

264-1062

10/14/2010

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

OCT. 14, 2010

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Mr. Mike See
Bayer Cropscience
2 T.W. Alexander Drive, PO Box 12014
Research Triangle Park, NC 27709

Subject: OD 70 Herbicide
EPA Registration Number 264-1062
Submission dated August 11, 2010

Dear Mr. See:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act as amended is acceptable, provided you make the following changes before you release the product for shipment.

1. Add an appropriate EPA Establishment Number to the label
2. Revise the heading "GENERAL INFORMATION" to "USE INFORMATION" or "PRODUCT INFORMATION"
3. On page 3, in the section Use Restrictions and Precautions, add the following restriction: "A 25 foot buffer for ground applications, or a 200 foot buffer for aerial applications, must be maintained between the point of direct application and the closest downwind edge of sensitive terrestrial habitats (including grasslands, forested areas, shelter belts, woodlots, hedgerows, riparian areas and shrub lands), sensitive freshwater habitats (including lakes, rivers, sloughs, ponds, creeks, marshes, streams, reservoirs and wetlands) and estuarine/marine habitats."
4. On page 8, remove the statement "The applicator should be familiar with and take into account the information covered in the Aerial Drift Reduction Advisory Information"
5. On page 7, add "you must" before "maintain a 25 foot buffer for ground applications, or a 200 foot buffer for aerial applications"
6. On page 7, revise "such as" to "including" in the buffer statement.

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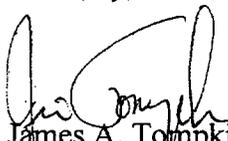
EPA Registration Number 264-1062

7. On page 8, revise "should" to "must" in the sections Wind and Application Height
8. On page 8, remove "Sensitive Areas: The pesticide should.....is minimal (e.g. when wind is blowing away from the sensitive areas"
9. On page 8, move the remaining statements "Avoiding spray drift at the application site.....Where states have more stringent regulations, they shall be observed" to prior to the statement "Only apply this product when the potential for drift...." On page 7.

Submit one (1) copy of final printed labeling incorporating the above changes before you release the product for shipment. Amended labeling will supercede all previously accepted ones. A stamped copy of labeling is enclosed for your records. If you have any questions, please contact Hope Johnson at 703-305-5410.

NOTE: The Corvus Herbicide label (EPA Registration Number 264-1066) and Capreno Herbicide label (EPA Registration Number 264-1063) referenced in this application must be revised to include a mandatory buffer statement per #4 above in the Restrictions section. Submit a label amendment for these products within 30 days from the date of this letter.

Sincerely,



James A. Tompkins
Product Manager 25
Herbicide Branch
Registration Division (7505P)

GROUP 2 HERBICIDE

OD 70 Herbicide

For post-emergence control of certain grasses and broadleaf weeds in spring wheat (including durum).

ACTIVE INGREDIENTS:

Thiencarbazone-methyl (Methyl 4-[[[(4,5-dihydro-3-methoxy-4-methyl-5-oxo-1H-1,2,4-triazol-1-yl)carbonyl]amino]sulfonyl]-5-methyl-3-thiophenecarboxylate) 1.0%

OTHER INGREDIENTS 99.0%

TOTAL: 100.0%

This product contains 0.083 lb of thiencarbazone-methyl per gallon
**** Contains Petroleum Distillates

EPA Reg. No. 264-1062

EPA Est.

**STOP - Read the label before use.
Keep out of reach of children
CAUTION 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.)

For MEDICAL And TRANSPORTATION Emergencies ONLY Call 24 Hours A Day 1-800-334-7577.

For PRODUCT USE Information Call 1-866-99BAYER (1-866-992-2937).

FIRST AID

IF SWALLOWED:	<ul style="list-style-type: none"> • Immediately call a poison control center or doctor for treatment advice. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give any liquid to the person. • Do not give anything by mouth to an unconscious person.
IF INHALED:	<ul style="list-style-type: none"> • Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. • Call a poison control center or doctor for further treatment advice.
IF ON SKIN OR CLOTHING:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
IF IN EYES:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing. • Call a poison control center or doctor for treatment advice.

For MEDICAL Emergencies Call 24 Hours A Day 1-800-334-7577.

Have the product container or label with you when calling a poison control center or doctor or going for treatment.

