228-447 3/13/2006

Pape 139

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Please read instructions on reverse before completing form.		Form App	proved. OMB No. 2070-0060
United States Environmental Protect Washington, DC 2	tion Agency	Registration Amendment X Other	OPP Identifier Number
Applicat	ion for Pesticide - Sect	ion I	
1. Company/Product Number 228-447	2. EPA Product Mana Joanne Miller	gor 3. P	roposed Classification
4. Company/Product (Name) Momentum FX2 Herbicide	РМ# 23		
5. Name and Address of Applicant (Include ZIP Code) Nufarm Americas, Inc. 1333 Burr Ridge Parkway Suite 125A Burr Ridge, IL 60527	(b)(i), my product is to:	iw. In accordance with similar or identical in co	
Check if this is a new address	Product Name _		
	Section - II		<u> </u>
Amendment - Explain below.  Resubmission in response to Agency letter dated	Agency lette		MAR 1 3 2006
X Notification - Explain below.	Other - Expla	in below.	MAR 1 3 2000
Explanation: Use additional page(s) if necessary. (For sect	ion I and Section II.)		
Label notification consistent with PRN98-10, see cover letter 98-10 and EPA regulations at 40 CFR 152.46, and no other product. I understand that it is a violation of 18 U.S.C. Sec. notification is not consistent withe terms of PR Notice 98-10 enforcement action and penalties under sections 12 and 14 c	changes have been made to the la 1001 to willfully make false statem and 40 CFR 152.46, this product n	beling or the confidential s ents to EPA. I further und	statement of formula of this erstand that if this
	Section - III		
1. Material This Product Will Be Peckaged In:			
Child-Resistant Packaging Unit Packaging	Water Soluble Packaging	2. Type of Contained	ſ
Yes	Yes	Metal Plastic	
No No	No No	Glass	
Certification must     If "Yes" No. per     Unit Packaging wgt. container	lf "Yes" No. per Package wgt container	Paper Other (	Specity)
	etail Container	5. Location of Label Directi	ons
Label         Container           6. Manner in Which Label is Affixed to Product         Lithc           Pape         Pape	ngraph Other ir glued ciled	·	
\$ten	Section - IV		
1. Contact Point (Complete items directly below for identificat		necessary, to process this	application.)
Name	Title	·····	e No. (include Area Code)
George Meindl george.meindl@us.nufarm.com	Registration Manager	708 7	55.7277
Certific I certify that the statements I have made on this form an I acknowledge that any knowlinglly false or misleading s both under applicable law.	d all attachments thereto are true,	accurate and complets. e or imprisonment or	6. Dete Application Received (Stzmped)
2. Signifiure	3. Title		
Auge "had	Registration Ma	nager	
4. Typod Nome George Meindl	5. Dete 3/2/2006		

EPA Form 8570-1 (Rev. 3-94) Previous editions are obsolete.



Nufarm Americas, Inc. George Meindl Registration Manager 1333 Burr Ridge Parkway, Suite 125A Burr Ridge, IL 60527 Phone: 708.755-7277 Fax: 708.754.0314 george.meindl@us.nufarm.com

March 2, 2006

lufarm

Via Overnight Courier

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

Subject: Momentum<sup>™</sup> FX<sup>2</sup> Herbicide EPA Reg. No. 228-447 Label notification per PR98-10 New York state specific restriction

Dear Ms. Hobgood:

New York State Department of Environmental Conservation (NYDEC) has requested that we add the following statement onto the Federal label for the subject registration "Do not sell, distribute or use this product in Nassau and Suffolk County in New York."

We feel that this label change is permitted and consistent with PRN98-10 section II (Labeling notifications)

To process this request please find enclosed the following:

- Application for Pesticide Registration (EPA form 8570-1)
- Revised labeling (2 copies)

If you should have any questions regarding this matter, please feel free to contact me at 708.755.7277 or email at <u>george.meindl@us.nufarm.com</u>.

Sincerely,

George Mondl Registration Manager Nufarm Americas, Inc.

