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#### U.S. ENVIRONMENTAL PROTECTION **AGENCY**

Office of Pesticide Programs Registration Division (7505P) Ariel Rios Building 1200 Pennsylvania Ave., NW Washington, D.C. 20460

NOTICE OF PESTICIDE:

Registration X Reregistration (under FIFRA, as amended)

EPA	Reg.	Numbe

228-513

Date of Issuance:

AUG 26 2009

Term of Issuance:

Name of Pesticide Product:

Spoiler Herbicide

Name and Address of Registrant (include ZIP Code):

Nufarm Americas Inc.

150 Harvester Drive, Suite 200

Burr Ridge, IL 60527

Note: Changes in labeling differing in substance from that accepted in connection with this registration must be submitted to and accepted by the Registration Division prior to use of the label in commerce. In any correspondence on this product always refer to the above EPA registration number.

On the basis of information furnished by the registrant, the above named pesticide is hereby registered/reregistered under the Federal Insecticide, Fungicide and Rodenticide Act. Registration is in no way to be construed as an endorsement or recommendation of this product by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with the Act. The acceptance of any name in connection with the registration of a product under this Act is not to be construed as giving the registrant a right to exclusive use of the name or to its use if it has been covered by others.

This product is reregistered in accordance with FIFRA provided that you:

1) Submit and/or cite all data required for registration/reregistration review of your product when the Agency requires all registrants of similar products to submit data.

Signature of Approving Official:	Date:	
	AUG 2 6 2000	
Joanne Miller		
Product Manager 23		
Herbicide Branch		
Registration Division (7505P)		

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2) Per the acute toxicity review, the Hazards to Humans and Domestic Animals must be revised to read:

#### "WARNING

Causes substantial but temporary eye injury. Harmful if absorbed through skin. Harmful if swallowed. Do not get in eyes or on clothing. Avoid contact with skin."

3) The separate handler PPE sections must be deleted from the label and be replaced with the following:

"Some materials that are chemical-resistant to this product are made of any waterproof material. If you want more options, follow the instructions for category A on an EPA chemical-resistance category selection chart.

All mixers, loaders, applicators, and other handlers must wear:

Long-sleeved shirt and long pants,

Shoes and socks,

Chemical-resistant gloves,

Goggles or faceshield, and

Chemical-resistant apron for mixing, loading cleaning up spills or equipment, or otherwise exposed to the concentrate."

Note: Reference to flaggers must be deleted from the handler PPE section because aerial application is prohibited for products that contain 2,4-DP-p and MCPP-p.

4) Per Page 49 of the 2,4-DP-p RED, the following text must be added to the label:

"Aerial application of this product is prohibited."

Additionally, the Engineering Control text currently on the label "Pilots must use an enclosed cockpit that meets the requirements listed in the WPS for agricultural pesticides [40 CFR 170.240 (d)(6)]" must be deleted because aerial application is not allowed.

5) User Safety Requirements text must be added to the label and must read:

"Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

Discard clothing and other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do not reuse them."

6) The text in bold type must be added to the User Safety Recommendation text currently on the

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label:

"User should remove clothing/PPE immediately if pesticide gets inside."

- 7) Per the 2,4-DP-p and MCPP-p REDs, the sentence "This product is toxic to fish and aquatic invertebrates" appearing in the Environmental Hazard section of the label must be revised to read "This pesticide is toxic to fish and aquatic invertebrates and may adversely affect non-target plants."
- 8) The heading "Physical or Chemical Hazards" with text warning the user of the product's incompatibility to oxidizing agents must be added to the label.
- 9) The entry restriction text currently in the Non-Agricultural Use Requirements box ("For turf use, do not allow people [other than applicator] or pets on treatment area during application. Do not enter or allow people [or pets] to enter the treated area until sprays have dried") must be revised to read:

"Do not enter or allow entry until sprays have dried."

- 10) The following revisions are needed to the spray drift section of the label:
- -Per the 2,4-DP-p and MCPP-p REDs, the text under the heading "Wind Speed" must be revised to read:

"Do not apply at wind speeds greater than 10 mph."

