OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION
WASHINGTON, D.C. 20460

February 10, 2026

Arthur Toscano
Senior Regulatory Affairs Manager
Bayer Crop Science LLC
700 Chesterfield Pkwy W
Chesterfield, MO 63017

Subject: Label Amendment - Registration Review Mitigation for Thiencarbazone-methyl
Product Name: OD 70 Herbicide
EPA Registration Number: 264-1062
Case Number: 478390
Application Date: 10/26/2020

Dear Arthur Toscano:

The Agency, in accordance with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, has completed reviewing all the information submitted with your application to support the Registration Review of the above referenced product in connection with the Thiencarbazone-methyl Interim Decision, and has concluded that your submission is acceptable. The label referred to above, submitted in connection with registration under FIFRA, as amended, is acceptable.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide, Fungicide, and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance Assurance.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling and must be used at your next label printing. You must submit one copy of the final printed labeling before you release the product for

shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 12 months from the date of this letter. After 12 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. "To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

If you have any questions about this letter, please contact Lauren Weissenborn by email at weissenborn.lauren@epa.gov.

Sincerely,

Cathryn Britton
Chief, Risk Management and Implementation
Branch V
Pesticide Re-evaluation Division (7508M)
Office of Pesticide Programs

ENCLOSURE: Stamped label

THIENCARBAZONE-METHYL	GROUP	2	HERBICIDE

OD 70 Herbicide

[ABN: Varro Herbicide, Luxxur B Herbicide]

For: Post-emergence control of certain grasses and broadleaf weeds in winter wheat and spring wheat (including durum)

ACTIVE INGREDIENT:

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)	**1.00%**
OTHER INGREDIENTS:	**99.00%**
TOTAL:	100.00%

Contains Petroleum Distillates
Contains 0.083 pounds thiencarbazone–methyl per U.S. gallon

EPA Reg. No. 264-1062 **EPA Est.**

KEEP OUT OF REACH OF CHILDREN

CAUTION/PRECAUCIÓN

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)

Please refer to [back panel] [booklet] for additional precautionary statements and directions for use. [Note to reviewer: Location of additional precautionary statements and directions for use will vary between those listed, depending on container type/size.]

Net Contents:
[Batch Code:]

ACCEPTED
02/10/2026
Under the Federal Insecticide, Fungicide and Rodenticide Act as amended, for the pesticide registered under EPA Reg. No. 264-1062

PRODUCED FOR

Bayer CropScience LLC
800 N. Lindbergh Blvd
St. Louis, MO 63167
1-866-99BAYER (1-866-992-2937)

FIRST AID	
If Swallowed	• 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:	• 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:	• 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:	• 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.
In case of emergency, call the toll-free Bayer CropScience Emergency Response telephone number: 1-800-334-7577. Have a 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.	

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

- 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.
- Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Shoes plus socks
- Chemical-resistant gloves made of barrier laminate or viton ≥ 14 mils.

USER SAFETY REQUIREMENTS

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.

USER SAFETY RECOMMENDATIONS
• 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.

ENGINEERING CONTROLS

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 170.670(d-f)], the handler PPE requirements may be reduced or modified as specified in the WPS.

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 rinsate.

NON-TARGET ORGANISM ADVISORY

This product is toxic to plants and may adversely impact the forage and habitat of non-target organisms, including pollinators, in areas adjacent to the treated site. Protect the forage and habitat of non-target organisms by following label directions intended to minimize spray drift.

Surface Water Advisory

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 for several days after application.

A level, well-maintained vegetative buffer strip between areas to which this product is applied and surface water features such as ponds, streams, and springs will reduce the potential loading of thiencarbazone-methyl from runoff water and sediment. Runoff of this product will be reduced by avoiding applications when rainfall or irrigation is expected 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 and Threatened Species Protection Requirements:

Before using this product, you must obtain any applicable Endangered Species Protection Bulletins ('Bulletins') within six months prior to or on the day of application. To obtain Bulletins, go to Bulletins Live! Two (BLT) at https://www.epa.gov/pesticides/bulletins. When using this product, you must follow all directions and restrictions contained in any applicable Bulletin(s) for the area where you are applying the product, including any restrictions on application timing if applicable. It is a violation of Federal law to use this product in a manner inconsistent with its labeling, including this labeling instruction to follow all directions and restrictions contained in any applicable Bulletin(s). For general questions or technical help, call 1-844-447-3813, or email ESPP@epa.gov.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.
Read the entire label before using this product.