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# NOTIFICATION

MAR 1 3 2006

# MOMENTUM<sup>™</sup> FX<sup>2</sup>

FOR THE CONTROL OF ANNUAL AND PERENNIAL BROADLEAF WEEDS IN ORNAMENTAL TURF

# CONTAINS 2,4-D, TRICLOPYR, AND FLUROXYPYR

ACTIVE INGREDIENTS: Triisopropanolamine Salt of 2,4-Dichlorophenoxyacetic Acid*	.86% .20% . <u>74%</u>
TOTAL:	.00%
*2 4-Dichlorophenowacetic Acid 23 70% 2 254 lbs	/nal

*2,4-Dichlorophenoxyacetic Acid	23.70%, 2.254 lbs./gal.
**3,5,6-Trichloro-2-Pyridinyloxyacetic Acid	2.77%, 0.263.lbs./gal.
***[(4-amino-3-5-dichloro-6-fluoro-2-pyridinyl)oxy]acetic Acid	2.92%, 0.278 lbs./gal.

# INTENDED FOR USE BY PROFESSIONAL TURF MAINTENANCE PERSONNEL, LANDSCAPING OR COMMERCIAL APPLICATORS ONLY.

DO NOT SELL, DISTRIBUTE OR USE THE PRODUCT IN NASSAU AND SUFFOLK COUNTY IN NEW YORK.

# KEEP OUT OF REACH OF CHILDREN DANGER - PELIGRO

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.)

SEE INSIDE BOOKLET FOR FIRST AID AND ADDITIONAL PRECAUTIONARY STATEMENTS

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300 For Medical Emergencies Only, Call (877) 325-1840



EPA REG. NO. 228-447 EPA EST. NO. 228-JL-1

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NET CONTENTS GALS.

000228-00447.20060302.

# PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS DANGER - PELIGRO

Corrosive. Causes irreversible eye damage. Harmful if swallowed. Do not get in eyes or on clothing. If this container is over one gallon and less than five gallons, then persons engaged in open pouring of this product must also wear coveralls or a chemical- resistant apron. If this container is five gallons or more in capacity, do not open pour product from this container. A mechanical system (such as a probe and pump or spigot) must be used for transferring the contents of this container. If the contents of a non-refillable pesticide container are emptied, the probe must be rinsed before removal.

# PERSONAL PROTECTIVE EQUIPMENT (PPE)

NON-WPS TURF USES: Applicators and other handlers who handle this pesticide for any use NOT covered by the Worker Protection Standard (40 CFR Part 170) (in general only agricultural plant uses are covered by the WPS) must wear face shield, goggles, or safety glasses and long pants, long-sleeved shirt, socks, shoes and chemical-resistant gloves when mixing, loading or applying this product. It is recommended that safety glasses include front, brow, and temple protection. In addition to the clothing and eye protection listed above, commercial mixer/loaders must wear chemical-resistant in place of rubber gloves except when the product is to be applied to a golf course. After using this product, rinse gloves before removing, remove clothing and launder separately before reuse, and promptly and thoroughly wash hands and exposed skin with soap and water. Remove saturated clothing as soon as possible and shower.

**NON-WPS INDUSTRIAL USES:** When mixing, loading or applying this product or repairing or cleaning equipment used with this product, wear face shield, goggles, or safety glasses and chemical-resistant gloves, long-sleeved shirt, long pants, socks and shoes. It is recommended that safety glasses include front, brow, and temple protection. For aerial applicators in an enclosed cockpit and applicators applying this product from a tractor that has a completely enclosed cab, eye protection is not required. Wash hands, face and arms with soap and water as soon as possible after mixing, loading or applying this product. After work, remove all clothing and shower using soap and water. Do not reuse clothing worn during the previous day's mixing and loading or application of this product without cleaning first. Clothing must be kept and washed separately from other household laundry. Remove saturated clothing as soon as possible and shower.

