



Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060

	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
	Application for Pesticide - Section I		

1. Company/Product Number 228-453	2. EPA Product Manager Joanne Miller	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Battleship 3 Selective Herbicide	PM# 23	
5. Name and Address of Applicant (Include ZIP Code) Nufarm Americas, Inc. 1333 Burr Ridge Parkway Suite 125A Burr Ridge, IL 60527 <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 MAR 20 2006
<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.)

Label notification consistent with PRN98-10, see cover letter for detailed 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 false statements 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.

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	If "Yes" Unit Packaging wgt. No. per container		<input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted		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	
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 George Meindl george.meindl@us.nufarm.com	Title Registration Manager	Telephone No. (Include Area Code) 708.755.7277
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 Registration Manager	
4. Typed Name George Meindl	5. Date 3/6/2006	

NOTIFICATION

MAR 20 2006

BATTLESHIP³ SELECTIVE HERBICIDE

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

CONTAINS MCPA, FLUROXYPYR, AND TRICLOPYR

CONTROLS: Dandelion, Chickweed, Black medic, Knotweed, Plantain, Oxalis, Clover, Cocklebur, Thistle
and many other species of broadleaf weeds; some of which are listed on this label.

ACTIVE INGREDIENTS:

Dimethylamine Salt of 2-Methyl-4-Chlorophenoxyacetic Acid*	37.84%
1-Methylheptyl Ester of Fluroxypyr:((4-amino-3-5-dichloro-6-fluoro-2-pyridinyl)oxy)acetic Acid, 1-methylheptyl ester**	4.45%
Triethylamine Salt of 3,5,6-Trichloro-2-Pyridinyloxyacetic Acid***	4.07%

OTHER INGREDIENTS:	<u>53.64%</u>
TOTAL	100.00%

By Isomer Specific AOAC Method, Equivalent to:

*2-Methyl-4-Chlorophenoxyacetic Acid	30.90%, 2.85 lbs./gal.
**((4-amino-3-5-dichloro-6-fluoro-2-pyridinyl)oxy)acetic Acid	3.09%, 0.29 lbs./gal.
***3,5,6-Trichloro-2-Pyridinyloxyacetic Acid	2.92%, 0.27 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.228-453
EPA EST. NO. 228-IL-1

MANUFACTURED BY
NUFARM AMERICAS INC.
BURR RIDGE, IL 60527-0866



NET CONTENTS GALS.

000228-00453.20060306.NY

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

Corrosive. Causes irreversible eye damage. Harmful if swallowed, or absorbed through skin. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling.

NON-WPS TURF USE: 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 eye protection (goggles, face shield, or safety glasses) when using this product. It is recommended that safety glasses include front, brow, and temple protection.

WPS SOD FARM 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, waterproof gloves, shoes plus socks, and protective eyewear. 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.

Engineering Controls Statement: 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, smoking, drinking, or using the toilet.
- Remove clothing/PPE 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.

FIRST AID

IF IN EYES	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 to 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"> • Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by the poison control center or doctor. • 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 to 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 1-877-325-1840 for emergency medical treatment information.

NOTE TO PHYSICIAN

Probable mucosal damage may contraindicate use of gastric lavage.

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Drift or runoff from treated areas may be hazardous to aquatic organisms and non-target 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 contaminate water when disposing of equipment washwaters. Do not apply this product through any type of irrigation system.

Most cases of groundwater contamination involving phenoxy herbicides such as MCPA have been associated with mixing/loading and disposal sites. Caution should be exercised when handling 2,4-D pesticides at such sites to prevent contamination of groundwater supplies. Use of closed systems for mixing and 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.**

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.

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

Under some conditions, this product may have a potential to runoff 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 runoff. 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 is recommended along rivers, creeks, streams, wetlands, etc. or on the downhill side of fields where runoff could occur to minimize water runoff.

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 for high temperatures.

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 that involves contact with anything that has been treated, such as plants, soil, or water, is: Coveralls, waterproof gloves, shoes plus socks, and protective eyewear.

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

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 and Golf Courses (Fairways, Aprons, Tees 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		ESTABLISHED WARM SEASON TURFGRASSES†	
Common Name	Scientific Name	Common Name	Scientific Name
Bentgrass	<i>Agrostis species</i>	Bahiagrass	<i>Paspalum notatum</i>
Bluegrass, Kentucky	<i>Poa pratensis</i>	Bermudagrass	<i>Cynodon dactylon</i>
Fescue, chewing	<i>Festuca rubra</i> var. <i>commutata</i>	Buffalograss	<i>Buchloe dactyloides</i>
Fescue, creeping red	<i>Festuca rubra</i>	Centipedegrass	<i>Eremochloa ophiuroides</i>
Fescue, sheeps	<i>Festuca ovina</i>	Zoysiagrass	<i>Zoysia japonica</i>
Fescue, tall	<i>Festuca arundinaceae</i>	Zoysiagrass	<i>Zoysia tenuifolia</i>
Ryegrass, perennial	<i>Lolium perenne</i>	Fescue, tall (growing in warm season areas)	<i>Festuca arundinaceae</i>