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.

For Important crop safety information, refer to the Use Directions section under the specific crop.

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, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), notification to workers, 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
- Shoes plus socks
- Chemical-resistant gloves made of barrier laminate or viton ≥ 14 mils.
- Protective eyewear

PRODUCT INFORMATION

OD 70 Herbicide:

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

SPRAY DRIFT MANAGEMENT

MANDATORY SPRAY DRIFT

Aerial Applications:

- Do not release spray at a height greater than 10 ft above the ground or vegetative canopy, unless a greater application height is necessary for pilot safety.
- Applicators are required to use a medium or coarser droplet size in accordance with the most current version of the American Society of Agricultural & Biological Engineers Standard 641 (ASABE S641) for all applications.
- If the windspeed is 10 miles per hour or less, applicators must use ½ swath displacement upwind at the downwind edge of the field. When the windspeed is between 11-15 miles per hour, applicators must use ¾ swath displacement upwind at the downwind edge of the field.
- Do not apply when wind speeds exceed 15 mph at the application site. If the windspeed is greater than 10 mph, the boom length must be 65% or less of the wingspan for fixed wing aircraft and 75% or less of the rotor diameter for helicopters. Otherwise, the boom length must be 75% or less of the wingspan for fixed- wing aircraft and 90% or less of the rotor diameter for helicopters.
- Do not apply during temperature inversions.

Ground Boom Applications:

- User must only apply with the release height recommended by the manufacturer, but no more than 4 feet above the ground or crop canopy.
- Applicators are required to use a medium or coarser droplet size in accordance with the most current version of the American Society of Agricultural & Biological Engineers Standard 572 (ASAE S572).
- Do not apply when wind speeds exceed 15 miles per hour at the application site.
- Do not apply during temperature inversions.

SPRAY DRIFT ADVISORIES
THE APPLICATOR IS RESPONSIBLE FOR AVOIDING OFF-SITE SPRAY DRIFT. BE AWARE OF NEARBY NON-TARGET SITES AND ENVIRONMENTAL CONDITIONS.

IMPORTANCE OF DROPLET SIZE
An effective way to reduce spray drift is to apply large droplets. Use the largest droplets that provide target pest control. While applying larger droplets will reduce spray drift, the potential for drift will be greater if applications are made improperly or under unfavorable environmental conditions.

Controlling Droplet Size – Ground Boom
- Volume - Increasing the spray volume so that larger droplets are produced will reduce spray drift. Use the highest practical spray volume for the application. If a greater spray volume is needed, consider using a nozzle with a higher flow rate.
- Pressure - Use the lowest spray pressure recommended for the nozzle to produce the target spray volume and droplet size.
- Spray Nozzle - Use a spray nozzle that is designed for the intended application. Consider using nozzles designed to reduce drift.

BOOM HEIGHT – Ground Boom
- For ground equipment, the boom should remain level with the crop and have minimal bounce.

Controlling Droplet Size – Aircraft
- Adjust Nozzles - Follow nozzle manufacturers' recommendations for setting up nozzles. Generally, to reduce fine droplets, nozzles should be oriented parallel with the airflow in flight.

RELEASE HEIGHT - Aircraft
- Higher release heights increase the potential for spray drift.

SHIELDED SPRAYERS
Shielding the boom or individual nozzles can reduce spray drift. Consider using shielded sprayers. Verify that the shields are not interfering with the uniform deposition of the spray on the target area.

TEMPERATURE AND HUMIDITY
When making applications in hot and dry conditions, use larger droplets to reduce effects of evaporation.

TEMPERATURE INVERSIONS
Drift potential is high during a temperature inversion. Temperature inversions are characterized by increasing temperature with altitude and are common on nights with limited cloud cover and light to no wind. The presence of an inversion can be indicated by ground fog or 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. Avoid applications during temperature inversions.

WIND
Drift potential generally increases with wind speed. AVOID APPLICATIONS DURING GUSTY WIND CONDITIONS.

Applicators need to be familiar with local wind patterns and terrain that could affect spray drift.