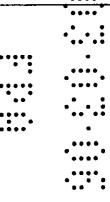
WPS USES: Applicators and other handlers who handle this pesticide for any use covered by the Worker Protection Standard (40 CFR Part 170) (in general, agricultural plant uses are covered) must wear: long-sleeved shirt and long pants, chemical-resistant gloves made of any waterproof material, shoes plus socks, and protective eyewear, when cleaning equipment, mixing or loading. Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them. Follow manufacturer's instructions for cleaning/maintaining Personal Protective Equipment (PPE). If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry. After each day of use, clothing or PPE must not be reused until it has been cleaned. If this container is over one gallon and less than five gallons, mixers and loaders who do not use a mechanical system (such as a probe and pump or spigot) to transfer contents of this container must wear coveralls or a chemical-resistant apron in addition to the other required PPE.

Engineering Controls Statements: If this container is five gallons or more in capacity, do not open pour product from this container. A mechanical system (such as a probe and pump or spigot) must be used for transferring the contents of this container. If the contents of a non-refillable pesticide container are emptied, the probe must be rinsed before removal.

If the mechanical system is used 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, face and arms with soap and water 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.



IF IN EYES	<ul> <li>Hold eye open and rinse slowly and gently with water for 15 to 20 minutes.</li> <li>Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>
IF SWALLOWED	<ul> <li>Call poison control center or doctor immediately for treatment advice.</li> <li>Have person sip a glass of water if able to swallow.</li> <li>Do not induce vomiting unless told to do so by the poison control center or doctor.</li> <li>Do not give anything by mouth to an unconscious person.</li> </ul>

## ENVIRONMENTAL HAZARDS

This product is toxic to fish. Drift or runolf from treated areas may be hazardous to aquatic organisms and nontarget plants. 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 when weather conditions favor drift from target area. Clean and rinse spray equipment using soap or detergent and water, and rinse thoroughly before reuse for other spraying. When cleaning equipment, do not pour washwater on the ground; spray or drain over a large area away from wells and other water sources. Do not contaminate water when disposing of equipment washwaters. Do not apply this product through any type of irrigation system. Do not contaminate water used for irrigation or domestic purposes.

Most cases of groundwater contamination involving phenoxy herbicides such as 2,4-D have been associated with mixing/loading and disposal sites. Caution should be exercised when handling these herbicides at such sites to prevent contamination of groundwater supplies. Use of closed systems for mixing or transferring this pesticide will reduce the probability of spills. Placement of the mixing/loading equipment on an impervious pad to contain spills will help prevent groundwater contamination.

#### **DIRECTIONS FOR USE**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. READ ENTIRE LABEL BEFORE USING THIS PRODUCT. USE STRICTLY IN ACCORDANCE WITH LABEL PRECAUTIONARY STATEMENTS AND DIRECTIONS.

This pesticide should be used strictly in accordance with the drift and run-off precautions on this label in order to minimize off-site exposure.

Under some conditions this product may have a potential to run-off to surface water or adjacent land. Where possible, use methods which reduce soil erosion, such as no till, limited till and contour plowing; these methods also reduce pesticide run-off. Where feasible, use application techniques such as T-banding and in-furrow techniques which incorporate the pesticide into the soil. Use of vegetation filter strips along rivers, creeks, streams, wetlands, etc. or on the downhill side of fields where run-off could occur will minimize water run-off is recommended.

Low humidity and high temperatures increase the evaporation rate of spray droplets and therefore the likelihood of increased spray drift. Avoid spraying during conditions of low humidity and/or high temperatures.

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 48 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and the involves contact with anything that has been treated, such as plants, soil, or water, is: Coveralls, chemical-resistant gloves made of any waterproof material, shoes plus socks and protective eyewear.

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# NON-AGRICULTURAL USE REQUIREMENTS

The requirements in this box apply to uses of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR Part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

For turf use, the maximum number of broadcast applications per treatment site is 2 per year.

Do not allow people (other than applicator) or pets on treatment area during application. Do not enter treatment areas until spray has dried.

This product is a broad-spectrum herbicide for control of actively growing annual and perennial broadleaf weeds. It is for use on established Ornamental Turf Lawns (Residential, Industrial and Institutional), Parks, Cemeteries, Athletic Fields, Roadsides, Golf Courses (Fairways, Aprons and Roughs) and similar turf areas; also for use on Sod Farms. Do not use on Golf Greens or Tees.

