

pm 25

241-285
PM 2

page 1 of 13
File



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JAN 25 1994

Desiree L. Little
AMERICAN CYANAMID COMPANY
AGRI RESEARCH DIV
P. O. Box 400
Princeton, NJ 08543

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Subject: Label Amendment Submission of 08/30/93 in Response to PR Notice 93-7
EPA Reg. No. 241-285
ASSERT HERBICIDE

Dear Registrant:

The labeling cited above and submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is accepted. A copy of your proposed labeling stamped "ACCEPTED WITH COMMENTS" is enclosed.

WHAT THIS ACCEPTANCE MEANS:

Based on your certification, the Agency has accepted the labeling changes that are necessary to comply with the Worker Protection Standard (WPS) labeling requirements of 40 CFR part 156, subpart K, described in PR Notices 93-7 and 93-11. Any other labeling changes submitted in connection with this amendment application but not directly related to compliance with the WPS have not been reviewed or accepted by the Agency. If you wish to make such changes, you must submit a separate amendment application proposing them. If your product is currently suspended, the acceptance of this labeling amendment does not affect the suspension in any way.

WHAT YOU NEED TO DO NEXT:

Send to EPA one (1) copy of the final printed labeling:

- BEFORE selling or distributing any product bearing the final printed labeling
- AND
- WITHIN one year from date of this acceptance.



Recycled/Recyclable
Printed with Soy/Canola Ink on paper that
contains at least 50% recycled fiber

ASSERT®
herbicide

ACCEPTED
with COMMENTS
In EPA Letter Dated
JAN 25 1994

For Use In Wheat, Barley And Sunflowers

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
241-285

ACTIVE INGREDIENTS:

Imazamethabenz-methyl
m-Toluic acid, 6-(4-isopropyl-4-methyl-5-oxo-2-imidazolin-2-yl)-,
methyl ester and p-Toluic acid, 2-(4-isopropyl-4-methyl-5-oxo-2-
imidazolin-2-yl)-, methyl ester.....27.0%

INERT INGREDIENTS.....73.0%
TOTAL.....100.0%

(One gallon contains 2.5 lbs of active ingredient)

EPA Reg. No. 241-285

EPA Est. No.

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 this label, find someone to explain
it to you in detail.)

STATEMENT OF PRACTICAL TREATMENT

If in eyes: hold eyelids open and flush with a steady gentle stream of water for
15 minutes. Get medical attention.

If swallowed: drink promptly a large quantity of milk, egg white, gelatin
solution, or if these are not available, large quantities of water. Avoid
alcohol. Get medical attention.

If on skin: wash thoroughly with soap and water. Get medical attention if
irritation persists.

Note to Physician: Probable mucosal damage may contraindicate the use of gastric
lavage.

See Next Page For Additional Precautionary Statements

In case of an emergency endangering life or property involving this product,
call collect, day or night (201) 835-3100.

(Company Logo)
AMERICAN CYANAMID COMPANY
AGRICULTURAL DIVISION
CROP PROTECTION CHEMICALS DEPARTMENT
WAYNE, NJ 07470 © 1993

®Registered Trademark of American Cyanamid Company

BEST AVAILABLE COPY

3 9 13

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER

Corrosive, Causes Irreversible Eye Damage

DANGER! DO NOT get in eyes. Avoid contact with skin and clothing. Avoid breathing vapor or spray mist. Use with adequate ventilation.

Personal Protective Equipment (PPE):

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category B on an EPA chemical resistance category selection chart.

Applicators and other handlers must wear:

- . long-sleeved shirt and long pants
- . chemical-resistant gloves, such as barrier-laminate or butyl rubber \geq 14 mils
- . shoes plus socks
- . 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 and maintaining PPE. If no such instructions for washable, use detergent and hot water. Keep and wash PPE separately from other laundry.

When handlers use closed systems, enclosed cabs, or aircraft 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:

- o Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- o Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- o 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.

ENVIRONMENTAL HAZARDS

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.

BEST AVAILABLE COPY

DIRECTIONS FOR USE

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

ASSERT should be used only in accordance with recommendations on this label.

DO NOT apply this product through any type of irrigation system.

Observe all cautions and limitations on this label and on the labels of products used in combination with ASSERT. American Cyanamid Company will not be responsible for losses or damages resulting from the use of this product in any manner not specifically recommended by American Cyanamid. User assumes all risks associated with such non-recommended use. Keep container closed to avoid spills and contamination.

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, such as barrier-laminate or butyl rubber \geq 14 mils
 - . shoes plus socks
 - . protective eyewear.
-

STORAGE AND DISPOSAL

Keep from freezing. **DO NOT STORE BELOW 40°F (5°C)**. Ice will form in the container at 5°F (-15°C). If ice occurs from prolonged storage at temperatures of 5°F (-15°C) or below, place container at room temperature until ice melts. Stability of ASSERT is not affected by freezing and thawing.

DO NOT contaminate water, food or feed by storage or disposal. Store ASSERT only in original container. **DO NOT** mix or store in unlined containers.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. 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 2.5 GALLONS: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

CONTAINER DISPOSAL FOR FIELD KEG, MINI-BULK AND BULK: Return empty container for reuse.

GENERAL INFORMATION

Use of ASSERT herbicide in accordance with label directions is expected to result in normal growth of rotational crops in most situations; however, various environmental and agronomic factors make it impossible to eliminate all risks associated with the use of this product and, therefore, rotational crop injury is always possible.

EQUIPMENT APPLICATION INSTRUCTIONS

The spray equipment must be clean and properly calibrated before treatments are applied. For best results, use flat fan nozzles, and a pressure of 20 to 40 psi to achieve uniform spray distribution and minimize drift. A drift retardant agent may be added to the tank if needed. DO NOT use flood jet nozzles. Keep the by-pass line on or near the bottom of the tank to minimize foaming.