NOTE TO PHYSICIAN: May pose an aspiration pneumonia hazard. Contains petroleum distillate. No specific antidote is available. All treatments should be based on observed signs and symptoms of distress in the patient. Overexposure to materials other than this product may have occurred.

ACCEPTED
with COMMENTS
in EPA Letter Dated

OCT 14 2010

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

264-1062

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PRECAUTIONARY STATEMENTS

CAUTION

HAZARD TO HUMANS AND DOMESTIC ANIMALS

Harmful if swallowed, inhaled or absorbed through the skin. Causes moderate eye irritation. Avoid breathing vapors, or spray mist. Avoid contact with skin, clothing or eyes.

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 F or G on an EPA chemical resistance category selection chart.

Applicators and other handlers must wear: Long-sleeved shirt and long pants, socks, shoes, chemical resistant gloves such as barrier laminate, butyl rubber \geq 14 mils or nitrile rubber \geq 14 mils. 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.

ENGINEERING CONTROL STATEMENT

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

User should:

- Wash hands before eating, drinking, chewing gum, using tobacco 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.

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 washwater or rinseate.

This product may impact surface water quality due to runoff of rain water. This is especially true for poorly draining soils and soils with shallow ground water. This product is classified as having "high potential for reaching surface water via runoff", according to the pesticide's "mean" soil partition coefficient (Kd) for several days after application. A level, well-maintained vegetative buffer strip between areas to which this product is applied and natural surface water features such as ponds, streams and springs will reduce potential loading of Thiencazabone-methyl from runoff water and sediment. Runoff of this product will be reduced by avoiding applications when rainfall is forecasted to occur within 48 hours.

Ground Water Advisory

This chemical has properties and characteristics associated with chemicals detected in ground water. This chemical may leach into ground water if used in areas where soils are permeable, particularly where the water table is shallow.

ENDANGERED SPECIES PROTECTION REQUIREMENTS:

This product may have effects on federally listed threatened or endangered species or their critical habitat in some locations. When using this product, you must follow the measures contained in the Endangered Species Protection Bulletin for the county or parish in which you are applying the pesticide. To determine whether your county or parish has a Bulletin, and to obtain that Bulletin, consult <http://www.epa.gov/espp/>, or call 1-800-447-3813 no more than 6 months before using this product. Applicators must use Bulletins that are in effect in the month in which the pesticide will be applied. New Bulletins will generally be available from the above sources 6 months prior to their effective dates.

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DIRECTIONS FOR USE

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

Do not use this product until you have read the entire label.

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.

Do not drain or rinse equipment near desirable vegetation.

Avoid spray drift from treated areas. Refer to the Spray Drift Management section of this label for additional information.

Non-target plants may be adversely affected if the pesticide is allowed to drift from areas of application. To prevent damage to crops and other desirable plants, read and follow all directions and precautions on this label before using.

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 4 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, socks, shoes, chemical resistant gloves such as barrier laminate, butyl rubber \geq 14 mils, nitrile rubber \geq 14 mils, and protective eye wear.

STORAGE AND DISPOSAL

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

PESTICIDE STORAGE

Store in a cool, dry place.

PESTICIDE DISPOSAL

Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER DISPOSAL

Non-refillable container. Do not reuse or refill this container. Offer for recycling, if available. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then 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.

GENERAL INFORMATION

OD 70 Herbicide is applied as a postemergence foliar spray in spring wheat (including durum) for the control of certain annual grasses and broadleaf weeds.

USE RESTRICTIONS AND PRECAUTIONS

- Avoid spray drift from treated areas. Refer to the Spray Drift Management section of this label for additional information.
- Do not apply OD 70 Herbicide to crops undersown with grass or legume species.
- OD 70 Herbicide is rainfast 1 hour after application to most weed species. Rainfall within 1 hour may result in reduced weed control.
- Do not make more than one application of OD 70 Herbicide per 365 days.
- Do not apply more than 6.85 fl oz/acre of OD 70 Herbicide per 365 days.
- Harvest or grazing of wheat forage is permitted 7 days or more after application.
- Harvest of wheat for hay is permitted 30 days or more after application.
- Harvest for wheat grain and straw is permitted 60 days or more after application.