This product may be applied to the following established turfgrass species:

#### **Established Cool Season Turfgrasses**

Common Name Bentgrass† Bluegrass, Kentucky Fescue, chewing Fescue, creeping red Fescue, sheeps Fescue, tall Ryegrass, perennial Scientific Name Agrostis species Poa pratensis Festuca rubravar. commutata Festuca rubra Festuca ovina Festuca arundinaceae Lolium perenne

# Established Warm Season Turfgrasses ++

Common Name Bahiagrass† Bermudagrass† Buffalograss Centipedegrass† Zoysiagrass† Zoysiagrass† Fescue, tall (growing in warm season areas) Scientific Name Paspalum notatum Cynodon dactylon Buchloe dactyloides Eremochloa ophiuroides Zoysia japonica Zoysia tenuifolia Festuca arundinacea

†Do not apply to these turfgrass species unless potential turfgrass injury can be tolerated. Also, when treating these turfgrass species, do not apply more than 3 pints per acre. To minimize grass injury, additional applications should be made at least four weeks apart. Avoid swath overlaps.

†Do not treat warm season turfgrass with this product when mowing height is less than 1/2 inch.

Note: This product may discolor and/or stunt turf that is not well-established or is stressed or weakened due to unfavorable climatic conditions, temperature extremes, drought, nematodes, or other factors which damage or weaken turf. Apply this product only to healthy, well-established turf that has a well-anchored root system. Do not apply this product to grass species not listed on this label unless potential turf injury can be tolerated.

#### **USE PRECAUTIONS**

Do not apply this product directly to, or otherwise permit drift or spray mist to come into contact with cotton, citrus, grapes, tobacco, vegetables, flowers, ornamental plants, shrubs, trees, and other desirable plants. Do not pour spray solutions near desirable plants. Avoid fine mists. Use lawn type sprayer with coarse spray as wind drift is less likely. Spray drift can be reduced by spraying when wind velocity is low, keeping spray boom as low as possible, using nozzles that deliver larger spray droplets and minimize the production of fine spray particles, and by using higher spray volumes and lower pressures. Applications should be made only when hazards from spray drift are at a minimum. Very small quantities of spray, which may not be visible, may seriously injure susceptible plants. Do not spray when wind is blowing toward susceptible crops or ornamental plants near enough to be injured. Do not apply to exposed roots of shallow rooted trees and shrubs. Maximum kill of weeds will be obtained from Spring or early Fall applications when weeds are actively growing. Do not apply more than 4 pints per acre per application. Mow newly seeded turf at least twice before treatment with this product.

For optimum results: (1) avoid applying during excessively dry or hot periods unless irrigation is used; (2) urf should not be mowed 1 to 2 days before and following application; (3) reseed no sooner than 3 to 4 weeks after application of this product.

## WEEDS CONTROLLED

This product is designed to control many broadleaf weeds such as:

Alder Annual yellow sweet clover Artichoke Aster Austrian fieldcress Bedstraw Beggartick Biden Bindweed Bird vetch Bitterweed **Bitter wintercress** Black-eyed Susan Black medic Black mustard Black-seed plantain Blessed thistle Blue lettuce Blue vervain Box elder Bracted plantain Brassbuttons Bristly oxtongue Broadleaf dock Broadleaf plantain Broomweed Buckhorn Buckhorn plantain Bulbous buttercup Bull nettle Bull thistle Burdock **Burning nettle** Bur ragweed Burweed Buttercup Canada thistle Carolina geranium Carpetweed Catchweed bedstraw Catsear Catnip Chickweed Chicory Cinquefoil Clover Cockle Cocklebur Coffeebean Coffeeweed

Common chickweed Common mullein Common sowthistle Corn Chamomile Creeping jenny Crimson clover Croton Cudweed Curly dock Curly indigo Dandelion Dead nettle Dock Dogbane Dogfennel Elderberry English daisy Fall dandelion False dandelion False flax False sunflower Fiddleneck Field bindweed Field pansy Flea bane (daisy) Flixweed Florida betony Florida pusley Frenchweed Galinsoga Garlie mustard Goathead Goatsbeard Goldenrod Ground ivy Gumweed Hairy bittercress Hairy fleabane Hawkweed Healall Heartleaf drymary Hedge bindweed Hedge mustard Нетр Henbit Hoary cress Hoary plantain Hoary vervain Honeysuckle Hop clover