During aerial applications, a flagman should be located at each end of the field, or attach an automatic mechanical flagging unit to the aircraft to ensure uniform application. DO NOT overlap spray by aerial or ground application.

MIXING INSTRUCTIONS

A NON-IONIC SURFACTANT CONTAINING AT LEAST 80% ACTIVE INGREDIENT MUST BE USED WITH ASSERT HERBICIDE.

ADD clean water to the spray tank one-half to three quarters full.

When using ASSERT alone, add ASSERT to the partially filled tank while agitating. When ASSERT is thoroughly mixed add the surfactant to the tank at a rate of 2 pints surfactant per 100 gallons of spray solution. Fill the remainder of tank with clean water while continuing agitation.

Crop oil can be added to an ASSERT application at a rate of 2 pints (1 quart) per acre of spray solution. A non-ionic surfactant plus crop oil is acceptable in tank mix with an ASSERT application.

When tank mixing ASSERT with a labeled tank mix partner, first fill the spray tank two thirds full with clean water. Add the partner herbicide(s) to the spray tank first while agitating the solution. When the herbicide solution is thoroughly mixed, add ASSERT to the tank. An antifoaming agent may be added if necessary. After the ASSERT and tank mix partners are thoroughly mixed, add the non-ionic surfactant at a rate of 2 pints per 100 gallons spray solution. Finally, crop oil and/or drift retardant should be added last. Complete filling the tank with water while continuing agitation. Maintain continuous agitation until spraying is completed.

HOW TO USE ASSERT PLUS SUN-IT II¹ spray adjuvant in wheat and barley:
SUN-IT II spray adjuvant may be used instead of a non-ionic surfactant or instead of a non-ionic surfactant plus crop oil in tank mix with an ASSERT application. Note: When using other brands of crop oil, or petroleum or vegetable-based crop oils, a non-ionic surfactant must be included with ASSERT.

Use SUN-IT II at the rate of 1.5 to 2.0 pints per acre. Use the higher rate when weeds are at the maximum label size or under stress. SUN-IT II is recommended when weeds are under moisture or temperature stress. When using ASSERT with a non-phosphorous liquid fertilizer, follow instructions on the ASSERT label for the compatibility test of SUN-IT II. When tank mixing ASSERT with a labeled herbicide tank mix partner, determine whether SUN-IT II spray adjuvant (crop oil) is approved on that tank mix partner label.

APPLICATIONS WITH LIQUID FERTILIZERS

GENERAL

ASSERT can be applied with a non-phosphorus liquid fertilizer such as 28-0-0. Non-phosphorus liquid fertilizers can be applied with ASSERT alone or in combination with MCPA ester², 2,4-D ester², or Bromoxynil + MCPA ester² (Bronate³) to wheat and barley. Follow all ASSERT label recommendations regarding timing of application, special instructions and precautions. Apply the ASSERT/non-phosphorus liquid fertilizer combination with a minimum of 8 gallons per acre with ground equipment or a minimum of 5 gallons of spray solution per acre with aircraft.

NOTE: Herbicides can increase contact burn of fertilizers on plant foliage. Reduced gallons of fertilizer per acre may decrease leaf burn. **DO NOT** allow ASSERT to remain overnight in a liquid fertilizer solution.

All individual state regulations relating to fluid fertilizer mixing, registration, labeling and application are the responsibility of the individual and/or company selling the ASSERT/liquid fertilizer mixture.

LIQUID FERTILIZER COMPATIBILITY DETERMINATIONS

If a liquid fertilizer and herbicide(s) mixture separates in the spray tank, clogged equipment and uneven application can result, which can cause poor weed control and crop injury. Always predetermine the compatibility of ASSERT alone or with other herbicides in the specific liquid fertilizer to be used according to the following directions:

1. Add 1 pint of liquid fertilizer to each of 2 one-quart jars.
2. Add 1/2 teaspoon of adjuvant to one jar.
3. (a) When using ASSERT alone, add to each jar the correct amount of ASSERT as specified in the table below.
(b) When using ASSERT tank mixtures, first add the specified quantity of MCPA ester, 2,4-D ester, or Bromoxynil + MCPA ester and then add the correct amount of ASSERT.
4. Close both jars and shake thoroughly for 10 seconds. Let them stand for 30 minutes and then observe the results. Look for signs of separation, an oily layer or globules, sludge, flakes or other precipitates.
5. Determine compatibility.
 - (a) If the mixture without adjuvant does not separate, use this mixture in your spray tank.
 - (b) If the mixture with adjuvant does not separate, but the one without adjuvant separates, use the adjuvant mixture in your spray tank. Add the adjuvant to the liquid fertilizer as directed on the manufacturer's label.
 - (c) If either mixture separates, but mixes readily with shaking, the mixture can be used providing good agitation is maintained in the spray tank.
 - (d) If separation of the mixture occurs, and agitation and/or adjuvant does not correct this problem, **DO NOT** use the herbicide(s) in that specific liquid fertilizer.

**Teaspoons of Specific Herbicide to be Added to
1 pint of Liquid Fertilizer Solution**

Gallons of Liquid Fertilizer plus Water to be Applied per acre	ASSERT	MCPA ester	2,4-D ester	Bronate
5	3	2	2	2
10	1 1/2	1	1	1
15	3/4	1/2	1/2	1/2

SPRAYING INSTRUCTIONS

Uniformly apply the recommended ASSERT or ASSERT tank mixture in 8 or more gallons of water per acre with ground equipment or in 5 or more gallons of water per acre by aircraft. Avoid overlapping, and shut off spray booms while starting, turning, slowing or stopping, or injury to the crop or a rotational crop could result. DO NOT allow spray to drift onto adjacent crops as injury may occur. For optimum weed control, ASSERT must absorb into plant leaves for 3 hours prior to overhead irrigation or rainfall.