ROTATIONAL CROP RESTRICTIONS

To ensure safety of rotational crops, follow the listed rotational intervals:

Crop	Rotation Interval (Months)
Soybean	2
Wheat	3
Alfalfa	9
Barley	9
Canola	9
Canaryseed	9
Chickpeas	9
Corn – Conventional	9
Dry Beans	9
Flax	9
Lentils	9
Mustard	9
Oats, spring	9
Peas	9
Safflower	9
Sorghum (grain)	9
Sunflowers	9
Timothy	9

In areas where a crop is not specified, conduct a field bioassay as described in the **FIELD BIOASSAY** section.

FIELD BIOASSAY

A field bioassay must be conducted for crops not listed on this label and for crops listed on the label for which a shorter plant-back interval than listed is desired.

To conduct a field bioassay, plant strips of the crop you want to grow the season following OD 70 Herbicide application. Monitor the crop for response to OD 70 Herbicide to determine if the crop can be grown safely in previously treated OD 70 Herbicide areas.

Regardless of the bioassay results, do not plant any crop sooner than 2 months after an OD 70 Herbicide application.

ENVIRONMENTAL AND BIOLOGICAL ACTIVITY

OD 70 Herbicide is absorbed by foliage and roots of weeds and offers contact and limited residual weed control. OD 70 Herbicide provides the most consistent control when applied to actively growing weeds. OD 70 Herbicide is active against many important grass and broadleaf weeds (see WEEDS CONTROLLED below for details). Environmental conditions which support vigorous growth of crop and weeds also result in highest herbicidal activity. Following application, symptoms of herbicidal activity may develop within several days. Speed of action depends on environmental conditions and increases with increasing temperature and moisture.

CROPS

OD 70 Herbicide may be used on all varieties of spring wheat, including durum.

USE RATES

Unless otherwise specified by Bayer CropScience, do not use less than 6.85 fl oz per acre of **OD 70 Herbicide**.

Apply OD 70 Herbicide at 6.85 fl oz per acre to spring wheat or durum wheat in spring as a single application to actively growing weeds. Do not exceed 6.85 fl oz per acre in a single application in the spring.

APPLICATION INFORMATION

Apply 6.85 fl oz/acre of OD 70 Herbicide to actively growing spring wheat or durum from the 1 leaf stage (fully expanded first true leaf) up to 3 tillers plus 6 leaves.

- Weed infestations should be treated before they become competitive with the crop. Make applications to actively growing weeds. Thorough coverage of weeds is necessary to obtain good weed control. Weed control may be reduced when weeds are under stress due to severe weather conditions, drought, very cold temperatures, etc.

Properly calibrate ground or aerial (fixed wing or helicopter) application equipment to apply OD 70 Herbicide postemergence as a foliar spray. The use of nozzles and spray pressure that deliver medium spray droplets as indicated in the nozzle manufacturer's catalogs and in accordance with ASAE Standard S-572 are highly recommended for optimum spray coverage and canopy penetration.

Avoid uneven spray distribution, skips, overlaps, and spray drift.

DO NOT apply OD 70 Herbicide through any type of irrigation system.

GROUND APPLICATION

Apply OD 70 Herbicide broadcast in 5 or more gallons of water per acre. For weed control in dense weed canopies, use 10 or more gallons of water per acre.

To obtain uniform spray coverage, use nozzles and pressure that deliver MEDIUM spray droplets as indicated in nozzle manufacturer's catalogs and in accordance with ASAE standard S-572. Use screens that are 50 mesh or larger.

AERIAL APPLICATION

Calibrate the spray equipment prior to use. OD 70 Herbicide should be applied in a minimum of 5 gallons of water per broadcast acre.

To get uniform spray coverage, use nozzles and pressure that deliver MEDIUM spray droplets as indicated in nozzle manufacturer's catalogs and in accordance with ASAE standard S-572. **DO NOT** use raindrop nozzles.

Aerial applications with this product should be made at a maximum height of 10 feet above the crop with low drift nozzles. Avoid application under conditions where uniform coverage cannot be obtained or where excessive spray drift may occur.

See the **Spray Drift Management** section of this label for additional information on proper application of OD 70 Herbicide.