-All reference to aerial application must be deleted from this section of the label.

-Add:

- "If applied by groundboom: Do not apply with a nozzle height greater than four feet above the target site."
- 11) Per the MCPP-p, 2,4-DP-p and 2,4-D REDs, rate restriction must be revised to read as specified below and any conflicting text must be deleted:

#### **Ornamental Lawns and Turf:**

"Limited to 2 broadcast applications per year.

Limited to 2 spot treatments per year.

Minimum of 30 days between applications.

Maximum of 4.4 pints per broadcast application."

Maximum of 13.5 pints per spot treatment only.

Spot treatment is defined as a treatment area no greater than 1,000 square feet per acre."

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#### Non-crop areas:

"Annual and perennial weeds: Limited to 2 applications per year. Minimum of 30 days between applications. Maximum of 6 pints per broadcast application."

Note: The text "For woody plant control, there is a limit of 1 application per year" must remain on the label.

- 12) Change the heading "similar non crop areas" to "non crop areas" and specify "other similar non crop areas". Change "such as fence rows" to "include fence rows". Update the Container Disposal section to comply with PR Notice 2007-4.
- 13) To the label add "Use of this product in certain portions of California, Oregon, and Washington is subject to the January 22, 2004 Order for injunctive relief in <u>Washington Toxics Coalition</u>, et al. v. EP, C01-0132C, (W.D. WA). For further information, please refer to <a href="http://www.epa.gov/espp.">http://www.epa.gov/espp.</a>"

A stamped copy of the label is enclosed for your records. You must submit one copy of the final printed label before you release the product for shipment. Products shipped after 12 months from the date of this letter or the next printing of the label whichever occurs first, must bear the new revised label. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA. Your release for shipment of the product constitutes acceptance of these conditions. This label supercedes all other previously accepted labels. If you have any questions please call Erik Kraft at 703-308-9358 or email at Kraft.Erik@epa.gov.



# **SPOILER**<sup>TM</sup>

### **HERBICIDE**

ACCEPTED with COMMENTS In EPA Letter Dated:

AUG 2 6 2009

Under the Federal Insecticide, Fungicide, and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No.

228-513

THREE-WAY POST-EMERGENT SELECTIVE HERBICIDE CONTAINING THE AMINES OF 2,4-D, MECOPROP-p AND DICHLORPROP-p. FOR USE ON ORNAMENTAL TURF SUCH AS LAWNS, PARKS, CEMETERIES, AND GOLF COURSES (FAIRWAYS, APRONS, TEES, AND ROUGHS), ALSO ALONG HIGHWAYS, OTHER SIMILAR NON-CROP AREAS, AND SOD FARMS. KILLS DANDELION, CHICKWEED, PLANTAIN, OXALIS, SPURGE AND MANY OTHER BROADLEAF WEEDS, SOME OF WHICH ARE LISTED ON THIS LABEL.

GET THE OPTICAL ADVANTAGE®

#### **ACTIVE INGREDIENTS:**

Dimethylamine Salt of 2,4-Dichlorophenoxyacetic Acid*	33.30%
Dimethylamine Salt of (+)-R-2-(2-Methyl-4-Chlorophenoxy) propionic Acid**‡	8.58%
Dimethylamine Salt of (+)-R-2-(2,4-Dichlorophenoxy) propionic Acid***‡	8.45%
OTHER INGREDIENTS:	
TOTAL	100.00%
By Isomer Specific AOAC Method, Equivalent to:	
*2,4-Dichlorophenoxyacetic Acid	27.66%, 2.69 lbs/gal
**(+)-R-2-(2-Methyl-4-Chlorophenoxy) propionic Acid	7.09%, 0.71 lbs/gal
***(+)-R-2-(2,4-Dichlorophenoxy) propionic Acid	7.09%, 0.71 lbs/gal
‡CONTAINS THE SINGLE ISOMER FORM OF MECOPROP-p AND DICHLORPROP-p.	