USE RESTRICTIONS
- Do not apply OD 70 Herbicide to crops undersown with grass or legume species.
- Do not make more than a total of 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.
- Do not apply in combination with Dicamba containing products as grass control will be reduced.
- DO NOT apply OD 70 Herbicide through any type of irrigation system.
- Do not drain or rinse equipment near desirable vegetation.
- Do not apply to winter, spring or durum wheat after jointing.
- Do not harvest or graze wheat forage within 7 days after application.
- Do not harvest wheat for hay within 30 days after application.
- Do not harvest wheat for grain or straw within 60 days after application in Minnesota, Montana, North Dakota, or South Dakota; and within 70 days in all other states.

USE PRECAUTIONS
- Avoid spray drift from treated areas. Refer to the Spray Drift Management section of this label for additional information.
- OD 70 Herbicide is rainfast 1 hour after application to most weed species. Rainfall within 1 hour may result in reduced weed control.

- 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.
- 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.
- Applications of OD 70 Herbicide in winter, spring or durum wheat in combination with some EC herbicides may cause crop response (see tankmix section).
- Applications during low temperatures (32 Fº or lower), high temperatures (90 Fº or greater), or to a crop under drought stress can cause crop injury.

APPLICATION INSTRUCTIONS

- 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. Use of nozzles and spray pressure that deliver medium to coarse spray droplets as indicated in the nozzle manufacturer's catalogs and in accordance with ASABE Standard S-572 for optimum spray coverage and canopy penetration.
- Avoid uneven spray distribution, skips, overlaps, and spray drift.

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 to coarse spray droplets as indicated in nozzle manufacturer's catalogs and in accordance with ASABE 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.

Ground Application

Apply OD 70 Herbicide broadcast in 10 or more gallons of water per acre.
To obtain uniform spray coverage, use nozzles and pressure that deliver medium to coarse spray droplets as indicated in nozzle manufacturer's catalogs and in accordance with ASABE standard S-572. Use screens that are 50 mesh or larger. See the Spray Drift Management section of this label for additional information on proper application of OD 70 Herbicide.

WEED RESISTANCE MANAGEMENT

For resistance management, OD 70 Herbicide is a Group 2 herbicide. Any weed population may contain or develop plants naturally resistant to OD 70 Herbicide and other Group 2 herbicides. The resistant biotypes may dominate the weed population if these herbicides are used repeatedly in the same field. Appropriate resistance management strategies should be followed.

To delay herbicide resistance take one or more of the following steps:

- Rotate the use of OD 70 Herbicide or other Group 2 herbicides within a growing season sequence or among growing seasons with different herbicide groups that control the same weeds in a field.
- Use tank mixtures with herbicides from a different group if such use is permitted; where information on resistance in target weed species is available, use the less resistance-prone partner at a rate that will control the target weed(s) equally as well as the more resistance-prone partner. Consult your local extension service or certified crop advisor if you are unsure as to which active ingredient is currently less prone to resistance.
- Adopt an integrated weed-management program for herbicide use that includes scouting and uses historical information related to herbicide use and crop rotation, and that considers tillage (or other mechanical control methods), cultural (e.g., higher crop seeding rates; precision fertilizer application method and timing to favor the crop and not the weeds), biological (weed-competitive crops or varieties) and other management practices.
- Scout after herbicide application to monitor weed populations for early signs of resistance development. Indicators of possible herbicide resistance include: (1) failure to control a weed species normally controlled by the herbicide at the dose applied, especially if control is achieved on adjacent weeds; (2) a spreading patch of non-controlled plants of a particular weed species; (3) surviving plants mixed with controlled individuals of the same species. If resistance is suspected, prevent weed seed production in the affected area by an alternative herbicide from a different group or by a mechanical method such as hoeing or tillage. Prevent movement of resistant weed seeds to other fields by cleaning harvesting and tillage equipment when moving between fields, and planting clean seed.
- If a weed pest population continues to progress after treatment with this product, discontinue use of this product, and switch to another management strategy or herbicide with a different mode of action, if available.
- Contact your local extension specialist or certified crop advisors for additional pesticide resistance-management and/or integrated weed-management recommendations for specific crops and weed biotypes.
- For further information or to report suspected resistance contact Bayer CropScience at 1-866-99BAYER (1-866-992-2937). You can also contact your pesticide distributor or university extension specialist to report resistance.