IMPORTANT

DO NOT make more than one application of ASSERT per growing season. DO NOT graze treated fields or cut treated forage for silage or hay. Wheat and barley straw may be fed or used for bedding.

FOLLOW CROP RESTRICTIONS

The following rotational crops may be planted the season after applying ASSERT at recommended rates in wheat, barley and sunflowers:

- | | | | |
|-----------|-------|--------------|------------|
| Soybean | Corn | Edible beans | Sunflowers |
| Safflower | Wheat | Barley | |

If ASSERT and Glean⁴, ASSERT and Ally⁴, or ASSERT and Finesse⁴ are applied together in any type of tank mix during the same year, follow the most restrictive precautions, directions and recropping/rotation limitations that appear on the respective product labels.

DO NOT plant sugar beets for at least 20 months following an ASSERT application. DO NOT plant other rotational crops than those listed above for 15 months following an ASSERT application.

Use of ASSERT herbicide in accordance with label directions is expected to result in normal growth of rotational crops in most situations; however, various environmental and agronomic factors make it impossible to eliminate all risks associated with the use of this product and, therefore, rotational crop injury is always possible.

BEST AVAILABLE COPY

9 of 13

WHEAT AND BARLEY

GENERAL INFORMATION

ASSERT is a selective herbicide for the postemergence control of wild oats, roughstalk bluegrass, interrupted windgrass, and certain broadleaved weeds in wheat and barley. Apply ASSERT postemergence to wheat (including durum) and barley from the 2 leaf stage of the crop, but before development of the first internode (jointing). DO NOT apply ASSERT when freezing temperatures are forecast.

Wild oats will be controlled with ASSERT applied when wild oats are in the 1 to 4 true leaf stage.

If unfavorable growing conditions exist, ASSERT may cause slight discoloration and delayed growth of durum wheat. The crop will recover under normal growing conditions and yields will not be affected.

ASSERT alone or in combination can be applied by ground equipment or aircraft.

Maximum weed control with ASSERT alone or in combination is obtained when temperature, moisture, fertility and cultural practices provide favorable conditions for active plant growth. Thorough uniform spray coverage is required to maximize weed control. For high populations of wild oats (in excess of 25 plants per square foot), use a minimum spray volume of 15 gallons per acre.

ASSERT rapidly inhibits growth of susceptible weeds; however, typical symptoms (discoloration) of dying weeds may not be noticeable until 2-4 weeks after application. Weeds hardened by cold weather or drought stress may not be fully controlled and regrowth may occur: increase spray solution (gallons per acre) and surfactant under these conditions.

BEST AVAILABLE COPY

RATES^a AND TIMING FOR WEED CONTROL IN WHEAT AND BARLEY STATES

WEED	Application Leaf stage	STATES			
		MN, ND, & SD	MT & WY	So. ID CO & UT	WA, OR, & No. ID
----- pints/acre -----					
GRASSES:					
WILD OATS	1 - 4	1.0 - 1.2	1.2 - 1.5	1.3 - 1.5	1.5 ^b
Roughstalk bluegrass	1 - 4	1.2	1.5	1.5	1.5
Interrupted windgrass	2 - 4	---	---	---	1.5
BROADLEAVES:					
Wild mustard	1 - 6	1.0	1.2	1.3	1.5
London rocket	1 - 6	1.0	1.2	1.3	1.5
Field pennycress	1 - 4	1.2	1.5	1.5	1.5
Flixweed	1 - 4	1.2	1.5	1.5	1.5
Tansymustard	1 - 6	1.2	1.5	1.5	1.5
Catchweed bedstraw ^c	1 - 3	1.5	1.5	1.5	1.5
Tartary buckwheat ^c	1 - 3	1.5	1.5	1.5	1.5
Wild buckwheat ^c	1 - 3	1.5	1.5	1.5	1.5

- ^a When two or more weed species are present, use the recommended rate to control the more difficult to control weed. When a rate range is possible, use the higher rate when weed density is high and/or weeds are large.
- ^b In eastern Washington and Northern Idaho a rate of 1.3 to 1.5 pints/acre of ASSERT may be applied to spring wheat or barley growing under favorable conditions.
- ^c When ASSERT is applied up to the 3 leaf stage, plants stop growing, resulting in a non-competitive plant.

HERBICIDE COMBINATIONS

Mixtures of ASSERT and one or more of the following broadleaf herbicides may be tank mixed to obtain maximum wild oat and broadleaf control:

MCPA ester ²	2,4-D ester ²	Bromoxynil + MCPA ester ² (Bronate ³)	
Curtail M ⁵	Glean ⁴	Ally ⁴	
Harmony ⁴	Harmony Extra ⁴	Express ⁴	Finesse ⁴

NOTE: Follow the most restrictive precautions, directions and recropping/rotation limitations that appear on the respective product labels. Tank mixtures must be applied prior to the development of the first internode (jointing) of the crop.

DO NOT tank mix ASSERT with 2,4-D ester unless the crop is fully tillered. DO NOT tank mix ASSERT with Banvel⁶, any product containing dicamba⁷, MCPA amine, or 2,4-D amine formulations. A waiting period of 4 days should be observed before applying any herbicide not listed as a tank mix partner.

ASSERT®/AVENGE® tank mix for wild oat control:

ASSERT herbicide may be tank mixed with AVENGE wild oat herbicide for the control of wild oats only. This combination may be used in the following states: Idaho, Colorado, Montana, Nevada, Oregon, Utah, Washington and Wyoming. Follow all varietal restrictions present on the AVENGE label. ASSERT should be mixed at a rate of 3/4 pints per acre with AVENGE at 2 pints per acre.