### WARNING - AVISO

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. 228-513 EPA EST. NO. 228-IL-1 MANUFACTURED BY NUFARM AMERICAS INC. 1 150 HARVESTER DRIVE BURR RIDGE, IL 60527

**NET CONTENTS** 

LBS.

000228-000513.20090609.pending MCPP-p RED and now 2,4-DP-p RED

## PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS WARNING - AVISO

Causes substantial but temporary eye injury. Do not get in eyes or on clothing. Wear protective eyewear such as goggles, face shield or safety glasses. Harmful if swallowed. Harmful if absorbed through skin. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove and wash contaminated clothing before reuse.

**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: protective eyewear and long pants, long-sleeved shirt, socks, shoes and rubber gloves. After using this product, remove clothing and launder separately before reuse, and promptly and thoroughly wash hands and exposed skin with soap and water. The maximum number of broadcast applications to turf per treatment site is 2 per year.

**NON-WPS INDUSTRIAL USES:** When mixing, loading or applying this product or repairing or cleaning equipment used with this product, wear protective eyewear and waterproof gloves, long-sleeved shirt, long pants, socks and shoes. 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.

#### PERSONAL PROTECTIVE EQUIPMENT (PPE)

Some materials that are chemical-resistant to this product are polyethylene or polyvinyl chloride or viton. If you want more options, follow the instructions for category A on an EPA chemical resistance category selection chart.

All mixers, loaders, applicators, flaggers and other handlers must wear: long sleeved shirt and long pants, shoes and socks, plus chemical resistant gloves, when applying post harvest dips or sprays to citrus, applying with any handheld nozzle or equipment, mixing or lading, cleaning up spills or equipment, or otherwise exposed to the concentrate, chemical resistant apron when applying post harvest dips and sprays to citrus, mixing or lading, cleaning up spills or equipment, or otherwise exposed to the concentrate.

Engineering Controls Statements: Pilots must use an enclosed cockpit that meets the requirements listed in WPS for agricultural pesticides [40 CFR 1 70.240(d)(6)].

#### **USER SAFETY RECOMMENDATIONS**

#### **Users Should:**

- · Wash hands 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. If pesticide gets on skin, wash immediately with soap and water.
- Remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing. Wash the outside of gloves before removing.

FIRST AID					
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 a 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>				
IF ON SKIN OR CLOTHING	<ul> <li>Take off contaminated clothing.</li> <li>Rinse skin immediately with plenty of water for 15 to 20 minutes.</li> <li>Call a poison control center or doctor for treatment advice.</li> </ul>				
	HOT LINE NUMBER				

#### 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.

#### **ENVIRONMENTAL HAZARDS**

This product is toxic to fish and aquatic invertebrates. Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark except as noted on appropriate labels. Drift and runoff may be hazardous to aquatic organisms in water adjacent to treated areas. Do not contaminate water when disposing of equipment washwaters or rinsate.

This product has properties and characteristics associated with chemicals detected in groundwater. The use of this product in areas where soils are permeable, particularly where the water table is shallow may result in groundwater contamination. Application around a cistern or well may result in contamination of drinking water or groundwater.

#### **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.

#### 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, chemical-resistant gloves made of any waterproof material, 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.

For turf use, do not allow people (other than applicator) or pets on treatment area during application. Do not enter or allow people (or pets) to enter the treated area until sprays have dried.

#### **SPRAY DRIFT MANAGEMENT**

A variety of factors including weather conditions (e.g. wind direction, wind speed, temperature, relative humidity) and method of application (ground, aerial, airblast, chemigation) can influence pesticide drift. The applicator must evaluate all factors and make appropriate adjustments when applying this product.

#### **DROPLET SIZE**

When applying sprays that contain 2,4-D as the sole active ingredient, or when applying sprays that contain 2,4-D mixed with active ingredients that require a coarse or coarser spray, apply only as a coarse or coarse spray (ASAE standard 572) or a volume mean diameter of 385 microns or greater for spinning atomizer nozzles.