COMPATIBILITY TESTING AND TANK MIX PARTNERS

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.

Tank Mix Instructions

For control of weeds not listed on this label, OD 70 Herbicide may be mixed with other herbicides with the exception of dicamba containing products. It is the pesticide user's responsibility to ensure that all products in the listed mixtures are registered for the intended use. Read and follow the most restrictive directions for use and precautionary statements of each product in the tank mixture.

Broadleaf Herbicides			
Affinity Tankmix®	Express®	Starane®[3,5] /Starane NXT[3, 5] /Starane Ultra[3,5]	Sentrallas®
Affinity BroadSpec®	HUSKIE™	Starane® Flex[3, 5]	
Bronate Advanced™[1, 5]	Harmony® / Harmony Extra XP®	Supremacy[4]	
Buctril®[1, 5]	MCPA Ester[2, 5]	WideMatch™[5]	

[1] Equivalent bromoxynil based products may be substituted in a tank mix for these products.

[2] MCPA Ester may be added alone but not as a component of a premix.

[3] Equivalent fluroxypyr product may be substituted.
[4] Equivalent dry formulation products containing fluroxypyr may be substituted.
[5] Applications of OD 70 Herbicide in winter, spring or durum wheat in combination with these EC tankmix partners or equivalents may cause crop response.

Grass Herbicides			
Olympus[1]	Osprey	Puma[2]	Rimfire Max

[1] Olympus can be added. Refer to Olympus label concerning crop rotation restrictions.
[2] Equivalent fenoxaprop-based 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. Do not apply OD 70 herbicide in tank mixture with tebuconazole. Tank mix applications of herbicides with fungicides may cause temporary yellowing, leaf burn, and or height reduction of the crop. Refer to the specific fungicide label for use directions, application rates, restrictions and a list of diseases controlled.
*Tilt or equivalent propiconazole products are limited to a maximum of 2 oz/A (0.0513 lb ai/A)

Tank Mixtures for Insect Control

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

Order of Mixing

OD 70 Herbicide must be applied with clean and properly calibrated equipment. Prior to adding OD 70 Herbicide to the spray tank, ensure that the spray tank, filters and nozzles have been thoroughly cleaned. In-line strainers and nozzle screens should be 50 mesh or coarser.

1. Fill the spray tank 1/4 to 1/2 full with clean water and begin agitation or bypass.
2. Add the specified rate of OD 70 Herbicide directly to the spray tank. Maintain sufficient agitation during both mixing and application. DO NOT pre-slurry by adding any quantity of OD 70 Herbicide to a small amount of water.
3. Add a listed tank mix partner, if desired.
4. Fill the spray tank with balance of water needed.
5. Continue agitation during OD 70 Herbicide application to ensure uniform spray coverage.

NOTE: OD 70 Herbicide may settle if left standing without agitation. If the spray solution is allowed to stand for one hour or more, re-agitate the spray solution for a minimum of 10 minutes before application.

Equipment Cleanup Procedures

1. Drain the tank completely, and then wash out tank, boom and hoses with clean water. Drain again.
2. Half fill the tank with clean water and add ammonia (i.e., 3% domestic ammonia solution) at a dilution rate of 1% (i.e., 1 gallon of domestic ammonia for every 100 gallons of rinsate). Complete filling of the tank with water. Agitate/recirculate and flush through boom and hoses. Leave agitation on for 10 minutes. Drain tank completely.
3. Repeat step 2.
4. Remove nozzles and screens and soak them in a 1% ammonia solution. Inspect nozzles and screens and remove visible residues.
5. Flush tank, boom, and hoses with clean water.
6. Inspect tank for visible residues. If present, repeat step 2.