This mixture can be applied from the 2-5 true leaf stage of wild oats. DO NOT apply this tank mix when the wheat/barley flagleaf is exposed. The tank mix should be applied in 8 or more gallons of water per acre (gpa) by ground equipment and in 5 or more gpa by aircraft. For wild oat populations in excess of 25 plants per square foot, use a minimum spray volume of 15 gpa. Use a non-ionic surfactant containing at least 80% active ingredient at a rate of 2 pints per 100 gallons spray solution up to an application rate of 15 gpa. For application rates greater than 15 gpa consult the SURFACTANT ADDITION TABLE on the AVENGE label for surfactant requirements.

WEED SPECIES NAMES

Common Names	Scientific Name
Wild oats	<u>Avena fatua</u>
Roughstalk bluegrass	<u>Poa trivialis</u>
Interrupted windgrass	<u>Apera interrupta</u>
Wild mustard	<u>Brassica kaber</u>
London rocket	<u>Sisymbrium irio</u>
Field pennycress, Fanweed	<u>Thlaspi arvense</u>
Flixweed	<u>Descurainia sophia</u>
Tansymustard	<u>Descurainia pinnata</u>
Catchweed bedstraw	<u>Galium aparine</u>
Tartary buckwheat	<u>Fagopyrum tataricum</u>
Wild buckwheat	<u>Polygonum convolvulus</u>

SUNFLOWERS

GENERAL INFORMATION

ASSERT herbicide is a selective herbicide for the postemergence control of wild mustard and wild oats in sunflowers. Apply ASSERT postemergence to sunflowers not under drought/heat stress, from the 2 to 8-leaf stage of growth (sunflowers must be less than 15 inches high). Maximum weed control with ASSERT is obtained when temperature, moisture, fertility and cultural practices provide favorable conditions for active plant growth. Uniform spray coverage is required for maximum weed control.

Before applying ASSERT to sunflowers, thoroughly rinse and empty the spray tank of any herbicide containing solution. Then, wash all lines prior to adding ASSERT to the tank. Herbicide residues remaining in the spray tank can injure sunflowers at extremely low concentrations.

DO NOT tank mix insecticides with ASSERT in sunflowers.

WEEDS CONTROLLED:

Wild mustard (Brassica kaber) Wild oats (Avena fatua)

TIMING AND RATES OF APPLICATION:

For optimum wild mustard control apply ASSERT at 0.6 to 0.8 pints per acre (9.6-12.8 fl. oz./acre) when the majority of wild mustard plants are in the rosette stage and prior to bloom.

For wild oat control apply ASSERT at 1.0 to 1.2 pints per acre (16 to 19 fl. oz./A) when the majority of wild oat plants are in the 1-4 true leaf stage of growth.

ASSERT may be applied following application of a soil applied herbicide registered for use in sunflowers such as PROWL herbicide, Ambien³, Eptam⁸, Treflan⁵, or trifluralin².

DISCLAIMER

THE USER ASSUMES ALL RISKS AND CONSEQUENCES ASSOCIATED WITH APPLICATIONS OF ASSERT ON SUNFLOWERS. Use of ASSERT herbicide in accordance with label directions is expected to result in normal growth of crops in most situations; however, various environmental and agronomic factors make it impossible to eliminate all risks associated with the use of ASSERT and therefore, injury to sunflowers and rotational crops is always possible.

The label instructions for the use of this product reflect the opinion of experts based on research and field use. The directions are believed to be reliable and should be followed carefully. However, it is impossible to eliminate all risks inherently associated with 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 the use of, or application of the product contrary to label instructions, all of which are beyond the control of American Cyanamid Company. All such risks shall be assumed by the user.

American Cyanamid Company shall not be responsible for losses or damages resulting from use of this product in any manner not set forth on this label. User assumes all risks associated with the use of this product in any manner not specifically set forth on this label.

American Cyanamid Company warrants only that the material contained herein conforms to the chemical description on the label and is reasonably fit for the use therein described when used in accordance with the directions for use, subject to the risks referred to above. CYANAMID DOES NOT MAKE OR AUTHORIZE ANY AGENT OR REPRESENTATIVE TO MAKE ANY OTHER WARRANTIES, EXPRESS OR IMPLIED AND EXPRESSLY EXCLUDES AND DISCLAIMS ALL IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

BUYER'S EXCLUSIVE REMEDY AND AMERICAN CYANAMID'S EXCLUSIVE LIABILITY, WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL BE LIMITED TO REPAYMENT OF THE PURCHASE PRICE OF ASSERT. In no case shall Cyanamid or the seller be liable for consequential, special or indirect damages resulting from the use or handling of this product.

*Registered Trademark of American Cyanamid Company

(DISCLAIMER continued)

USES WITH OTHER PRODUCTS (TANK MIXES)

If this product is used in combination with any other product except as specifically recommended in writing by American Cyanamid Company, then American Cyanamid Company shall have no liability for any loss, damage, or injury arising out of its use in any such combination not so specifically recommended. If used in a combination recommended by American Cyanamid Company, the liability of American Cyanamid Company shall in no manner extend to any damage, loss or injury not directly caused by the inclusion of the American Cyanamid Company product in such combination use, and in any event shall be limited to return of the amount of the purchase price of the product.

Registered Trademark of American Cyanamid Company

¹SUN-IT II is a trademark of AGSCO, Inc.

²Trifluralin, MCPA ester, 2,4-D ester, and Bromoxynil + MCPA ester are sold under various brand names.

³Bronate and Amiben are trademarks of Rhone Poulenc.

⁴Ally, Express, Finesse, Glean, Harmony, and Harmony Extra are trademarks of E.I. Du Pont de Nemours and Co., Inc.

⁵Curtail M and Treflan are trademarks of DowElanco.

⁶Banvel is a trademark of Sandoz Crop Protection Corp.

⁷Dicamba is an active ingredient of various herbicides sold under various brand names.

⁸Eptam is a trademark of ICI Americas, Inc.