When applying sprays that contain 2,4-D mixed with other active ingredients that require a medium or more fine spray, apply only as a medium or coarse spray (ASAE 572) or a volume mean diameter of 300 microns or greater for spinning atomizer nozzles.

#### **WIND SPEED**

Do not apply at wind speeds greater than 15 mph. Only apply this product if the wind direction favors on-target deposition and there are not sensitive areas (including, but not limited to, residential areas, bodies of water, known habitat for nontarget species, nontarget crops) within 250 feet downwind. If applying a medium spray, leave one swath unsprayed at the downwind edge of the treated field.

#### **TEMPERATURE INVERSIONS**

If applying at wind speeds less than 3 mph, the applicator must determine if: a)conditions of temperature inversion exist or b) stable atmospheric conditions exist at or below nozzle height. Do not make applications into areas of temperature inversions or stable atmospheric conditions.

#### OTHER STATE AND LOCAL REQUIREMENTS

Applicators must follow all state and local pesticide drift requirements regarding application of 2.4-D herbicides. When states have more stringent regulations, they must be observed.

#### **EQUIPMENT**

All aerial and ground application equipment must be properly maintained and calibrated using appropriate carriers or surrogates.

Additional requirements for aerial applications: The boom length must not exceed 75% of the wingspan or 90% of the rotor blade diameter.

#### **USE PRECAUTIONS**

Do not apply under circumstances where spray drift may occur to food, forage, or other plantings that might be damaged or crops thereof rendered unfit for sale, use or consumption. Susceptible crops include, but not limited to, cotton, okra, flowers, grapes (in growing stage), fruit trees (foliage), soybeans (vegetative stage), ornamentals, sunflowers, tomatoes, beans, and other vegetables or tobacco. Small amounts of spray drift that might not be visible may injure susceptible broadleaf plants. Do not spray on buffalograss, carpetgrass, dichondra, nor on grasses where desirable clovers are present. Avoid fine mists. Use a lawn type sprayer with coarse spray as wind drift is less likely. Do not spray exposed roots of desirable plants. Use the higher rate for hard-to-kill weeds. Do not exceed specified application dosages for any area. Apply to newly seeded lawns or turf after grasses are well established and have been mowed three times. Avoid broadcast applications when air temperature exceeds 90 degrees. When using small, spot treatment applications in temperature over 90 degrees, turf injury may occur.

For optimum results: (1) turf should not be mowed for 1 to 2 days before and after application; (2) do not apply if rainfall is expected within 8 hours; nor should lawns be irrigated (watered) for 24 hours following application. Reseed no sooner than three to four weeks after application of this product.

This product can be mixed with some liquid fertilizers or liquid iron materials. Because liquid fertilizers and liquid iron differ in pH, free ammonia content, density, salt concentration, and percentage of water, a compatibility test is recommended prior to mixing in the application equipment. All regulations, either State or Federal, relating to the application of liquid fertilizers or liquid iron and this product must be strictly followed.