ROTATIONAL CROPS

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

Crop	Rotational Interval		Crop	Rotational Interval
Soybean	3 Months		Lentils	9 Months
Wheat			Mustard	
Alfalfa	9 Months		Oats, spring	
Barley			Peas	
Canola			Safflower	
Canaryseed			Sorghum (grain)	
Chickpeas			Sugarbeets	
Corn – Conventional			Sunflowers	
Dry Beans			Timothy	
Flax			Potatoes	18 Months

Cover Crops

Use of cover crops as a means of soil improvement, erosion control, weed and/or insect suppression, etc., following harvest in the fall is increasing. Planting of cover crops in fields treated with OD 70 Herbicide is allowed as long as these cover crops are not grazed by livestock nor harvested for food. Cover crops are to be tilled under or chemically controlled with burndown herbicides in the spring. Many cover crops can be planted within 90-120 days after application of OD 70 Herbicide. However, all potential cover crops have not been evaluated for tolerance to OD 70 Herbicide and significant injury may occur. Prior to seeding a cover crop, complete a successful field/ small scale bioassay to provide an indication of the level of tolerance to the prior OD 70 Herbicide application. Refer to the "Field/Small Scale Bioassay" section.

Field/Small Scale Bioassay

A field/ small scale bioassay must be completed before rotating to a cover crop other than those specified in the "Rotational Crop Restrictions" section of this label. To conduct an effective **field bioassay**, grow strips of the crop(s) you intend to grow the following season in a field previously treated with OD 70 Herbicide. The test strip should be placed in a controlled area and should include low areas and knolls, and include variations in soil such as type and pH. Crop response to the bioassay will determine if the crop(s) grown in the test strips can be grown safely in the areas previously treated with OD 70 Herbicide.

For an effective **small scale bioassay**, collect uniform samples of all soil types from the OD 70 Herbicide- treated field and place the soil into a sturdy container. Plant the desired cover crop into the soil, apply water and place the container in a warm, sunny area to allow germination and growth of the crop. Monitor growth of the cover crop over a three to four week period. If the cover crop emerges and grows normally, the risk to establish and grow the cover crop in the OD 70 Herbicide-treated field should be tolerable.

WEEDS CONTROLLED & PARTIALLY 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.

BROADLEAF WEEDS	
Controlled	**Partial Control[2]**
Common Name	**Common Name**
Canola (volunteer) [1]	Buckwheat, wild
Catchweed bedstraw (4 whorls)	Lambsquarters, common
Chickweed, common [1]	Pennsylvania smartweed
Field Pennycress	Russian thistle1 (4" ht)
Hempnettle	
Mustard, wild	
Redroot pigweed[1]	
Shepherd's purse	
[1]Non-ALS tolerant [2] 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.	

GRASSES	
Controlled	**Partial Control [1]**
Common Name	**Common Name**
Barnyardgrass	Japanese Brome
Green foxtail	Persian darnel
Wild oat	
Yellow Foxtail	
[1] 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.	

SPECIFIC USE DIRECTIONS

SPRING, DURUM AND WINTER WHEAT

[For Use of Luxxur B Herbicide with Luxxur A Herbicide (EPA #264-1204), please refer to the Specific Use Directions and Mixing Instructions located on the Luxxur A Herbicide label.] (Note to EPA Reviewer: This will only be printed for the Luxxur B Herbicide ABN)

APPLICATION RATE

Unless otherwise specified by Bayer CropScience, do not use less than 6.85 fl oz per acre of OD 70 Herbicide. Do not exceed 6.85 fl oz per acre in a single application.

APPLICATION TIMING

OD 70 Herbicide may be applied to wheat starting from the 1 leaf stage (fully expanded first true leaf) but prior to jointing (presence of first node).

Pre-Harvest Interval (PHI): Applications may be made up to 60 - 70 days prior to harvest (60 days for Minnesota, North Dakota, and South Dakota; 70 days in all other states). Do not apply to wheat after jointing.

STORAGE AND DISPOSAL

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

Pesticide storage

Store in original container away from feed and food. Store in cool, dry area. Do not store in direct sunlight. Do not allow prolonged storage in temperatures that exceed 105 Fº (40 Cº) or in temperatures that fall below 14 Fº (-10 Cº).

Pesticide disposal

To avoid wastes, use all material in this container by application according to label directions. If wastes cannot be avoided, offer remaining product to a waste facility or pesticide disposal program (often such programs are run by state or local governments or by industry).

Container handling

Rigid, Non-refillable containers (equal to or less than 5 gallons)

Non-refillable container. Do not reuse or refill this container. Triple rinse or pressure 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.

Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.