AMERICAN CYANAMID COMPANY
AGRICULTURAL DIVISION
CROP PROTECTION CHEMICALS DEPARTMENT
WAYNE, NJ 07470 1993

BEST AVAILABLE COPY



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460**

JAN 25 1994

**Desiree L. Little
AMERICAN CYANAMID COMPANY
AGRI RESEARCH DIV
P. O. Box 400
Princeton, NJ 08543**

**OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES**

**Subject: Label Amendment Submission of 08/30/93 in Response to PR Notice 93-7
EPA Reg. No. 241-285
ASSERT HERBICIDE**

Dear Registrant:

The labeling cited above and submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is accepted. A copy of your proposed labeling stamped "ACCEPTED WITH COMMENTS" is enclosed.

WHAT THIS ACCEPTANCE MEANS:

Based on your certification, the Agency has accepted the labeling changes that are necessary to comply with the Worker Protection Standard (WPS) labeling requirements of 40 CFR part 156, subpart K, described in PR Notices 93-7 and 93-11. Any other labeling changes submitted in connection with this amendment application but not directly related to compliance with the WPS have not been reviewed or accepted by the Agency. If you wish to make such changes, you must submit a separate amendment application proposing them. If your product is currently suspended, the acceptance of this labeling amendment does not effect the suspension in any way.

WHAT YOU NEED TO DO NEXT:

Send to EPA one (1) copy of the final printed labeling:

- **BEFORE** selling or distributing any product bearing the final printed labeling
- AND**
- **WITHIN** one year from date of this acceptance.



Recycled/Recyclable
Printed with Soy/Canola Ink on paper that
contains at least 50% recycled fiber

ASSERT[®]
herbicide

ACCEPTED
with COMMENTS
in EPA Letter Dated
JAN 25 1994

For Use In Wheat, Barley And Sunflowers

Under the Federal Insecticide,
Fungicide, and Rodenticide Act
as amended, for the pesticide
registered under EPA Reg. No.
241-285

ACTIVE INGREDIENTS:

Imazamethabenz-methyl
m-Toluic acid, 6-(4-isopropyl-4-methyl-5-oxo-2-imidazolin-2-yl)-,
methyl ester and p-Toluic acid, 2-(4-isopropyl-4-methyl-5-oxo-2-
imidazolin-2-yl)-, methyl ester.....27.0%

INERT INGREDIENTS.....73.0%

TOTAL.....100.0%

(One gallon contains 2.5 lbs of active ingredient)

EPA Reg. No. 241-285

EPA Est. No.

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 this label, find someone to explain it to you in detail.)

STATEMENT OF PRACTICAL TREATMENT

If in eyes: hold eyelids open and flush with a steady gentle stream of water for 15 minutes. Get medical attention.

If swallowed: drink promptly a large quantity of milk, egg white, gelatin solution, or if these are not available, large quantities of water. Avoid alcohol. Get medical attention.

If on skin: wash thoroughly with soap and water. Get medical attention if irritation persists.

Note to Physician: Probable mucosal damage may contraindicate the use of gastric lavage.

See Next Page For Additional Precautionary Statements

In case of an emergency endangering life or property involving this product, call collect, day or night (201) 835-3100.

(Company Logo)
AMERICAN CYANAMID COMPANY
AGRICULTURAL DIVISION
CROP PROTECTION CHEMICALS DEPARTMENT
WAYNE, NJ 07470 • 1993

•Registered Trademark of American Cyanamid Company

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER

Corrosive, Causes Irreversible Eye Damage

DANGER! DO NOT get in eyes. Avoid contact with skin and clothing. Avoid breathing vapor or spray mist. Use with adequate ventilation.

Personal Protective Equipment (PPE):

Some materials that are chemical-resistant to this product are listed below. If you want more options, follow the instructions for category B on an EPA chemical resistance category selection chart.

Applicators and other handlers must wear:

- . long-sleeved shirt and long pants
- . chemical-resistant gloves, such as barrier-laminate or butyl rubber \geq 14 mils
- . shoes plus socks
- . 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 and maintaining PPE. If no such instructions for washable, use detergent and hot water. Keep and wash PPE separately from other laundry.

When handlers use closed systems, enclosed cabs, or aircraft 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:

- o Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
- o Remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
- o 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.

ENVIRONMENTAL HAZARDS

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.

DIRECTIONS FOR USE

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

ASSERT should be used only in accordance with recommendations on this label.

DO NOT apply this product through any type of irrigation system.

Observe all cautions and limitations on this label and on the labels of products used in combination with **ASSERT**. American Cyanamid Company will not be responsible for losses or damages resulting from the use of this product in any manner not specifically recommended by American Cyanamid. User assumes all risks associated with such non-recommended use. Keep container closed to avoid spills and contamination.

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, such as barrier-laminate or butyl rubber \geq 14 mils
- . shoes plus socks
- . protective eyewear.

STORAGE AND DISPOSAL

Keep from freezing. **DO NOT STORE BELOW 40°F (5°C)**. Ice will form in the container at 5°F (-15°C). If ice occurs from prolonged storage at temperatures of 5°F (-15°C) or below, place container at room temperature until ice melts. Stability of ASSERT is not affected by freezing and thawing.

DO NOT contaminate water, food or feed by storage or disposal. Store ASSERT only in original container. **DO NOT** mix or store in unlined containers.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law. 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 2.5 GALLONS: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

CONTAINER DISPOSAL FOR FIELD KEG, MINI-BULK AND BULK: Return empty container for reuse.

GENERAL INFORMATION

Use of ASSERT herbicide in accordance with label directions is expected to result in normal growth of rotational crops in most situations; however, various environmental and agronomic factors make it impossible to eliminate all risks associated with the use of this product and, therefore, rotational crop injury is always possible.

EQUIPMENT APPLICATION INSTRUCTIONS

The spray equipment must be clean and properly calibrated before treatments are applied. For best results, use flat fan nozzles, and a pressure of 20 to 40 psi to achieve uniform spray distribution and minimize drift. A drift retardant agent may be added to the tank if needed. DO NOT use flood jet nozzles. Keep the by-pass line on or near the bottom of the tank to minimize foaming.