#### **WEEDS CONTROLLED**

Alder Dogfennel Mustard Speedwell Artichoke Elderberry Nettle Spurge English daisy Orange hawkweed Spurweed Aster Austrian fieldcress Flea bane (daisy) Oxalis Stinkweed Beggartick Flixweed Parsnip Stitchwort Florida pusley Biden Pennycress Sumac Bindweed Frenchweed Pennywort Sunflower Bitterweed Galinsoga Peppergrass Sweet clover Bitter wintercress Garlic Mustard Pepperweed Tarweed Black medic Goatsbeard Pigweed Thistle Blessed thistle Toadf lax Goldenrod Plantain Poison hemlock Blue lettuce Ground ivy Tumbleweed Box elder Gumweed Poison ivy Velvet leaf Broomweed Hawkweed Poison oak Veronica Buckhorn Healall Pokeweed Vervain Bull thistle Heartleaf drymary Poorioe Vetch Burdock Virginia buttonweed Hemp Povertyweed Virginia creeper Bur ragweed Henbit Prickly lettuce Wild aster Primrose Buttercup Hoary cress Wild carrot Wild garlic Canada thistle Honeysuckle Puncture vine Carpetweed Horsetail Purslane Wild geranium Wild lettuce Catnip Indiana mallow Ragweed Red clover Chickweed Ironweed Chicory Jewelweed Red sorrel Wild onion Clover Jimsonweed Rush Wild radish Russian thistle Cocklebur Kochia Wild rape Wild strawberry Coffeebean Knotweed St. Johnswort Coffeeweed Lambsquarter Sheep sorrel Wild sweet potato Common sowthistle Locoweed Shepherdspurse Willow Creeping jenny Lupines Smartweed Witchweed Mallow Sneezeweed Woodsorrel Croton Curly indigo Marshelder Southern wild rose Wormseed Dandelion Mexicanweed Sowthistle Yarrow Morningglory Spanishneedle Yellow rocket Dock Dogbane Musk thistle Spatterdock and other broadleaf weeds.

Note: Repeat spot applications may be required for weed species that are traditionally harder to control.

#### ORNAMENTAL LAWNS AND TURF

APPLICATIONS	USE RATE		USE DIRECTIONS	
Cool Season Grasses (Such as Bluegrass, Fescue and Ryegrass)	1.1 to 1.5 fluid ounces per 1,000 square feet	3 to 4 pints per acre	For Normal Application: Use in 1 to 4 gallons of water per 1,000 square feet (20 to 230 gallons of water per acre).	
Warm Season Grasses (Such as Bahia, Common Bermuda, and Zoysia)			Note: Some hybrid Bermuda grasses may be sensitive to this product. Contact your local Extension Service weed control specialist.	
Bentgrass Turf (Putting and Bowling Greens)	.62 to .92 fluid ounce per 1,000 square feet	1.7 to 2.5 pints per acre	On closely mowed Bentgrass - other than golf course greens and tees, apply this product at the same rates as for warm season grasses, in May or mid-August through September when weeds are actively growing. Exercise care to avoid over-dosing bentgrass or injury may result.  Slight turf yellowing should disappear after about 1 week.  On closely mowed golf course fairways and tees or bowling greens - apply when weeds are actively growing and temperatures are low. Exercise care to avoid over application to prevent injury. Temporary discoloration may occur.	

For post-emergence use on turf, ornamental (such as golf courses, cemeteries, parks, sports fields, turfgrass, lawns and other grass areas) the following application restrictions apply:

The maximum seasonal rate is 3.0 lbs ae/acre, excluding spot treatment. Maximum rate per application is 1.5 lbs ae/acre, limited to 2 applications per year.

Not for use on Sod Farms in Arizona.

#### **SIMILAR NON-CROP AREAS**

Roadsides (including aprons and guard rails), rights-of-way, and other similar non-crop areas: For the control of broadleaf weeds, mix 2.5 pints to 3.5 pints of this product in 50 to 300 gallons of water. This mixture will cover 43,560 square feet (1 acre). Thoroughly saturate all weeds with spray mixture. Apply when plants come into full leaf (spring) to the time plants begin to go dormant. Best results are obtained when weeds are young and actively growing. Do not cut weeds until herbicide has translocated throughout the plant causing root death. For small broadleaf weeds, use the lower rate. Heavy, dense stands require the higher rate with high water volume.

For control of woody plants, apply to both stems and foliage from the time foliage is completely matured until the plants start to go dormant. All leaves, stems and suckers must be completely wet to the ground line for effective control. Regrowth may be anticipated on the more resistant species. Add .75 gallon to 1.25 gallons of this product to 100 gallons of water using 200 to 600 gallons of spray mixture per 43,560 square feet (1 acre) depending upon the height and thickness of the brush. Mix thoroughly before spraying.