†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) Add a spray adjuvant, such as DYNE-AMIC for best results; (2) Use a water conditioning agent, such as, QUEST for high PH and water hardness; (3) Avoid applying during excessively dry or hot periods unless irrigation is used; (4) Turf should not be mowed 1 to 2 days before and following application; (5) 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	Creeping jenny	Knotweed	Rough fleabane
Annual yellow sweet clover	Crimson clover	Lambsquarter	Roundleaved marigold
Artichoke	Croton	Lespedeza	Rush
Aster	Cudweed	Locoweed	Russian pigweed
Austrian fieldcress	Curly dock	Lupine	Russian thistle
Bedstraw	Curly indigo	Mallow	St. Johnswort
Beggartick	Dandelion	Marshelder	Scarlet pimpernel
Biden	Dead nettle	Matchweed	Scotch thistle
Bindweed	Dock	Mexicanweed	Sheep sorrel
Bird vetch	Dogbane	Milk vetch	Shepherdspurse
Bitterweed	Dogfennel	Milkweed bloodflower	Slender plantain
Bitter wintercress	Elderberry	Mugwort	Smallflower galinsoga
Black-eyed Susan	English daisy	Morningglory	Smartweed
Black medic	Fall dandelion	Mouseear chickweed	Smooth dock
Black mustard	False dandelion	Musk thistle	Smooth pigweed
Black-seed plantain	False flax	Mustard	Sneezeweed
Blessed thistle	False sunflower	Narrowleaf plantain	Southern wild rose
Blue lettuce	Fiddleneck	Narrowleaf vetch	Sowthistle
Blue vervain	Field bindweed	Nettle	Spanishneedle
Box elder	Field pansy	Orange hawkweed	Spatterdock
Bracted plantain	Flea bane (daisy)	Oxalis	Speedwell
Brassbuttons	Flixweed	Oxeye daisy	Spiny Amaranth
Bristly oxtongue	Florida betony	Parsley-piert	Spiny cocklebur
Broadleaf dock	Florida pusley	Parsnip	Spotted catsear
Broadleaf plantain	Frenchweed	Pearlwort	Spotted knapweed
Broomweed	Galinsoga	Pennycress	Spotted spurge
Buckhorn	Garlic mustard	Pennywort	Spurge
Buckhorn plantain	Goathead	Peppergrass	Spurweed
Bulbous buttercup	Goatsbeard	Pepperweed	Stinging nettle
Bull nettle	Goldenrod	Pigweed	Stinkweed
Bull thistle	Ground ivy	Pineywoods bedstraw	Stitchwort
Burdock	Gumweed	Plains coreopsis	Strawberry clover
Burning nettle	Hairy bittercress	Plantain	Sumac
Bur ragweed	Hairy fleabane	Poison hemlock	Sunflower
Burweed	Hawkweed	Poison ivy	Sweet clover
Buttercup	Healall	Poison oak	Tall nettle
Canada thistle	Heartleaf drymary	Pokeweed	Tall vervain
Carolina geranium	Hedge bindweed	Poorjoe	Tansy mustard
Carpetweed	Hedge mustard	Povertyweed	Tansy ragwort
Catchweed bedstraw	Hemp	Prickly lettuce	Tanweed
Catsear	Henbit	Prickly sida	Tarweed
Catnip	Hoary cress	Primrose	Thistle
Chickweed	Hoary plantain	Prostrate knotweed	Tick trefoil
Chicory	Hoary vervain	Prostrate pigweed	Toadflax
Cinquefoil	Honeysuckle	Prostrate spurge	Trailing Crownvetch
Clover	Hop clover	Prostrate vervain	Tumble mustard
Cockle	Horsenettle	Puncture vine	Tumble pigweed
Cocklebur	Horsetail	Purslane	Tumbleweed
Coffeebean	Indiana mallow	Ragweed	Velvet leaf
Coffeeweed	Ironweed	Red clover	Venice mallow
Common chickweed	Jewelweed	Redroot pigweed	Veronica
Common mullein	Jimsonweed	Red sorrel	Vervain
Common sowthistle	Kochia	Redstem filaree	Vetch
Corn Chamomile	Knawel	Rough cinquefoil	(continued)

Virginia buttonweed	Wild aster	Wild parsnip	Woodsorrel
Virginia creeper	Wild buckwheat	Wild radish	Wooly croton
Virginia pepperweed	Wild carrot	Wild rape	Wooly plantain
Wavyleaf bullthistle	Wild four-o'clock	Wild strawberry	Wormseed
Western clematis	Wild garlic	Wild sweet potato	Yarrow
Western salsify	Wild geranium	Wild vetch	Yellow rocket
White clover	Wild lettuce	Willow	Yellowflower pepperweed and other broadleaf weeds.
White mustard	Wild marigold	Witchweed	
Wild mustard	Wild onion	Wooly morningglory	

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.

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.

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.

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 1.5 pints in 20 to 240 gallons of water per acre (0.36 to 0.55 fluid ounces in 0.3 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 0.5 to 1.0 ounce 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. Store at temperatures above 25°F. Protect from freezing. If allowed to freeze, remix well before using. Freezing does not alter the 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.

PESTICIDE 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 risks shall be assumed 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 fit 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 control of) Seller or Nufarm, and Buyer assumes the risk of any such use.

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.

(RV030606N)

Battleship is a Registered Trademark of Helena Chemical Company

U.S. Patent No. 6,831,038 (VBS NUBS chemical technology)



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Nufarm Americas, Inc.
George Meindl
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March 6, 2006

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: Battleship³ Selective Herbicide
EPA Reg. No. 228-453
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 george.meindl@us.nufarm.com.

Sincerely,

A handwritten signature in black ink that reads 'George Meindl'.

George Meindl
Registration Manager
Nufarm Americas, Inc.