During aerial applications, a flagman should be located at each end of the field, or attach an automatic mechanical flagging unit to the aircraft to ensure uniform application. DO NOT overlap spray by aerial or ground application.

MIXING INSTRUCTIONS

A NON-IONIC SURFACTANT CONTAINING AT LEAST 80% ACTIVE INGREDIENT MUST BE USED WITH ASSERT HERBICIDE.

ADD clean water to the spray tank one-half to three quarters full.

When using ASSERT alone, add ASSERT to the partially filled tank while agitating. When ASSERT is thoroughly mixed add the surfactant to the tank at a rate of 2 pints surfactant per 100 gallons of spray solution. Fill the remainder of tank with clean water while continuing agitation.

Crop oil can be added to an ASSERT application at a rate of 2 pints (1 quart) per acre of spray solution. A non-ionic surfactant plus crop oil is acceptable in tank mix with an ASSERT application.

When tank mixing ASSERT with a labeled tank mix partner, first fill the spray tank two thirds full with clean water. Add the partner herbicide(s) to the spray tank first while agitating the solution. When the herbicide solution is thoroughly mixed, add ASSERT to the tank. An antifoaming agent may be added if necessary. After the ASSERT and tank mix partners are thoroughly mixed, add the non-ionic surfactant at a rate of 2 pints per 100 gallons spray solution. Finally, crop oil and/or drift retardant should be added last. Complete filling the tank with water while continuing agitation. Maintain continuous agitation until spraying is completed.

HOW TO USE ASSERT PLUS SUN-IT II¹ spray adjuvant in wheat and barley:
SUN-IT II spray adjuvant may be used instead of a non-ionic surfactant or instead of a non-ionic surfactant plus crop oil in tank mix with an ASSERT application. Note: When using other brands of crop oil, or petroleum or vegetable-based crop oils, a non-ionic surfactant must be included with ASSERT.

Use SUN-IT II at the rate of 1.5 to 2.0 pints per acre. Use the higher rate when weeds are at the maximum label size or under stress. SUN-IT II is recommended when weeds are under moisture or temperature stress. When using ASSERT with a non-phosphorous liquid fertilizer, follow instructions on the ASSERT label for the compatibility test of SUN-IT II. When tank mixing ASSERT with a labeled herbicide tank mix partner, determine whether SUN-IT II spray adjuvant (crop oil) is approved on that tank mix partner label.

APPLICATIONS WITH LIQUID FERTILIZERS

GENERAL

ASSERT can be applied with a non-phosphorus liquid fertilizer such as 28-0-0. Non-phosphorus liquid fertilizers can be applied with ASSERT alone or in combination with MCPA ester², 2,4-D ester², or Bromoxynil + MCPA ester² (Bronate³) to wheat and barley. Follow all ASSERT label recommendations regarding timing of application, special instructions and precautions. Apply the ASSERT/non-phosphorus liquid fertilizer combination with a minimum of 8 gallons per acre with ground equipment or a minimum of 5 gallons of spray solution per acre with aircraft.

NOTE: Herbicides can increase contact burn of fertilizers on plant foliage. Reduced gallons of fertilizer per acre may decrease leaf burn. **DO NOT** allow ASSERT to remain overnight in a liquid fertilizer solution.

All individual state regulations relating to fluid fertilizer mixing, registration, labeling and application are the responsibility of the individual and/or company selling the ASSERT/liquid fertilizer mixture.

LIQUID FERTILIZER COMPATIBILITY DETERMINATIONS

If a liquid fertilizer and herbicide(s) mixture separates in the spray tank, clogged equipment and uneven application can result, which can cause poor weed control and crop injury. Always predetermine the compatibility of ASSERT alone or with other herbicides in the specific liquid fertilizer to be used according to the following directions:

1. Add 1 pint of liquid fertilizer to each of 2 one-quart jars.
2. Add 1/2 teaspoon of adjuvant to one jar.
3. (a) When using ASSERT alone, add to each jar the correct amount of ASSERT as specified in the table below.
(b) When using ASSERT tank mixtures, first add the specified quantity of MCPA ester, 2,4-D ester, or Bromoxynil + MCPA ester and then add the correct amount of ASSERT.
4. Close both jars and shake thoroughly for 10 seconds. Let them stand for 30 minutes and then observe the results. Look for signs of separation, an oily layer or globules, sludge, flakes or other precipitates.
5. Determine compatibility.
 - (a) If the mixture without adjuvant does not separate, use this mixture in your spray tank.
 - (b) If the mixture with adjuvant does not separate, but the one without adjuvant separates, use the adjuvant mixture in your spray tank. Add the adjuvant to the liquid fertilizer as directed on the manufacturer's label.
 - (c) If either mixture separates, but mixes readily with shaking, the mixture can be used providing good agitation is maintained in the spray tank.
 - (d) If separation of the mixture occurs, and agitation and/or adjuvant does not correct this problem, **DO NOT** use the herbicide(s) in that specific liquid fertilizer.

**Teaspoons of Specific Herbicide to be Added to
1 pint of Liquid Fertilizer Solution**

Gallons of Liquid Fertilizer plus Water to be Applied per acre	ASSERT	MCPA ester	2,4-D ester	Bronate
5	3	2	2	2
10	1 1/2	1	1	1
15	3/4	1/2	1/2	1/2

SPRAYING INSTRUCTIONS

Uniformly apply the recommended ASSERT or ASSERT tank mixture in 8 or more gallons of water per acre with ground equipment or in 5 or more gallons of water per acre by aircraft. Avoid overlapping, and shut off spray booms while starting, turning, slowing or stopping, or injury to the crop or a rotational crop could result. DO NOT allow spray to drift onto adjacent crops as injury may occur. For optimum weed control, ASSERT must absorb into plant leaves for 3 hours prior to overhead irrigation or rainfall.