Once container is rinsed, offer for recycling if available or puncture and dispose of in a sanitary landfill or by incineration.

[OR]

Rigid Non-refillable containers (greater than 5 gallons)

Non-refillable Containers

Non-refillable containers - Do not reuse or refill this container. Refer to Bottom Discharge IBC or Top Discharge IBC, Drums, Kegs information as follows.

Bottom Discharge IBC (e.g. – Schuetz Caged IBC or Snyder Square Stackable)

Pressure rinsing the container before final disposal is the responsibility of the person disposing of the container. To pressure rinse the container before final disposal, empty the remaining contents from the IBC into application equipment or mix tank. Raise the bottom of the IBC by 1.5 inches on the side which is opposite of the bottom discharge valve to promote more complete product removal. Completely remove the top lid of the IBC. Use water pressurized to at least 40 PSI to rinse all interior portions. Continuously pump or drain rinsate into application equipment or rinsate collection system while pressure rinsing. Continue pressure rinsing for 2 minutes or until rinsate becomes clear. Replace the lid and close bottom valve.

Top Discharge IBC, Drums, Kegs (e.g.– Snyder 120 Next Gen, Bonar B120, Drums, Kegs)

Triple rinsing the container before final disposal is the responsibility of the person disposing of the container. To triple rinse the container before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container at least 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Rinse all interior surfaces. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this procedure two more times.

Once container is rinsed, offer for recycling if available or puncture and dispose of in a sanitary landfill.

[OR]

Refillable Containers

Refillable container – Refer to Bottom Discharge IBC or Top Discharge IBC, Drums, Kegs information as follows. Refill this container with pesticide only. Do not reuse this container for any other purpose. Contact your Ag retailer or Bayer CropScience for container return, disposal and recycling information.

Bottom Discharge IBC (e.g. – Schuetz Caged IBC or Snyder Square Stackable)

Pressure rinsing the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To pressure rinse the container before final disposal, empty the remaining contents from the IBC into application equipment or mix tank. Raise the bottom of the IBC by 1.5 inches on the side which is opposite of the bottom discharge valve to promote more complete product removal. Completely remove the top lid of the IBC. Use water pressurized to at least 40 PSI to rinse all interior portions. Continuously pump or drain rinsate into application equipment or rinsate collection system while pressure rinsing. Continue pressure rinsing for 2 minutes or until rinsate becomes clear. Replace the lid and close bottom valve.

Top Discharge IBC, Drums, Kegs (e.g.– Snyder 120 Next Gen, Bonar B120, Drums, Kegs)
Triple rinsing the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To triple rinse the containers before final disposal, empty the remaining contents from this container into application equipment or mix tank. Fill the container at least 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Rinse all interior surfaces. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this procedure two more times.
Once container is rinsed, offer for recycling if available or puncture and dispose of in a sanitary landfill.

End users are authorized to remove tamper evident cables as required to remove the product from the container unless the container is equipped with one way valves and refilling or returning is planned. If this is the case, end users are not authorized to remove tamper evident cables, one way valves or clean container.

IMPORTANT NOTICE – PLEASE READ: LIMITATIONS OF WARRANTIES, LIABILITY, AND REMEDIES

This Notice of Limitation of Warranties, Liability, and Remedies ("Notice") and instructions to the purchaser and/or user ("Purchaser") contained in this product ("Product") label, including without limitation under Directions for Use (collectively, "Directions for Use"), are included in the terms of sale of this Product. Please read the Directions for Use and this Notice entirely before using this Product. The Purchaser accepts, acknowledges, and agrees to be bound by the Directions for Use and the terms of this Notice upon use of the Product. If Purchaser does not accept such terms, Purchaser must return the unopened Product container immediately. Any use and/or transfer of this Product must be authorized by Bayer CropScience LLC and accompanied by this Notice.

INHERENT RISKS OF USE: The Directions for Use of this Product are believed to be adequate, and Purchaser must carefully follow the Directions for Use. 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 factors and conditions beyond the control of Bayer CropScience LLC and its authorized Product distributors ("Seller"), including, among other things, adverse weather conditions, presence of other materials, and the manner of use or application. To the extent consistent with applicable law, Purchaser assumes all such risks.