WEEDS CONTROLLED

- OD 70 Herbicide effectively controls the following weeds when applied at the application timings recommended and when weeds are actively growing. Best control is achieved when grass weeds are treated between the 1-leaf to 2-tiller stage of growth and broadleaf weeds are between the 1-6 leaf stage of growth, unless otherwise indicated. OD 70 Herbicide will have an effect on weeds that are larger than the recommended leaf stage, however the speed of activity and level of control may be reduced.

GRASS WEEDS	
Wild oat	C
Green foxtail	C
Yellow Foxtail	PC
Barnyardgrass	C
Persian darnel	PC

BROADLEAF WEEDS	
Buckwheat, wild	C
Catchweed bedstraw (4 whorls)	C
Canola (volunteer) ¹	C
Chickweed, common ¹	C
Hempnettle	C
Lambsquarters, common	C
Mustard, wild	C
Redroot pigweed ¹	C
Russian thistle (4" ht)	C
Shepherd's purse	C
Smartweed	C
Stinkweed	C

C = control. PC denotes partial control only. Partially controlled weeds will be stunted in growth and/or be reduced in number as compared to non-treated areas but performance will not be commercially acceptable. The degree of weed control will vary with weed size, density, coverage and growing conditions.

¹Non-ALS tolerant

WEED RESISTANCE

OD 70 Herbicide is a WSSA Group 2, acetolactate synthase (ALS) inhibiting herbicide. Some weed populations may contain plants naturally resistant to OD 70 Herbicide or other herbicides with same mode of action (ALS/AHAS enzyme inhibitors). Repeated use of herbicides with the same mode of action allows resistant weeds to spread. To manage the spread of resistant weed populations, use herbicides with different modes of action in tankmixture, rotation, or in conjunction with alternate cultural practices.

The use of OD 70 Herbicide should conform to resistance management strategies established for the use area. Consult your agricultural advisor for resistance management strategies and recommended pest management practices for your area.

TANKMIXES

For control of weeds not listed on this label, OD 70 Herbicide may be mixed with other herbicides. With all tank-mix partners, read and follow use directions, rates, precautions, timing, recropping restrictions, grazing interval restrictions and recommendations on the tankmix partner label.

Possible tank-mix partners include:

Broadleaf Herbicides	Grass Herbicides
Affinity Tankmix™	Olympus
Bronate Advanced™ *	Puma
Buctril® *	Silverado
CurtailM	Rimfire
HUSKIE™	
Harmony®/ Harmony Extra XP®	
MCP Ester	
Starane®#	
WideMatch™	
2,4-D Ester	

* Equivalent bromoxynil based products may be substituted in a tankmix for these products.

Equivalent fluroxypyr products may be substituted

TANK MIXTURES FOR DISEASE CONTROL

OD 70 Herbicide may be applied in combination with Stratego®, Headline, Quilt, Quadris, Tilt® or Topsin® M 70WP fungicides for weed and disease control. Refer to the specific fungicide label for use directions, application rates, restrictions and a list of diseases controlled.

TANK MIXTURES FOR INSECT CONTROL

OD 70 Herbicide may be applied with Baythroid®XL, Furadan® 4F, Sevin® XLR PLUS, Mustang Max or Warrior® insecticides. Refer to the specific insecticide label for use directions, application rates, restrictions and a list of insects controlled.

MIXING INSTRUCTIONS

Application with water as a carrier: Fill the spray tank 1/4 to 1/2 of the required volume of water prior to the addition of OD 70 Herbicide. Add the proper amount of OD 70 Herbicide, then add the rest of the water to the desired level. Maintain sufficient agitation to ensure a uniform spray mixture during application. If OD 70 Herbicide is applied in a tank mixture with other pesticides, add OD 70 Herbicide to the spray tank first and ensure it is thoroughly dispersed before adding other pesticides. Continue to fill the tank with carrier to the desired volume while agitating.

TANK CLEANUP PROCEDURE

To avoid injury or exposure to non-target crops, thoroughly clean all mixing and spray equipment, including pumps, nozzles, lines and screens with a good quality tank cleaner, on approved rinse pad or on the field site where an approved crop is to be grown.

Cleaning Equipment After OD 70 Herbicide Application

Special attention must be given to cleaning equipment before spraying a crop other than corn. Mix only as much cleaning solution as needed.