IMPORTANT

DO NOT make more than one application of ASSERT per growing season. DO NOT graze treated fields or cut treated forage for silage or hay. Wheat and barley straw may be fed or used for bedding.

FOLLOW CROP RESTRICTIONS

The following rotational crops may be planted the season after applying ASSERT at recommended rates in wheat, barley and sunflowers:

Soybean	Corn	Edible beans	Sunflowers
Safflower	Wheat	Barley	

If ASSERT and Glean⁴, ASSERT and Ally⁴, or ASSERT and Finesse⁴ are applied together in any type of tank mix during the same year, follow the most restrictive precautions, directions and recropping/rotation limitations that appear on the respective product labels.

DO NOT plant sugar beets for at least 20 months following an ASSERT application. DO NOT plant other rotational crops than those listed above for 15 months following an ASSERT application.

Use of ASSERT herbicide in accordance with label directions is expected to result in normal growth of rotational crops in most situations; however, various environmental and agronomic factors make it impossible to eliminate all risks associated with the use of this product and, therefore, rotational crop injury is always possible.

WHEAT AND BARLEY**GENERAL INFORMATION**

ASSERT is a selective herbicide for the postemergence control of wild oats, roughstalk bluegrass, interrupted windgrass, and certain broadleaved weeds in wheat and barley. Apply ASSERT postemergence to wheat (including durum) and barley from the 2 leaf stage of the crop, but before development of the first internode (jointing). DO NOT apply ASSERT when freezing temperatures are forecast.

Wild oats will be controlled with ASSERT applied when wild oats are in the 1 to 4 true leaf stage.

If unfavorable growing conditions exist, ASSERT may cause slight discoloration and delayed growth of durum wheat. The crop will recover under normal growing conditions and yields will not be affected.

ASSERT alone or in combination can be applied by ground equipment or aircraft.

Maximum weed control with ASSERT alone or in combination is obtained when temperature, moisture, fertility and cultural practices provide favorable conditions for active plant growth. Thorough uniform spray coverage is required to maximize weed control. For high populations of wild oats (in excess of 25 plants per square foot), use a minimum spray volume of 15 gallons per acre.

ASSERT rapidly inhibits growth of susceptible weeds; however, typical symptoms (discoloration) of dying weeds may not be noticeable until 2-4 weeks after application. Weeds hardened by cold weather or drought stress may not be fully controlled and regrowth may occur: increase spray solution (gallons per acre) and surfactant under these conditions.

RATES^a AND TIMING FOR WEED CONTROL IN WHEAT AND BARLEY

WEED	Application Leaf stage	STATES			
		MN, ND, & SD	MT & WY	So. ID CO & UT	WA, OR, & No. ID
----- pints/acre -----					
GRASSES:					
WILD OATS	1 - 4	1.0 - 1.2	1.2 - 1.5	1.3 - 1.5	1.5 ^b
Roughstalk bluegrass	1 - 4	1.2	1.5	1.5	1.5
Interrupted windgrass	2 - 4	---	---	---	1.5
BROADLEAVES:					
Wild mustard	1 - 6	1.0	1.2	1.3	1.5
London rocket	1 - 6	1.0	1.2	1.3	1.5
Field pennycress	1 - 4	1.2	1.5	1.5	1.5
Flixweed	1 - 4	1.2	1.5	1.5	1.5
Tansymustard	1 - 6	1.2	1.5	1.5	1.5
Catchweed bedstraw ^c	1 - 3	1.5	1.5	1.5	1.5
Tartary buckwheat ^c	1 - 3	1.5	1.5	1.5	1.5
Wild buckwheat ^c	1 - 3	1.5	1.5	1.5	1.5

- ^a When two or more weed species are present, use the recommended rate to control the more difficult to control weed. When a rate range is possible, use the higher rate when weed density is high and/or weeds are large.
- ^b In eastern Washington and Northern Idaho a rate of 1.3 to 1.5 pints/acre of ASSERT may be applied to spring wheat or barley growing under favorable conditions.
- ^c When ASSERT is applied up to the 3 leaf stage, plants stop growing, resulting in a non-competitive plant.

HERBICIDE COMBINATIONS

Mixtures of ASSERT and one or more of the following broadleaf herbicides may be tank mixed to obtain maximum wild oat and broadleaf control:

MCPA ester ²	2,4-D ester ²	Bromoxynil + MCPA ester ² (Bronate ³)	
Curtail M ⁵	Glean ⁴	Ally ⁴	
Harmony ⁴	Harmony Extra ⁴	Express ⁴	Finesse ⁴

NOTE: Follow the most restrictive precautions, directions and recropping/rotation limitations that appear on the respective product labels. Tank mixtures must be applied prior to the development of the first internode (jointing) of the crop.

DO NOT tank mix ASSERT with 2,4-D ester unless the crop is fully tillered. DO NOT tank mix ASSERT with Banvel⁶, any product containing dicamba⁷, MCPA amine, or 2,4-D amine formulations. A waiting period of 4 days should be observed before applying any herbicide not listed as a tank mix partner.

ASSERT[®]/AVENGE[®] tank mix for wild oat control:

ASSERT herbicide may be tank mixed with AVENGE wild oat herbicide for the control of wild oats only. This combination may be used in the following states: Idaho, Colorado, Montana, Nevada, Oregon, Utah, Washington and Wyoming. Follow all varietal restrictions present on the AVENGE label. ASSERT should be mixed at a rate of 3/4 pints per acre with AVENGE at 2 pints per acre.