Horsenettle Horsetail Indiana mallow Ironweed Jewelweed Jimsonweed Kochia Knawel Knotweed Lambsquarter Lespedez Locoweed Lupine Mallow Marshelder Matchweed Mexicanweed Milk vetch Milkweed bloodflower Muawort Morningglory Mousear chickweed Musk thistle Mustard Narrowleaf plantain Narrowleaf vetch Nettle Nutgrass Orange hawkweed Oxalis Oxeye daisy Parsley-piert Parsnip Pearlwort Pennycress Pennywort Peppergrass Pepperweed Pioweed Pineywoods bedstraw Plains coreopsis Plantain Poison hemlock Poison ivy Poison oak Pokeweed Poorioe Povertyweed Prickly lettuce Prickly sida Primrose

Prostrate knotweed Prostrate pigweed Prostrate spurge Prostrate vervain Puncture vine Purslane Ragweed Red clover Redroot pigweed Red sorrel Redstern filaree Rough cinquefoil Rough fleabane Roundleafed marigold Rush Russian pigweed Russian thistle St. Johnswort Scarlet pimpernel Scotch thistle Sheep sorrel Shepherdspurse Slender plantain Smallflower galinsoga Smartweed Smooth dock Smooth pigweed Sneezeweed Southern wild rose Sowthistle Spanishneedle Spatterdock Speedwell Spiny Amaranth Spiny cocklebur Spotted catsear Spotted knapweed Spotted spurge Spurge Spurweed Stinging nettle Stinkweed Stitchwort Strawberry clover Sumac Sunflower Sweet clover Tall nettle Tall vervain Tansy mustard Tansy ragwort

Tanweed Tarweed Thistle Tick trefoil Toadflax Trailing Crownvetch Tumble mustard Tumble plaweed Tumbleweed Velvet leaf Venice mallow Veronica Vervain Vetch Virginia buttonweed Virginia creeper Virginia pepperweed Wavyleaf bullthistle Western clematis Western salsify White clover White mustard Wild mustard Wild aster Wild buckwheat Wild carrot Wild four-o'-clock Wild garlic Wild geranium Wild lettuce Wild marigold Wild onion Wild parsnip Wild radish Wild rape Wild strawberry Wild sweet potato Wild vetch Willow Witchweed Woolly morningglory Woodsorrel Woolly croton Woolly plantain Wormseed Yarrow Yellow rocket Yellowflower ... pepperweed and other broadleaf weeds.

After applying this product, many broadleaf weeds will begin to show visible signs of leaf curl within a few days. Some hard-to-control broadleaf weeds may require a second broadcast treatment in 3 to 4 weeks. In the event more than two broadcast applications per site per year are necessary, use as a spot treatment. To spot treat, make up solution as listed below.

# RECOMMENDED MIXING INSTRUCTIONS

Fill spray tank with water. Start agitation and slowly add the recommended amount of concentrate. Maintain continuous agitation after mixing and during application. If this product is allowed to stand in tank for extended periods of time, some separation may occur. Reagitate before use.

#### TURF APPLICATION DIRECTIONS

Apply 3 to 4 pints of this product per acre (1.1 to 1.5 ozs./1,000 sq.ft.) to control above listed broadleaf weeds.

The maximum use rate for most warm season grasses is 3 pints per acre. For exceptions, see listing of warm season grasses listed above.

Make application using equipment that will ensure uniform coverage (see specific application directions below). Foliar sprays should be applied during warm weather when weeds are actively growing. Application under drought conditions may provide less than desirable results. When hard-to-control species are prevalent, when applications are made in late Summer, when weeds are mature, or during drought conditions, use the higher rates. (Optional language: When hard-to-control species are prevalent or when weeds are mature, use the higher rates.)