To the extent the Product is a seed treatment product, Purchaser acknowledges that treatment of damaged seed (including, without limitation, highly mechanically damaged seed) or seed of low vigor or poor quality may result in reduced germination or seed and seedling vigor. Prior to use of this Product, Purchaser should inspect seed for damage and treat and conduct germination tests on a small portion of seed before treating a full seed lot with any seed treatment product.

EXPRESS WARRANTY: Seller's sole and exclusive warranty ("Exclusive Warranty") on the Product is the statements made on this Product label.

DISCLAIMER OF WARRANTIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, EXCEPT FOR THE EXCLUSIVE WARRANTY SET FORTH ABOVE, SELLER DISCLAIMS ANY AND ALL WARRANTIES WITH RESPECT TO THIS PRODUCT, WHETHER EXPRESS OR IMPLIED (EITHER IN FACT OR BY OPERATION OF LAW), INCLUDING BUT NOT LIMITED TO: (A) THE IMPLIED WARRANTY OF MERCHANTABILITY; (B) THE IMPLIED WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE; (C) THE IMPLIED WARRANTY AGAINST NONINFRINGEMENT (FOR THIS PRODUCT ALONE OR IN COMBINATION WITH ANY OTHER PRODUCTS); AND (D) ANY WARRANTIES OF CROP PERFORMANCE OR, IF APPLICABLE, CARRYOVER SEED PERFORMANCE.

LIMITATION OF LIABILITY AND REMEDIES: TO THE EXTENT CONSISTENT WITH APPLICABLE LAW:

1. SELLER'S TOTAL LIABILITY AND PURCHASER'S EXCLUSIVE REMEDY FOR ANY AND ALL LOSSES, INJURIES AND/OR DAMAGES ARISING FROM THE PURCHASE, USE, OR HANDLING OF THIS PRODUCT, OR OTHERWISE ARISING OUT OF A BREACH BY SELLER OF THE EXCLUSIVE WARRANTY, HOWEVER SUCH LIABILITY MAY ARISE, WHETHER SUCH CLAIMS ARE BASED ON CONTRACT, NEGLIGENCE, STRICT LIABILITY, TORT, OR ANY OTHER THEORY OF RECOVERY OR REMEDY, SHALL BE, AT THE ELECTION OF SELLER OR SELLER'S DELEGATE, AN AMOUNT NOT TO EXCEED THE PURCHASE PRICE PAID BY PURCHASER FOR THIS PRODUCT (AS SET FORTH IN THE APPLICABLE INVOICE) OR THE REPLACEMENT OF THE PRODUCT.

2. SELLER SHALL NOT BE LIABLE TO PURCHASER AND/OR ANY THIRD PARTY FOR ANY INCIDENTAL, CONSEQUENTIAL, RELIANCE, REMOTE, EXEMPLARY, PUNITIVE, SPECIAL, OR INDIRECT DAMAGES INCURRED OR EXPENDED IN THE PURCHASE, USE OR HANDLING OF THIS PRODUCT.

3. PURCHASER AGREES THAT IF THE PURCHASE PRICE PAID BY PURCHASER FOR THIS PRODUCT OR REPLACEMENT PRODUCT IS PROVIDED, THE REMEDY SET FORTH IN THIS NOTICE WILL NOT HAVE FAILED OF ITS ESSENTIAL PURPOSE.

PROMPT NOTICE OF CLAIMS REQUIRED: To the extent consistent with applicable law, as a condition to receiving Purchaser's limited remedy set forth above, any and all claims brought against the Seller must be brought within 30 days after the condition or event giving rise to the claim is discovered or should have been discovered, or prior to the harvest of any crop to which the Product was applied, whichever comes first, so that the claim can be investigated, and the Product or crop inspected.

MISCELLANEOUS: Purchaser agrees that this Notice is the entire agreement between Seller and Purchaser regarding Seller's warranty and liability for this Product. No modification of, addition to, or waiver of any of the terms of this Notice shall be binding unless set forth in writing and signed by an authorized representative of Bayer CropScience LLC. If any portion of this Notice not material to the remaining portions shall be held illegal, void, or ineffective by a governmental authority, the remaining portions shall remain in full force and effect. If any portion of this Notice is in conflict with any applicable statute or rule of law, then such portion shall be deemed to be modified to conform to such statute or rule of law.