This mixture can be applied from the 2-5 true leaf stage of wild oats. DO NOT apply this tank mix when the wheat/barley flagleaf is exposed. The tank mix should be applied in 8 or more gallons of water per acre (gpa) by ground equipment and in 5 or more gpa by aircraft. For wild oat populations in excess of 25 plants per square foot, use a minimum spray volume of 15 gpa. Use a non-ionic surfactant containing at least 80% active ingredient at a rate of 2 pints per 100 gallons spray solution up to an application rate of 15 gpa. For application rates greater than 15 gpa consult the SURFACTANT ADDITION TABLE on the AVENGE label for surfactant requirements.

WEED SPECIES NAMES

Common Names	Scientific Name
Wild oats	<u>Avena fatua</u>
Roughstalk bluegrass	<u>Poa trivialis</u>
Interrupted windgrass	<u>Apera interrupta</u>
Wild mustard	<u>Brassica kaber</u>
London rocket	<u>Sisymbrium irio</u>
Field pennycress, Fanweed	<u>Thlaspi arvense</u>
Flixweed	<u>Descurainia sophia</u>
Tansymustard	<u>Descurainia pinnata</u>
Catchweed bedstraw	<u>Galium aparine</u>
Tartary buckwheat	<u>Fagopyrum tataricum</u>
Wild buckwheat	<u>Polygonum convolvulus</u>

SUNFLOWERS

GENERAL INFORMATION

ASSERT herbicide is a selective herbicide for the postemergence control of wild mustard and wild oats in sunflowers. Apply ASSERT postemergence to sunflowers not under drought/heat stress, from the 2 to 8-leaf stage of growth (sunflowers must be less than 15 inches high). Maximum weed control with ASSERT is obtained when temperature, moisture, fertility and cultural practices provide favorable conditions for active plant growth. Uniform spray coverage is required for maximum weed control.

Before applying ASSERT to sunflowers, thoroughly rinse and empty the spray tank of any herbicide containing solution. Then, wash all lines prior to adding ASSERT to the tank. Herbicide residues remaining in the spray tank can injure sunflowers at extremely low concentrations.

DO NOT tank mix insecticides with ASSERT in sunflowers.

WEEDS CONTROLLED:

- Wild mustard (Brassica kaber)
- Wild oats (Avena fatua)

TIMING AND RATES OF APPLICATION:

For optimum wild mustard control apply ASSERT at 0.6 to 0.8 pints per acre (9.6-12.8 fl. oz./acre) when the majority of wild mustard plants are in the rosette stage and prior to bloom.

For wild oat control apply ASSERT at 1.0 to 1.2 pints per acre (16 to 19 fl. oz./A) when the majority of wild oat plants are in the 1-4 true leaf stage of growth.

ASSERT may be applied following application of a soil applied herbicide registered for use in sunflowers such as PROWL⁶ herbicide, Ambien³, Eptam⁸, Treflan⁵, or trifluralin².

DISCLAIMER

THE USER ASSUMES ALL RISKS AND CONSEQUENCES ASSOCIATED WITH APPLICATIONS OF ASSERT ON SUNFLOWERS. Use of ASSERT herbicide in accordance with label directions is expected to result in normal growth of crops in most situations; however, various environmental and agronomic factors make it impossible to eliminate all risks associated with the use of ASSERT and therefore, injury to sunflowers and rotational crops is always possible.

The label instructions for the use of this product reflect the opinion of experts based on research and field use. The directions are believed to be reliable and should be followed carefully. However, it is impossible to eliminate all risks inherently associated with 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 the use of, or application of the product contrary to label instructions, all of which are beyond the control of American Cyanamid Company. All such risks shall be assumed by the user.

American Cyanamid Company shall not be responsible for losses or damages resulting from use of this product in any manner not set forth on this label. User assumes all risks associated with the use of this product in any manner not specifically set forth on this label.

American Cyanamid Company warrants only that the material contained herein conforms to the chemical description on the label and is reasonably fit for the use therein described when used in accordance with the directions for use, subject to the risks referred to above. CYANAMID DOES NOT MAKE OR AUTHORIZE ANY AGENT OR REPRESENTATIVE TO MAKE ANY OTHER WARRANTIES, EXPRESS OR IMPLIED AND EXPRESSLY EXCLUDES AND DISCLAIMS ALL IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

BUYER'S EXCLUSIVE REMEDY AND AMERICAN CYANAMID'S EXCLUSIVE LIABILITY, WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL BE LIMITED TO REPAYMENT OF THE PURCHASE PRICE OF ASSERT. In no case shall Cyanamid or the seller be liable for consequential, special or indirect damages resulting from the use or handling of this product.

⁶Registered Trademark of American Cyanamid Company

(DISCLAIMER continued)

USES WITH OTHER PRODUCTS (TANK MIXES)

If this product is used in combination with any other product except as specifically recommended in writing by American Cyanamid Company, then American Cyanamid Company shall have no liability for any loss, damage, or injury arising out of its use in any such combination not so specifically recommended. If used in a combination recommended by American Cyanamid Company, the liability of American Cyanamid Company shall in no manner extend to any damage, loss or injury not directly caused by the inclusion of the American Cyanamid Company product in such combination use, and in any event shall be limited to return of the amount of the purchase price of the product.

¹Registered Trademark of American Cyanamid Company

¹SUN-IT II is a trademark of AGSCO, Inc.

²Trifluralin, MCPA ester, 2,4-D ester, and Bromoxynil + MCPA ester are sold under various brand names.

³Bronate and Amiben are trademarks of Rhone Poulenc.

⁴Ally, Express, Finesse, Glean, Harmony, and Harmony Extra are trademarks of E.I. Du Pont de Nemours and Co., Inc.

⁵Curtail M and Treflan are trademarks of DowElanco.

⁶Banvel is a trademark of Sandoz Crop Protection Corp.

⁷Dicamba is an active ingredient of various herbicides sold under various brand names.

⁸Eptam is a trademark of ICI Americas, Inc.

AMERICAN CYANAMID COMPANY
AGRICULTURAL DIVISION
CROP PROTECTION CHEMICALS DEPARTMENT
WAYNE, NJ 07470 • 1993