature in black ink, appearing to read "Janet Hou", written over a horizontal line.

Janet Hou
State Regulatory Affairs Manager

Encl.

BASF Corporation
26 Davis Drive, PO Box 13528
Research Triangle Park
NC 27709-3528
Tel: (919) 547-2000
www.basf.com/usa

Helping Make Products Better™



United States Environmental Protection Agency
Office of Pesticide Programs, Registration Division (7505C)
Washington, DC 20460

**Application for/Notification of State Registration
of a Pesticide To Meet a Special Local Need**
(Pursuant to section 24(c) of the Federal Insecticide,
Fungicide, and Rodenticide Act, as Amended)

For State Use Only
Registration No. Assigned
Date Registration Issued

1. Name and Address of Applicant for Registration

BASF Corporation
PO Box 13528
Research Triangle Park, NC 27709

2. Product is (Check one)

EPA-Registered

EPA Registration Number
241-426

New (not EPA-registered)

Attach EPA Form 8570-4, Confidential Statement of
Formula for new products.EPA Company Number
241

3. Active Ingredient(s) in Product

imazapyr

4. Product Name

Habitat® herbicide

5. If this is a food/feed use, a tolerance or other residue clearance is
required. Cite appropriate regulations in 40 CFR Part 180, 185, and/or
186. 180.500

6. Type of Registration (Give details in Item 13 or on a separate
page, properly identified and attached to this form):☐ a. To permit use of a new product.☒ b. To amend EPA registrations for one or more of the following purposes:☐ (1) To permit use on additional crops or animals.☐ (2) To permit use at additional sites.☐ (3) To permit use against additional pests.☐ (4) To permit use of additional application techniques or equipment.☐ (5) To permit use at different application rates.☒ (6) Other (specify below)

7. Nature of Special Local Need (check one)

☐ There is no pesticide product registered by EPA for such use.☒ There is no EPA-registered pesticide product which, under the conditions of use within
the State, would be as safe and/or as efficacious for such use within the terms and
conditions of EPA registration.☐ An appropriate EPA-registered pesticide product is not available.8. If this registration is an amendment to an EPA-registered product, is it
for a "new use" as defined in 40 CFR 152.3?

Yes (discuss in Item 13 below)



No

9. Has an EPA Registration or Experimental Use Permit for this chemical ever been
(check applicable box(es), if known):

Sought



Issued



Denied



Cancelled



Suspended



Registration



Experimental Use Permit



No Previous Permit Action

10. Has FIFRA section 24(c) registration for this use of the
product ever, by another State, been (check appropriate
box(es), if known):

Sought



Issued



Denied



Revoked

If any of the above are checked, list States in Item 13 below.

☒ No FIFRA section 24(c) Action11. Endangered Species Act: (Give details in Item 13 or on a separate page,
properly identified and attached to this form)

Identify the counties where this pesticide will be used. If Statewide, indicate "all."
Provide a list of Federally protected endangered/threatened species which occur in
the areas of proposed use.

12. Indicate use status of Special Local Need, i.e., planned dates of
use:

From: May To: August

Signature of Applicant or Authorized Representative

Title
State Regulatory Affairs Manager

Telephone Number

919-931-2633

Date

10/24/22

13. Comments (attach additional sheet, if needed)

6. Renew existing SLN for control of saltcedar in South Dakota
11. Use in all counties; no endangered species restrictions for
Habitat herbicide in South Dakota for any registered use
pattern.

Determination by State Agency

This registration is for a Special Local Need and is being issued in accordance with section 24(c) of FIFRA, as amended. To the best of our
knowledge, the information above is correct, except as noted in "Comments" below or in attachments.

Name, Title, and Address of State Agency Official

Tom Gere
DNR
523 E. Capitol Ave
Pierre SD 57501

Comments (by State Agency Only)

Received by EPA

Title

Env. Scientist Mgr

Telephone Number

605-773-4422

Date

10-27-22

For distribution and use only in
the state of South Dakota

Imazapyr

Group

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Herbicide

FIFRA Sec. 24(c) Special Local Need Label

Habitat[®]

herbicide

Only for application to control saltcedar (*Tamarix* spp.) in areas that may be grazed or cut for hay for the purpose of water conservation and riparian and wildlife habitat restoration

This special local need label expires on December 22, 2027, and must not be used or distributed after this date.

EPA Reg. No. 241-426

EPA SLN No. SD-090008

CAUTION/PRECAUTION

Directions For Use

Refer to the Habitat[®] herbicide main label, EPA Reg. No. 241-426, for complete Directions For Use and all applicable restrictions and precautions. When following the instructions on this label, the user must have this label and the entire Habitat[®] container label in possession at the time of pesticide application.

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

Habitat[®] may only be applied to areas that may be grazed or cut for hay to control saltcedar (*Tamarix* spp.) for the purpose of water conservation and riparian and wildlife habitat restoration.

For saltcedar control, apply Habitat at a rate of 2 quarts per acre per year as a broadcast treatment or as a 1% volume/volume (v/v) solution for directed foliar spot treatment. Refer to the Habitat leaflet label for specific mixing, adjuvant and application directions.

Restrictions and Limitations

Remove livestock from treated areas before treatment and for 30 days after treatment; or if livestock are not removed, **DO NOT** sell livestock for slaughter for 30 days following treatment.

DO NOT cut treated area for hay for at least 30 days after treatment.

DO NOT use on food or feed crops. **DO NOT** allow the spray solution to drift onto food or feed crops.

This labeling must be in the possession of the user at the time of pesticide application.

Conditions of Sale and Warranty

The **Directions For Use** of this product reflect the opinion of experts based on field use and tests. The directions are believed to be reliable and must be followed carefully. However, it is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or use of the product in a manner inconsistent with its labeling, all of which are beyond the control of BASF CORPORATION ("BASF") or the Seller. To the extent consistent with applicable law, all such risks shall be assumed by the Buyer.

BASF warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the **Directions For Use**, subject to the inherent risks, referred to above.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BASF MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S EXCLUSIVE REMEDY AND BASF'S EXCLUSIVE LIABILITY, WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE, SHALL BE LIMITED TO REPAYMENT OF THE PURCHASE PRICE OF THE PRODUCT.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BASF AND THE SELLER DISCLAIM ANY LIABILITY FOR CONSEQUENTIAL, EXEMPLARY, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

BASF and the Seller offer this product, and the Buyer and User accept it, subject to the foregoing **Conditions of Sale and Warranty** which may be varied only by agreement in writing signed by a duly authorized representative of BASF.

1108

Habitat is a registered trademark of BASF.

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000241-00426.20220901b.NVA 2022-04-0246-0166
Supersedes: 2019-04-246-0090

24(c) registrant:
BASF Corporation
26 Davis Drive
Research Triangle Park, NC 27709



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