1. Flush tank, hoses, boom and nozzles with clean water.
2. Use a pressure washer with a high quality commercial spray tank cleaner in water to clean the inside of the spray tank. Take care to wash all parts of the tank, including the inside top surface. If a pressure washer is not available, completely fill the sprayer with the cleaning solution to ensure contact of the cleaning solution with all internal surfaces of the tank and plumbing. Start agitation in the sprayer and thoroughly recirculate the cleaning solution for at least 15 minutes. All visible deposits must be removed from the spraying system.
3. Flush hoses, spray lines, and nozzles for at least 1 minute with the cleaning solution.
4. Dispose of rinsate from steps 1-3 in an appropriate manner.
5. Repeat steps 2-4.
6. Remove nozzles, screens and strainers and clean separately in the cleaning solution after completing the above procedures.
7. Rinse the complete spraying system with clean water.
8. Cleanup should be conducted on an approved rinse pad or the field site where an approved crop is to be grown.

COMPATIBILITY

If OD 70 Herbicide is to be tank mixed with liquid fertilizers or other pesticides, compatibility should be tested prior to mixing. To test for compatibility, use a small container and mix a small amount (0.5 to 1 qt) of spray, combining all ingredients in the same ratio as the anticipated use. If any indications of physical incompatibility develop, do not use this mixture for spraying. Indications of incompatibility usually will appear within 5-15 minutes after mixing. Read and follow all parts of the label of each tank-mix product.

SPRAY DRIFT MANAGEMENT

OD 70 Herbicide is not volatile. Damage to sensitive crops can occur as a result of spray drift. Spray drift can be managed by several application factors and by spraying under the appropriate climatic conditions. Consequently, avoidance of spray drift is the responsibility of the applicator and grower.

Only apply this product when the potential for drift to adjacent non-target areas is minimal (e.g., when wind is 10 MPH or less and is blowing away from sensitive areas).

To avoid potential adverse effects to non-target areas, maintain a **25 foot buffer for ground applications**, or a **200 foot buffer for aerial applications** between the point of direct application and the closest downwind edge of sensitive terrestrial habitats (such as grasslands, forested areas, shelter belts, woodlots hedgerows, riparian areas and shrub lands), sensitive freshwater habitats (such as lakes, rivers, sloughs, ponds, creeks, marshes, streams, reservoirs and wetlands) and estuarine/marine habitats.

INFORMATION ON DROPLET SIZE:

The most effective way to reduce drift potential is to apply large droplets. The best drift management strategy is to apply the largest droplets that provide sufficient coverage and control. Applying larger droplets reduces drift potential, but will not prevent drift if applications are made improperly, or under unfavorable environmental conditions (see Wind, Temperature and Humidity, and Temperature Inversions below).

Uniform, thorough spray coverage is important to achieve consistent weed control. Select nozzles and pressure that deliver **MEDIUM** spray droplets as indicated in nozzle manufacturer's catalogs and in accordance with ASAE Standard S-572. Nozzles that deliver **COARSE** spray droplets may be used to reduce spray drift provided spray volume per acre (GPA) is increased to maintain coverage of weeds.

CONTROLLING DROPLET SIZE:

- Volume - Use high flow rate nozzles to apply the highest practical spray volume. Nozzles with higher rated flows produce larger droplets.
- Pressure - Do not exceed the nozzle manufacturer's recommended pressures. For many nozzle types lower pressure produces larger droplets. When higher flow rates are needed, use higher flow rate nozzles instead of increasing pressure.
- Number of nozzles - Use the minimum number of nozzles that provide uniform coverage.
- Nozzle Orientation - Orienting nozzles so that the spray is released parallel to the airstream produces larger droplets than other orientations and is the recommended practice. Significant deflection from horizontal will reduce droplet size and increase drift potential.
- Nozzle Type - Use a nozzle type that is designed for the intended application. With most nozzle types, narrower spray angles produce larger droplets. Consider using low-drift nozzles. Solid stream nozzles oriented straight back produce the largest droplets and the lowest drift.

BOOM LENGTH:

For some use patterns, reducing the effective boom length to less than 3/4 of the wingspan or rotor length may further reduce drift without reducing swath width.

APPLICATION HEIGHT:

Applications should not be made at a height greater than 10 feet above the top of the largest plants unless a greater height is required for aircraft safety. Making applications at the lowest height that is safe reduces exposure of droplets to evaporation and wind.