On closely mowed golf course fairway bentgrass, apply this product at a maximum rate of 2 pints in 20 to 240 gallons of water per acre (0.73 fluid ounces in 0.5 to 5.5 gallons of water per 1,000 square feet). During conditions which promote turf stress use lower rates, 1 to 1-1/2 pints in 20 to 240 gallons of water, per acre (0.36 to 0.55 fluid ounces in 0.5 to 5.5 gallons per 1,000 square feet). Slight turf yellowing will disappear after one week. To minimize grass injury, a second application should not be made for at least 4 weeks. Avoid swath overlaps. Do not use on golf course greens or tees.

Note: Broadleaf weeds germinate at different times of the year. Only emerged weeds present at the time of application will be controlled by this product.

Standard Volume Broadcast Applications: Apply 3 to 4 pints of this product in enough water to deliver 20 to 200 gallons of total spray mix per acre (0.5 to 5 gallons spray per 1,000 square feet). Higher application volumes may be used when this product is tank mixed with liquid fertilizers.

Low Volume Broadcast Applications: Apply 3 to 4 pints of this product in enough water to deliver from 5 to 40 gallons of total spray mixture per acre. Use low pressures and application equipment capable of delivering a uniform droplet size that can wet the weed leaf surface.

Targeted Zone Applications or Spot Treatment Using Portable Sprayers: Mix 1.1 to 1.5 ounces of this product in enough water to make one gallon of spray and apply at any time broadleaf weeds are actively growing. Target plants should be sprayed to wet but not beyond point of runoff.

# STORAGE AND DISPOSAL

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

**PESTICIDE STORAGE:** Always store pesticides in a secured warehouse or storage building. Do not store near open containers of herbicides and other pesticides, fertilizer and seed. Store at temperatures above 25°F. Protect product from freezing. If allowed to freeze, remix well before using. This does not alter this product. Containers should be opened in well-ventilated areas. Keep container tightly sealed when not in use. Do not stack cardboard cases more than two pallets high. Do not store near open containers of fertilizer, seed or other pesticides.

**PRODUCT DISPOSAL:** Pesticide wastes are acutely hazardous. If container is damaged or if pesticide has leaked, contain all spillage. Absorb and clean up all spilled material with granules or sand. Place in a closed, labeled container for proper disposal. Improper disposal of excess pesticide, spray mixtures, or rinsate is a violation of Federal law and may contaminate groundwater. 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.

**CONTAINER DISPOSAL FOR NON-REFILLABLE CONTAINERS:** Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by State and local authorities. Plastic containers are also disposable by incineration, or if allowed by State and local authorities, by burning. If burned, stay out of smoke.

CONTAINER DISPOSAL FOR REFILLABLE CONTAINERS: Close all openings which have been opened during use and replace all caps. Contact Nufarm Customer Service at 1-800-345-3330, to arrange for return of the empty refillable container.

#### Conditions of Sale and Limitation of Warranty and Liability:

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product should be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Desirable plant injury, ineffectiveness, or other unintended consequences may result because of such factors as manner of use or application, weather or crop conditions beyond the control of Nufarm or Seller. All such factors have by Buyer and User, and Buyer and User agree to hold Nufarm and Seller harmless for any claims relating to such factors.

Seller warrants that this product conforms to the chemical description on the label and is reasonably it for the purposes stated on the Directions for Use when used in accordance with the directions under normal conditions of use. NUFARM MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE, NOR ANY OTHER EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE SELECTION, PURCHASE OR USE OF THIS PRODUCT. Any warranties, express or implied, having been made are inapplicable if this product has been used contrary to label instructions, or under abnormal conditions, or under conditions not reasonably foreseeable to (or beyond the contrary to form).

## Seller or Nufarm, and Buyer assumes the risk of any such use.

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To the extent allowed by law, Nufarm or Seller shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product. THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF NUFARM AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR AT THE ELECTION OF NUFARM OR SELLER, THE REPLACEMENT OF PRODUCT.

This Conditions of Sale and Limitation of Warranty and Liability may not be amended by any oral or written agreement.

(RV030206N)

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