For post-emergence (annual and perennials weeds) use on non-cropland (such as fencerows, hedgerows, roadsides, ditches, rights-of-way, utility power lines, railroads, airports and industrial sites) the following application restrictions apply: The minimum days between application is 30. The maximum rate of application is 2.0 lbs ae/acre, limited to 2 applications per year.

For broadcast weed control along roadsides, there is a limit of 2 applications per year, with a minimum 30 day interval between applications.

For woody plant control, there is a limit of 1 application per year.

Applications to non-cropland areas are not applicable to treatment of commercial timber or other plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes.

#### 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. This product should be stored in a cool, dry location. Do not store near seeds, fertilizers, insecticides or fungicides. Containers should be opened in well-ventilated area. Keep container tightly sealed when not in use. Do not stack cardboard cases more than two pallets high.

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. Improper disposal of excess pesticide spray mixtures or rinsate is a violation of Federal law and may contaminate groundwater. If container is damaged or if pesticide has spilled, contain all spillage. Clean up all spilled material with broom. Place in a closed, labeled container for proper disposal. 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:** 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.

#### **TANK MIXES**

Unless otherwise prohibited on this label or the label of an intended tank mix product, this product may be applied in combination with any pesticide registered for the same crop, timing, and method of application. Observe the most restrictive label statements of various tank mix products used.

IMPORTANT: PESTICIDE TANK MIXES MAY INCREASE THE RISK OF MIXING INCOMPATIBILITIES, REDUCED EFFECTIVENESS AND/OR CAUSE CROP INJURY OR LOSS. ANY LIABILITY FOR LOSS, INJURY OR DAMAGE RESULTING FROM A TANK MIXTURE NOT SPECIFIED ON THIS LABEL OR IN MANUFACTURER'S SUPPLEMENTAL LABELING DISTRIBUTED FOR THIS PRODUCT IS SPECIFICALLY DISCLAIMED BY MANUFACTURER.

#### COMPATIBILITY

Before full-scale mixing of this product with other pesticides, fertilizers, secondary plant nutrients, adjuvants, surfactants or oils, you must determine the compatibility of the proposed mixture. Use proportionate quantities of each ingredient and mix in a small container. Always mix one product thoroughly with the diluent before adding another product. If no incompatibility is evident after 30 minutes, the mixture is generally compatible for spraying. To evaluate potential short term effects of applying the mixture, test the tank mix combination on a few plants or a small area before larger-scale treatments. Wait at least 2 to 3 days for problems to become apparent.

IMPORTANT: MIXING WITH OTHER SUBSTANCES MAY INCREASE THE RISK OF MIXING INCOMPATIBILITIES, REDUCED EFFECTIVENESS AND/OR CAUSE CROP INJURY OR LOSS. ANY LIABILITY FOR LOSS, INJURY OR DAMAGE RESULTING FROM A MIXTURE NOT SPECIFIED ON THIS LABEL OR IN MANUFACTURER'S SUPPLEMENTAL LABELING DISTRIBUTED FOR THIS PRODUCT IS SPECIFICALLY DISCLAIMED BY MANUFACTURER.

#### WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER, AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, CROP OR PLANT DAMAGE, OR LOSS OF YIELD, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE WEATHER, WIND, AND TEMPERATURE, OR THE MANNER OF USE OR APPLICATION, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER, AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE

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#### LIMITATION OF LIABILITY WARNING

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, NEITHER MANUFACTURER NOR SELLER SHALL BE LIABLE TO BUYER OR USER OR TO CUSTOMERS OF BUYER, IF ANY, FOR INDEMNIFICATION OR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR RISING OUT OF THE USE, MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR CUSTOMERS. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY, SHALL BE FOR DAMAGES NOT EXCEEDING THE PURCHASE PRICE OF THE GOODS AND, IF BUYER OR USER WISHES, THE RETURN OF THE GOODS BY BUYER TO SELLER.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the goods, and return it unopened to the Seller, and the purchase price will be refunded. By using the goods, you expressly agree to all of the terms and conditions of this contract.

(RV012908)

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