For ground boom applications, apply with nozzle height no more than 4 feet above the ground or crop canopy.

SWATH ADJUSTMENT:

When applications are made with a crosswind, the swath will be displaced downwind. Therefore, on the up and downwind edges of the field, the applicator must compensate for this displacement by adjusting the path of the aircraft upwind. Swath adjustment distance should increase, with increasing drift potential (higher wind, smaller drops, etc.).

WIND:

Drift potential is lowest between wind speeds of 2 - 10 mph. However, many factors, including droplet size and equipment type determine drift potential at any given speed. Application should be avoided below 2 mph due to variable wind direction and high inversion potential. **NOTE:** Local terrain can influence wind patterns. Every applicator should be familiar with local wind patterns and how they affect spray drift.

For all non-aerial applications, wind speed must be measured adjacent to the application site, on the upwind side, immediately prior to application.

TEMPERATURE AND HUMIDITY:

When making applications in low relative humidity, set up equipment to produce larger droplets to compensate for evaporation. Droplet evaporation is most severe when conditions are both hot and dry. Avoid spraying during conditions of low humidity and/or high temperatures.

TEMPERATURE INVERSIONS:

Do not make aerial or ground applications into areas of temperature inversions because drift potential is high. Temperature inversions restrict vertical air mixing, which causes small suspended droplets to remain in a concentrated cloud. This cloud can move in unpredictable directions due to the light variable winds common during inversions. Temperature inversions are characterized by increasing temperatures with altitude and are common on nights with limited cloud cover and light to no wind. They begin to form as the sun sets and often continue into the morning. Their presence can be indicated by ground fog; however, if fog is not present, inversions can also be identified by the movement of smoke from a ground source or an aircraft smoke generator. Smoke that layers and moves laterally in a concentrated cloud (under low wind conditions) indicates an inversion, while smoke that moves upward and rapidly dissipates indicates good vertical air mixing.

SENSITIVE AREAS: The pesticide should only be applied when the potential for drift to adjacent sensitive areas (e.g., residential areas, bodies of water, known habitats for threatened or endangered species, non-target crops) is minimal (e.g., when wind is blowing away from the sensitive areas).

Avoiding spray drift at the application site is the responsibility of the applicator and grower. The interaction of many equipment-and-weather-related factors determine the potential for spray drift. The applicator and the grower are responsible for considering all these factors when making decisions.

Do not apply under circumstances where possible drift to unprotected persons or to food, forage, or other plantings that might be damaged or crops thereof rendered unfit for sale, use or consumption can occur.

The following drift management requirements must be followed to avoid off-target drift movement from aerial applications to agricultural field crops.

1. The distance of the outer most nozzles on the boom must not exceed 3/4 the length of the wingspan or rotor.
2. Nozzles must always point backward parallel with the air stream and never be pointed downwards more than 45 degrees.
3. All aerial and ground application equipment must be properly maintained and calibrated using appropriate carriers.

Where states have more stringent regulations, they shall be observed. The applicator should be familiar with and take into account the information covered in the [Aerial Drift Reduction Advisory Information](#).

IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following Conditions, Disclaimer of Warranties and Limitations of Liability.

CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Bayer CropScience. All such risks shall be assumed by the user or buyer.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, THAT EXTEND BEYOND THE STATEMENTS MADE ON THIS LABEL. NO AGENT OF BAYER CROPSCIENCE IS AUTHORIZED TO MAKE ANY WARRANTIES BEYOND THOSE CONTAINED HEREIN OR TO MODIFY THE WARRANTIES CONTAINED HEREIN. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BAYER CROPSCIENCE DISCLAIMS ANY LIABILITY WHATSOEVER FOR SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.

LIMITATIONS OF LIABILITY: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER FOR ANY AND ALL LOSSES, INJURIES OR DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, WHETHER IN CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED THE PURCHASE PRICE PAID, OR AT BAYER CROPSCIENCE'S ELECTION, THE REPLACEMENT OF PRODUCT.

NET CONTENTS: 2.5 gallons

Produced for



Bayer CropScience

**Bayer CropScience LP
P.O. Box 12014, 2 T.W. Alexander Drive
Research Triangle Park, North Carolina 27709
1-866-99BAYER (1-866-992-2937)**

OD 70 Herbicide (PENDING) 08/10/2010